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PEEL: Police legitimacy (including leadership) 2017

An inspection of Leicestershire Police



December 2017

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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)¹ assesses the legitimacy and leadership of police forces across England and Wales.

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

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

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

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

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

² *It's a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at:
http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf

³ *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015. Available at:
http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%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/leicestershire/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/leicestershire/.

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

Force in numbers



Workforce

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

3,275

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

officers

staff (including section 38)

PCSOs

1,802

1,233

240



Ethnic diversity

Percentage of BAME in workforce 31 March 2017

overall workforce

9.4%

officers

7.7%

staff

11.4%

PCSOs

12.1%

Percentage of BAME in local population, 2011 Census

21.6%



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

26%

Leicestershire Police

officers

63%

staff

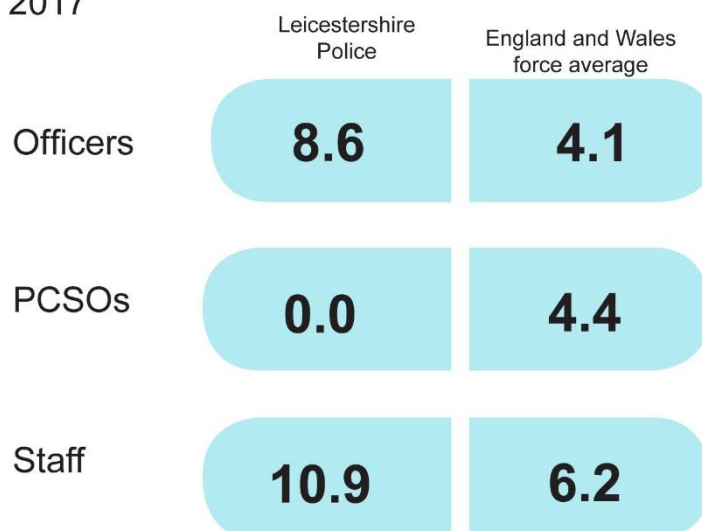
PCSOs

40%



Grievances

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

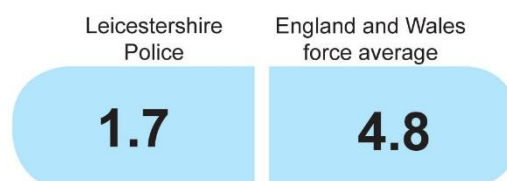


Stop and search

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

1,833

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 judgment⁴



Good

Leicestershire Police is judged to be good 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 good at treating the people it serves with fairness and respect. It is also judged to be good at how well it ensures its workforce behaves ethically and lawfully, and good 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?



Good

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



Good

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



Good

Leicestershire Police treats the public fairly and with respect, having worked hard to identify and understand the issues that have the greatest effect on public perceptions of fair and respectful treatment. The force has internal and external scrutiny processes to improve how it treats people. It works well with the independent advisory group, which provides valuable, well-informed feedback, external oversight and challenge on a wide range of issues. The force takes a progressive approach to enhancing openness in the use of stop and search powers. It holds public meetings to discuss examples of stop and search, explain the legal basis and gather public opinion about what constitutes reasonable grounds for the powers to be used.

Senior leaders act as role models and care about the workforce. The force considers ethics and values when it makes decisions that affect the whole workforce. However, more junior leaders, particularly those in operational roles, tend to follow policy rather

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

than make their own decisions based on the force's values. HMICFRS would like to see the force encourage a culture where leaders feel confident to make decisions and exercise their judgment according to the situation.

Information for the public about making a complaint is easy to find online and in police stations. The force manages complaints from the public well and provides additional assistance to complainants when needed.

The force recognises that there is disproportionality in the ethnic mix of its workforce and is supporting applications from under-represented minority groups. It is very successful at recruiting volunteers from BAME backgrounds into the Special Constabulary and young people into the cadets.

The force makes excellent provision for the welfare and wellbeing of its workforce. However, it needs to improve its processes for professional development and career progression. The workforce do not value the performance appraisal system and there is no scheme to identify those with high leadership potential. The force should ensure future promotion processes are accessible to all and include techniques that encourage a broad range of leadership styles.

Areas for improvement

- The force should ensure that it has effective systems, processes and guidance in place to develop individual performance and manage unsatisfactory performance.
- The force should ensure that its promotion processes use contemporary techniques, are transparent and achieve equal representation from protected characteristic groups among candidates.

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

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

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

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

HMICFRS assessed the extent to which leaders of the force understand the importance of procedural justice, and the arrangements they have made to provide the workforce with the knowledge, skills and understanding they need to treat all the people they serve fairly and with respect. We examined the workforce’s understanding of the principles of procedural justice (being friendly and approachable, treating people with respect, making fair decisions, and taking time to explain these decisions). We did this by checking their understanding of the concept of unconscious bias,⁶ their awareness of effective communication skills⁷ in all

⁵ *It’s a fair cop? Police legitimacy, public cooperation, and crime reduction*, National Policing Improvement Agency, September 2011. Available at: http://whatworks.college.police.uk/Research/Documents/Fair_cop_Full_Report.pdf

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

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

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

Understanding the importance of treating people with fairness and respect

Leaders at all levels within Leicestershire Police demonstrate a strong commitment to treating people with fairness and respect. During our inspection, officers and staff within the force referred to a set of values in the long-established Our Duty programme; these include acting with integrity and honesty while prioritising the needs of the public. These values were referred to by members of the workforce, from a range of roles and ranks, as being in their minds while doing their job and a benchmark for how they should act and treat people.

Senior officers value the benefits of procedural justice. In April this year, several strategic meetings were reconstituted into one effectiveness board. This new board monitors the use of coercive powers, the treatment of the public and workforce welfare. It uses information drawn from public complaints, feedback received through the force's website and public opinion surveys. The material presented to the board allows senior leaders to identify any positive or negative implications linked to how the public are treated by its workforce.

All members of the workforce, including those in the Special Constabulary and other volunteers, learn about Our Duty during induction courses and leadership training. Frontline officers and staff informed HMICFRS that their training, combined with the high profile given to Our Duty on the force intranet and in printed material, mean that they feel equipped with the knowledge and skills necessary to treat the public with fairness and respect.

In HMICFRS' 2016 legitimacy inspection, we found that Leicestershire Police should improve the way it identifies and understands the issues that have the greatest impact on public perceptions of fair and respectful treatment. The force has worked hard to identify issues, particularly through public consultation and through analysis that is undertaken for the new effectiveness board. Consequently, we saw that force understanding of these issues is also improving.

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

Understanding of unconscious bias

Frontline staff of all ranks, including volunteers, have received recent training to understand unconscious bias. During the inspection, we spoke to frontline staff throughout the force who described to us what unconscious bias is and how it can affect decision making. Training has been carried out in several ways, including through classroom events, through new components being added to officer safety training, and through a 'bite-sized' learning package, which consists of short online presentations produced by the force and which have been particularly well received by staff. Training content has been enhanced for some elements of the workforce, such as those from the professional standards and human resources departments, and for others who take part in recruitment or internal selection processes. Frontline officers and staff referred to examples of using their training to recognise unconscious bias and act differently when dealing with anti-social behaviour, seeking to understand why people who cause a nuisance are doing so, and seeking long-term remedies, and also using their training in cases of supporting former offenders returning to their local community.

Communication skills

We found that officers and staff throughout the force fully understand that effective communication is critical to dealing well with the public and with colleagues. Communication skills feature in a broad range of the training given to the workforce. All those in frontline roles, including special constables, receive comprehensive training when they join the force. Officers who supervise new recruits demonstrate and emphasise the importance of empathy and using different communication styles according to the needs of the people they deal with. Subsequently, communication skills are constantly monitored and assessed during the initial stages of all new officers' careers. Further training is provided during the mandatory officer safety training, which has recently been updated to emphasise the importance of tone of voice and body language. Officers and staff who work predominantly by telephone, such as call takers in the control room and those in enquiry offices, receive enhanced training in recognition of their role as a first point of contact with the public.

It is encouraging that the force also includes communication skills in other areas of staff development. Staff told us how recent bite-sized training modules about protecting vulnerable people, especially the modules about how to communicate with children affected by domestic abuse, had led them to approach these incidents in a different way. Officers of inspector rank and police staff equivalents receive training in negotiating and influencing skills to reflect their role representing the force when dealing with other organisations. We were told that communication exercises form part of team-building events and that some staff are given enhanced skills training to identify and help meet the wellbeing needs of colleagues, through mental health, first-aid and mindfulness events.

Use of coercive powers

We spoke to frontline officers and staff and found that they have a good understanding of how to use coercive powers fairly and respectfully. Training about using coercive powers is provided to officers when they join the force and also during leadership programmes for newly promoted supervisors. Members of the professional standards department take part in that training and outline the boundaries of acceptable use of coercive powers, the implications for individuals who use the powers inappropriately, and the role of leaders in maintaining levels of understanding and standards of behaviour among the workforce.

Frontline officers described how correct use of coercive powers is discussed during officer safety training events, including correct application of the National Decision Model.⁹ They had also taken part in recent online training about approved professional practice for use of powers to stop and search. Officers described to us how they make every effort to explain to members of the public, in a way they understand, why they are using any coercive power. Similarly, officers had a good grasp of when the threshold for the necessity to arrest someone was met, in line with Code G of the Police and Criminal Evidence Act 1984.¹⁰

⁹ The National Decision Model (NDM) is specific to policing. It provides a consistent framework in which decisions can be examined and challenged, both at the time and afterwards. It is composed of six main elements: the police Code of Ethics being central to the decision; gather information; assess threat and risk; consider powers and force policy; identify options; take action; and review what happened.

¹⁰ Code G provides for statutory powers of arrest under section 24 the Police and Criminal Evidence Act 1984 as amended by section 110 of the Serious Organised Crime and Police Act 2005. See: www.legislation.gov.uk/ukpga/1984/60/section/1

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 force¹¹ 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,¹² to understand and improve the use of these powers. In the case of stop and search, the next section sets out our findings. It includes our assessment of the reasonableness of recorded grounds for stop and search.

Scrutiny of use of force to improve treatment

The information recorded by officers about the use of force shows that Leicestershire Police complies with the national recording standards.¹³ Leicestershire Police has an online system for officers to record their use of force, which covers all types of force. Officers we spoke to were familiar with the online system and how and when to submit information.

All reports about the use of force are scrutinised by the staff members who are responsible for training on the use of protective equipment and self-defence. We found that only some forms were reviewed by first-line supervisors. In the light of this, Leicestershire Police may wish to consider reminding supervisors of their role when their officers and staff have used force.

Data about the use of force are scrutinised by the force's PILOT group (police intervention, legitimacy and organisational transparency). The group was formed in January 2017 and is made up of senior officers. They meet monthly, with the purpose of agreeing how priorities, plans and decisions are made concerning how

¹¹ 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. 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/

¹² *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

¹³ Introduced by the National Police Chiefs' Council (NPCC), which came into effect in April 2017.

coercive powers are used. A lead officer for each power is responsible for analysing data and identifying trends to determine learning points for Leicestershire Police or for members of the workforce. Along with force statistics, opinions and feedback received from the public are used to identify and then address issues of legitimacy, legality and proportionality.

Leicestershire Police is now reconsidering the format and nature of information published on its website about lessons learned in general, including from complaints and processes such as the PILOT group meetings. Therefore, there is currently no information available on the website.

Body-worn video cameras (BWV) are available for use by all frontline officers and staff, with the policy that recording is activated whenever coercive powers are used or when attending incidents likely to involve confrontation. Footage of incidents resulting in the use of force is stored digitally and is reviewed as part of internal and external scrutiny processes. However, we found variations in the frequency of BWV activation by frontline officers, including those from collaborated units, i.e. teams of officers from Leicestershire and other neighbouring forces that attend incidents or carry out operations in the area covered by Leicestershire Police. The force may wish to harmonise how all officers use BWV and other operational equipment, such as spit-guards,¹⁴ and report when they have been used within the Leicestershire Police force area.

External scrutiny to improve treatment

Leicestershire Police seeks external scrutiny of its services to help improve its treatment of people. It supports and works with an independent advisory group, the Police Advisory Group for Race and Equality (PAGRE), which has three sub-groups that are responsible for matters relating to race, disability and the LGBT community.

HMICFRS observed meetings and spoke to members of two sub-groups. We found them keen to work with the force and able to offer a well-informed perspective on their respective areas of interest. The PAGRE and each sub-group are chaired by people who are completely independent of the force, and all members are confident about expressing their views and challenging the force when necessary. A recent example was immediately accepted by the force: that BWV footage filmed in places used predominantly by LGBT people should not be shown publicly, in order to respect the privacy of people identifiable in the footage.

Members of each sub-group have sufficient knowledge of the force and of what their role is, and some are trained and vetted so they can provide independent oversight in sensitive areas of force activity, such as the handling of complaints, and the use of Taser. Overall, there is good representation of ethnic minority groups, faiths and several elements of the local community. We observed the chairs of two sub-groups

¹⁴ A spit guard is a restraint device intended to prevent someone from spitting or biting.

encouraging members to identify potential new members, particularly from ethnic minorities that are not represented currently. There could be better provision for the views of young people; there was a specific sub-group previously but it has now ceased. The force website provides information about how the force receives independent advice, particularly about equality issues, but the information about meetings and resulting decisions is out of date and there is no way for people to register an interest in taking part.

PAGRE and the three sub-groups have regular meetings which senior leaders in the force attend, and PAGRE is always represented at the force ethics board meetings. However, some PAGRE members raised concerns that when they ask the force for information they have to wait a long time for a reply and there is little contact between group members and the force between meetings, although members would be happy to provide their specialist knowledge and experience more freely.

Beyond the advisory groups, the public can supply comments about the service they have received via the force's website, using the 'rate your local police' function and a page for complaints and compliments. The information obtained from this and other surveys is used to help set force priorities and for organisational learning, but is not used for specific work among the parts of the community which traditionally have less trust and confidence in the police.

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.¹⁵

¹⁵ *Authorised Professional Practice on Stop and Search*, College of Policing, February 2017. Available from: 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.¹⁶ Our 2015 legitimacy inspection¹⁷ 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.¹⁸ Also, we assessed how the forces scrutinise use of these powers.

Understanding of national guidance

All frontline officers in Leicestershire Police have received recent training and practical guidance in line with College of Policing Authorised Professional Practice (see above) for using powers to stop and search members of the public. Practical sessions during officer safety events included training about how to make effective use of the National Decision Model (see above) and using powers in a fair and respectful manner. Online presentations have also been used to help officers interpret the law and understand the nature of information which must be recorded to demonstrate justification for using these powers. Officers we spoke to demonstrated a comprehensive understanding of what constituted reasonable grounds. However, the results of our review of 200 stop and search records suggest that some officers and supervisors still do not understand what constitutes reasonable grounds or how to record them properly.

Monitoring use of stop and search powers to improve treatment

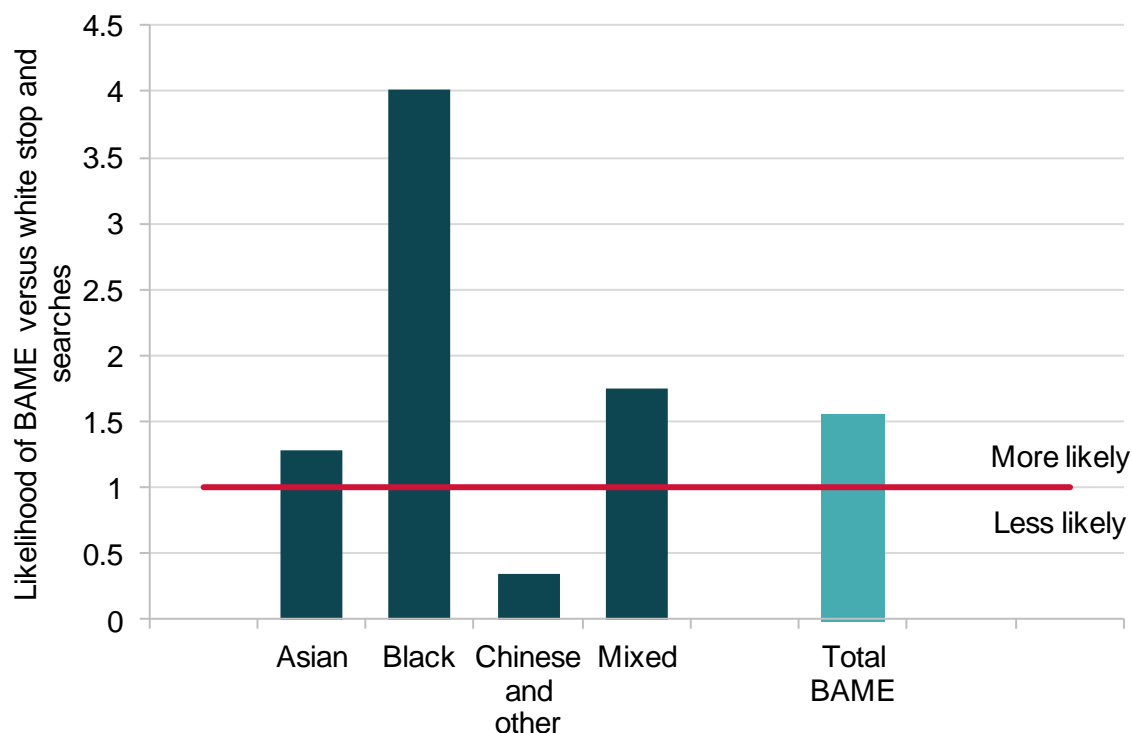
In order to monitor the use of stop and search powers effectively, forces should use a range of data to help them understand how the powers are being used and the subsequent effect on crime, disorder and perceptions in the community. In particular, forces should consider whether the use of stop and search powers is disproportionately affecting one group compared with another. In 2015/16 in the local population of Leicestershire Police, black, Asian and minority ethnic (BAME) people were 1.6 times more likely to be stopped and searched than white people. Black people were 4.0 times more likely to be stopped and searched than white people, which is the greatest difference in any ethnic group in the force area when looking at the likelihood of being stopped and searched compared with white people (see figure 1 on the following page).

¹⁶ *Stop and Search Powers – are the police using them effectively and fairly?* HMIC, July 2013. Available at: www.justiceinspectorates.gov.uk/hmicfrs/publications/stop-and-search-powers-20130709/ and *Best Use of Stop and Search revisits*, HMIC, September 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/best-use-of-stop-and-search-revisits/

¹⁷ *Police legitimacy 2015 – a national overview*, HMIC, February 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/police-legitimacy-2015/

¹⁸ See annex A for more information about the methodology for our review of stop and search records.

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE)¹⁹ compared with white people, in the local population of Leicestershire Police in the 12 months to 31 March 2016



Source: Home Office 2016

Leicestershire Police has an effective process for regularly and frequently scrutinising comprehensive stop and search data, including the age and ethnicity of the person searched. All stop and search forms are checked by the officer's supervisor and again when centrally collated by the force intelligence bureau. Officers can complete a form online or on paper, and both receive equal scrutiny. Although the majority of officers use body-worn video (BWV) to record footage of stop and search encounters, this is not always the case, as described above. When footage is recorded, officers understand how to download and then store it, in the knowledge that it will be reviewed as part of the dip-sampling and scrutiny process that follows.

Internal scrutiny of stop and search is managed by an officer who is also part of the PILOT group (see above). This officer samples 5 percent of all records over and above the checks carried out by line managers and the force intelligence bureau, to confirm lawfulness and review the behaviour of the officer towards the person searched, using the associated BWV footage. Feedback is sent to the officer involved in each encounter and, if necessary, training needs are addressed by one

¹⁹ Police and Criminal Evidence Act 1984. Available from: www.legislation.gov.uk/ukpga/1984/60/section/1

of five stop and search coaches. When points are identified for organisational learning, they are discussed at the PILOT group meeting for remedial training to be agreed and implemented.

The effectiveness board is led by a chief officer, and data about the use of stop and search powers are presented and considered alongside a wider set of performance information about how the force treats people. The force recognises that black people are more likely to be the subject of stop and searches. From January 2017 the force's PILOT group has taken positive steps to understand why this is the case and learn the impact felt by black people. The PILOT group has collated data from the previous three years and carried out careful analysis to determine any trends or patterns in the conduct of stop and searches. That analysis uses a wide range of factors, including but not limited to, the location, the officer involved, the ethnicity of the person searched and the outcome of the search. The group has paid close attention for any information that could suggest abuses of power or discriminatory behaviour. Results from this analysis are shared with the Stop Search Scrutiny Panel that is attended by representatives from several community interest groups. It is also discussed at the Reasonable Grounds Panel meetings which are held in the community and are open to the public. At both meetings the force seeks the opinion of those members of the public who are present to help develop points of organisational learning and a better sense of how the use of stop and search powers is perceived by the public.

In our review of 200 stop and search records, we found that 122 involved a search for drugs. Of these, 14 involved a suspicion of the more serious supply-type offences and 108 involved suspicion of mere possession. The force should assure itself that its rate of searching for drugs on the basis of possession only is in line with force and local priorities.

External scrutiny of stop and search powers to improve treatment

Leicestershire Police operates two distinct methods to achieve external scrutiny about how stop and search powers are used and how people are treated during the course of these encounters. The first method, the stop and search reference group, meets every two months and is attended by members of the community with a particular interest in stop and search. It is chaired by a member of the local community, and specifically invited attendees include members of PAGRE (see above), representatives of young people's groups and the office of the police and crime commissioner (OPCC). The group's terms of reference show that its aims are to understand how the powers are being used by the force, to give independent perspective, when necessary to challenge the force about that use, and to identify ways in which the force can increase confidence in the community about the use of stop and search. Members of the group have sufficient understanding of the legal parameters of stop and search powers. The force trains new members, and provides training to all members when changes in legislation occur. At each meeting, the

group is supplied with data about the use of stop and search powers across the force and the records completed by officers relating to 20 randomly selected stop and searches. In addition, the group reviews BWV footage of three other randomly selected stop and searches.

The second method of external scrutiny is the use of stop and search reasonable grounds panels. These panel meetings are held every two months in different locations, are open to the public, and members of the public are invited to review the grounds used in 20 stop and search encounters and comment on BWV footage from three of these. This is a progressive approach, in which the force takes information about the use of stop and search to the public, seeks their opinion and demonstrates transparency in the way it works. In addition, the force has trained lay observers to accompany officers during operations that specifically use stop and search powers. It then seeks their views about how the powers were used and how the subjects were treated by officers.

When we spoke to officers about their use of powers to stop and search, they showed that they understood the depth and necessity of scrutiny that takes place, but also said that it was not easy to find information about good practice being used within the force. Examples of good practice and other learning points are collated by the force. It would be a simple step for the force to publish them regularly.

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.

In our 2013 inspection into the police use of stop and search powers,²⁰ we were concerned to see that, of the 8,783 stop and search records we examined across all forces in England and Wales, 27 percent did not include sufficient reasonable grounds to justify the lawful use of the power. For Leicestershire Police, the 2013 inspection showed that 36 out of 200 records reviewed did not have grounds recorded that were considered reasonable. In 2015, as part of our PEEL legitimacy inspection,²¹ we carried out a further review of the recorded grounds in a sample of stop and search records. In that inspection, our review of 98 records found that five did not have reasonable grounds recorded.

²⁰ *Stop and Search Powers: Are the police using them effectively and fairly?* HMIC, 2013. Available from: www.justiceinspectorates.gov.uk/hmic/publications/stop-and-search-powers-20130709/

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

During our 2017 inspection of Leicestershire Police, we reviewed 200 stop and search records; nine records did not have grounds recorded that we considered reasonable. Although the records we reviewed might not be representative of all stop and search records completed by the force, our findings indicate that some officers and supervisors either still do not understand fully what constitutes reasonable grounds, or do not know how to record them properly. It is important to note that a lack of reasonable grounds on the stop and search record does not necessarily mean that reasonable grounds did not exist in reality at the time of the stop and search.

In 45 of the 200 records we reviewed, officers found the item they were searching for. 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

	2013	2015	2017
Records not containing reasonable grounds	36 of 200	5 of 98	9 of 200
Item searched for found	–	–	45 of 200

Summary of findings



Good

Leicestershire Police understands the importance of treating people fairly and with respect. The force’s organisational values prioritise the needs of the public. It has worked hard to identify and understand the issues that have the greatest effect on public perceptions of fair and respectful treatment. A new effectiveness board uses information on public complaints, feedback received through the force’s website and public opinion surveys to monitor the use of coercive powers and how the public are treated. The workforce has received training to understand unconscious bias and the officers and staff we spoke with described what it is and how it can affect decision-making. We found training on communication skills and use of coercive powers was also good. The workforce have a good understanding of effective communication and how to use coercive powers fairly and respectfully.

The force has internal and external scrutiny processes to improve how it treats people. It works with an independent advisory group, which includes three sub-groups responsible for matters relating to race, disability and the LGBT community. Group members have sufficient knowledge for their roles, and some are trained and vetted to give independent oversight in sensitive areas of force activity, such as

complaints handling and use of Taser. Overall, the local community are well represented in the group, although obtaining the views of young people could be improved and the force could reply to the group's requests for information more quickly.

The force's scrutiny of stop and search is good and it includes seeking the public's views. It has well-structured internal and external scrutiny arrangements. These include a stop and search reference group, which consists of members of the community, and a stop and search reasonable grounds panel meeting, a public meeting every two months where people can review and comment on a selection of stop and search encounters. The force has trained public observers to accompany officers during operations that use stop and search powers and then seeks their views about how the powers were used and how the subjects were treated by officers. The force recognises that black people are more likely to be stopped and searched and it is taking action to understand why.

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

In HMICFRS' 2017 legitimacy inspection, we continued to focus on the extent to which forces develop and maintain an ethical culture to reduce unacceptable types of behaviour among their workforces. We also returned to look at how well forces are handling complaints and misconduct cases,²² as opposed to last year's focus on how well forces are guarding against corruption.²³

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

Research tells us that the best way to prevent wrongdoing is to promote an ethical working environment or culture.²⁴ Police leaders need to promote ethical principles and behaviour and act as role models, in line with the Code of Ethics.²⁵ Officers and staff should feel confident that they can apply these principles to their decision-making. This year, we focused on the way that the leaders of forces demonstrate ethical behaviour and the way that forces approach ethical decision-making across the entire workforce. In addition, where forces had failed to comply with all aspects of the national vetting standards in 2016, we assessed whether their plans are credible and are likely to be compliant by December 2018.²⁶

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

²³ We did, however, undertake a review of forces' plans in response to our PEEL legitimacy 2016 national report recommendation. The report of our findings is available here: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016/

²⁴ *Promoting ethical behaviour and preventing wrongdoing in organisations*, College of Policing, 2015. Available at: http://whatworks.college.police.uk/Research/Documents/150317_Integrity_REA_FINAL_REPORT.pdf
The role of leadership in promoting ethical police behaviour, College of Policing, 2015. Available at: http://whatworks.college.police.uk/Research/Documents/150317_Ethical_leadership_FINAL_REPORT.pdf

²⁵ *Code of Ethics: A Code of Practice for the Principles and Standards of Professional Behaviour for the Policing Profession of England and Wales*, College of Policing, 2014. Available from: www.college.police.uk/What-we-do/Ethics/Pages/Code-of-Ethics.aspx; *Literature review – Police integrity and corruption*, HMIC, January 2015. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/integrity-matters/

²⁶ HMICFRS' recommendation in December 2016 was that (i) Within six months, all forces not already complying with current national vetting policy should have started to implement a sufficient plan to do so and (ii) Within two years, all members of the police workforce should have received at least the lowest level of vetting clearance for their roles. The ACPO/ACPOS National Vetting Policy was

Leaders as ethical role models

Leaders in Leicestershire Police understand their responsibility to act as role models, and senior leaders within the force are viewed by staff and officers as operating to high ethical standards. Leaders take an active role in supporting the interests of under-represented groups within the workforce and frequently promote the force's values. Up-to-date information about senior officers' expenses, gifts, hospitality received and business interests is available on the force's website.

The ethics, integrity and complaints committee offers an independent perspective about policy and operational matters which are referred to it by members of the workforce. The committee consists of seven members of the public and considers the ethical implications and public perception of matters raised. It has considered a wide range of subjects, including officer appearance and dress code, disposal of property seized by the force, business interests held by members of the workforce, and continuing support to victims of domestic abuse who are reluctant to pursue a prosecution. Decisions reached by the committee are not judgmental about individuals. The purpose is to encourage matters to be discussed or resolved in a non-punitive manner.

The workforce can submit subjects for consideration in person or via the force's intranet site 'Ask the Question'. However, we found that the workforce had little awareness of the conclusions reached by the ethics, integrity and complaints committee and few used 'Ask the Question'. The force may wish to consider how to increase awareness among the workforce of the conclusions and the use of 'Ask the Question'.

We spoke to officers and staff who are leaders in first and second line management roles. They confirmed that a vision is set for how they should act but explained that it does not explicitly encourage them to take a creative approach, or to make ethics their first consideration. An updated set of training material for leaders is being prepared for introduction in September with more emphasis on innovation, creativity and business skills. This should supplement the consistent understanding and knowledge we found among leaders about the Code of Ethics (see above).

Ethical decision making

Ethical decision making is evident in organisational matters, such as development of new or existing policy, which is considered thoroughly in terms of impact and equality, often with the benefit of scrutiny from PAGRE or the ethics, integrity and complaints committee. However, decisions made by frontline supervisors are driven by adherence to procedure.

We found that officers and staff in frontline roles have a good grasp of the National Decision Model and Code of Ethics (see above), and generally consider the wider implications of incidents before deciding on their course of action. Some frontline officers and staff were given training about handling ethical dilemmas when they joined the force, but they have had little subsequently.

Decision-making by frontline police officers in leadership roles is risk-averse with decisions being made primarily to match policy. The leaders we spoke to did not feel empowered to prioritise ethical considerations when reaching their decisions. Instead, they are heavily inclined to follow policy in order to move tasks forward quickly and avoid the potential for facing criticism. As a consequence it is likely that the expression of leadership style is being stifled amongst officers and staff. The force could do more to encourage a culture that is non-punitive towards leaders who arrive at decisions that are not identical to standard procedure but are made on a sound ethical basis.

Vetting

During our 2016 legitimacy inspection,²⁷ we considered the extent to which the force was developing and maintaining an ethical culture through effective vetting. We found that Leicestershire Police was not complying with all aspects of the national vetting standards because the force had not completed vetting on officers and staff who joined before 2012, and a significant number of officers and staff had not been vetted to the right level.

During this year's inspection, we assessed the force's plan for dealing with those matters and found that although the force is still not meeting national standards²⁸ in respect of members of the workforce who are not vetted, it has a credible plan in place to rectify this. In 2016, 2,742 officers and staff had not been vetted to the right level. This year, although the force was unable to provide us with data on its backlog in advance, during the inspection the force reported that 1,789 people across the whole workforce remained to be vetted. To maintain this progress, the force has increased by three the number of staff dedicated to carrying out vetting, which will help accelerate the process further and improve the likelihood of completing this work by December 2018, in line with our 2016 recommendation.

²⁷ See: *PEEL: Police legitimacy 2016 – An inspection of Leicestershire Police*, HMIC, 2016. Available from: www.justiceinspectorates.gov.uk/hmicfrs/publications/peel-police-legitimacy-2016-leicestershire/

²⁸ 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/

The force has improved to an acceptable level the vetting level held by officers and staff. During the process, it has reviewed which posts require enhanced levels of vetting, such as those which handle sensitive information and those with frequent access to young people. Vetting of those people has been carried out as a priority.

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.²⁹ 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

Leicestershire Police has good working arrangements in place for members of the public to make a complaint. The information is easy to find on the force website, there are posters in police stations and custody centres and also in other public buildings where the force has public enquiry counters. We visited force-wide police stations and each public reception area had information on display. It was available only in English, but local staff were familiar with using telephone translation services to help people. The force website makes navigating to the relevant information about the complaint process easy and includes links to a pictorial guide for people with limited English language reading skills, along with links to the Independent Police Complaints Commission (IPCC) and how to reach local MPs. The force may wish to consider taking this further by actively sharing information among communities that traditionally have less confidence in the police, through social media and targeted publicity in other languages.

Some people might require adjustments to be made to usual procedures in order to enable them to explain their allegations to forces and to understand what is happening, for example through the use of third-party support or face-to-face meetings. Complainants who might need additional assistance could include those who have learning difficulties, those with mental illness, young people, people with

²⁹ These could include people with learning difficulties, mental health issues, young people or people whose first language is not English. *IPCC Statutory Guidance to the police service on the handling of complaints*, IPCC, May 2015. Available at: www.ipcc.gov.uk/sites/default/files/Documents/statutoryguidance/2015_statutory_guidance_english.pdf and *Access to the police complaints system*, IPCC, September 2015. Available at: www.ipcc.gov.uk/sites/default/files/Documents/research_stats/Access_to_the_police_complaints_system.pdf

disabilities or other problems which affect their communication, and those whose first language is not English. Forces must therefore be able to identify these complainants and provide the additional help they need.

During our inspection, we carried out a file review of 26 public complaints to Leicestershire Police, and found three cases where complainants needed additional support, which was provided in all cases. We also carried out a file review of 15 misconduct allegations and found two cases where misconduct witnesses needed additional support, which was again provided in both cases.

We did not find any evidence to show that the force is targeting communication towards communities which have less confidence in the police. However, the stop and search reference group specifically includes representatives from such communities, and public events are designed to encourage direct contact between the force and members of the public, so concerns can be raised. We found that frontline staff had a thorough understanding of how the complaint process works, and they were able to give examples of directing people to the website and handing out calling cards with details about how to give feedback, including complaints.

Keeping complainants updated

Leicestershire Police engages properly with people who make complaints both at the outset and at the end of complaint investigations, but updates during investigations are not always at 28-day intervals.

When forces record public complaints, the Police Reform Act 2002 and Police (Complaints and Misconduct) Regulations 2012 require them to provide the complainant with a copy of the complaint record. The IPCC statutory guidance extends this by stating that complainants should receive an explanation of the possible ways the complaint may be dealt with, and that they should be advised of who will be dealing with their complaint (including contact details). In our review of 26 complaint files we found that the force only complied with the requirement to provide a copy of the complaint record to the complainant in four cases, but that it had complied with the requirements of the IPCC guidance in each case by sending a good customer-focussed letter to the complainant. By enclosing a copy of the case record in the other cases, the full legal requirements would have been met.

Once a public complaint investigation has started, the Police (Complaints and Misconduct) Regulations 2012 require forces to keep complainants informed of their progress every four weeks. During our file review, we looked for evidence that the force had provided timely and meaningful updates. We found that 18 of the 26 complaint cases recorded regular updates to complainants, and 17 of these were sufficiently informative. Some cases did not appear to have updates, but this could have been because different recording methods were used by investigating officers, particularly those who were not based in the professional standards department. The force is addressing this situation.

Although this legal requirement only applies to public complaints, we also looked for evidence that a similar level of service is provided to those who are the subject of misconduct allegations. We found that ten of the 15 misconduct cases recorded regular updates to witnesses and those who were subject of allegations, and these ten were found to be sufficiently informative.

When public complaints are finalised, the force is required to provide the complainant with the findings of the report, its own determinations and the complainant's right of appeal. We found that out of the 26 complaint files we reviewed, all legal requirements had been complied with in 13 cases. During conversations with officers, we were given examples of some having been unaware of complaints about them until after an investigation had been concluded, or only learning about them indirectly, such as when applying for other posts. However, during fieldwork we established that there is now closer supervision of complaint investigation in general, and more of the work is centralised in the professional standards department. The force had recognised the emergence of wide variations in the way frontline supervisors were managing complaint investigations, including how updates to complainants were recorded. Scrutiny of investigations and adherence to statutory guidance are both improving following the move for greater control to be exercised by the professional standards department.

Not all public complaints result in an investigation. Some are dealt with via local resolution; a process which is only used when no criminal or disciplinary proceedings are likely to be taken. Local resolution offers a quicker remedy for the complainant, with a local supervisor taking appropriate steps to rectify the matter and inform the complainant. We reviewed a small sample and found that Leicestershire Police makes good use of the local resolution process to resolve complaints quickly and effectively. Police officers who handle local resolution told us that a recent online training package, developed by the force, is extremely useful for establishing the correct basis for the process, how to record its use and what details to share with the complainant.

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.³⁰

Identifying and responding to potential discrimination

The workforce of Leicestershire Police recognise and take action against discriminatory behaviour. Training is given to officers and staff about identifying and challenging discrimination when they first join and it is refreshed in other training events linked to unconscious bias, communication skills and officer safety. Officer and staff representative groups confirmed to us that the working environment is intolerant of discrimination, people are confident to challenge instances of discrimination and, when raised, all complaints or concerns are taken seriously. Each group has regular access to chief officers to discuss matters which affect the workforce. The force's equalities expert is active in monitoring workforce data, provides chief officers with impact assessments from the perspective of people with protected characteristics³¹ and is included in resolving grievances or complaints linked to discrimination.

A police force must be able to demonstrate that it provides a good service to all the people it serves, including those with protected characteristics, and those from communities which traditionally have less confidence in the police. For a variety of reasons, some people – particularly young people and people from black, Asian and minority ethnic (BAME) communities – might be reluctant to complain about poor service, and so it is important for police forces to identify potential discrimination correctly, and to respond appropriately.

³⁰ 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

³¹ 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

During our case file review, we looked at ten complaints and five internal misconduct cases that the force had identified as containing an allegation of discrimination. We also looked at an additional 16 complaints and ten misconduct cases which we considered might contain unidentified allegations of discrimination. We were pleased to find that none of these cases contained allegations of discrimination which the force had failed to identify.

The Police (Complaints and Misconduct) Regulations 2012 requires forces to refer more serious matters to the IPCC if they are aggravated because it is alleged that discrimination was a reason for the behaviour. We identified that one of the force's complaints and two of the force's internal misconduct cases that we reviewed met the referral criteria, and were pleased to see that all had been referred.

Leicestershire Police collates detailed information about the nature of complaints and misconduct cases, which is compared with workforce demographics. This material is presented to senior officers at the quarterly strategic equality and fairness board with the intention of identifying, and reacting to, trends or organisational learning.

The force's equality unit carries out a monitoring function for all complaints and grievances linked to discrimination. External scrutiny, or dip-sampling, of complaints is carried by members of the Police Advisory Group for Race and Equality (PAGRE), who are suitably trained and vetted, but complaints linked to discrimination are not prioritised for inclusion in this process.

Investigating allegations of discrimination

Investigations following allegations of discrimination are of a good standard in Leicestershire Police and investigators have had recent training to recognise when equality or diversity issues should be treated as discrimination.

The force has produced a short online training package for investigators who deal with discrimination allegations, in which the correct response in two examples of discrimination is demonstrated. The content sets out the important principles for supervisors to consider, including IPCC guidelines, how to identify and react to complaints involving discrimination, and how best to support the complainant. It also reminds them to keep all parties updated. More complex or sensitive complaint investigations are conducted by investigators from the professional standards department (PSD) who have received further training about dealing with discrimination. They also work closely with the force's equalities expert to ensure compliance with legislation and are advised about the full implications of behaviour complained of and its impact on those affected.

As part of our case file review, we examined 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 found that they all had. It is encouraging that the majority of these cases were investigated by officers

outside the professional standards department and this had not impaired the quality of investigation. In one of the five cases, the complainant had been identified as needing further assistance, and it was provided. Overall, we considered that the service received by the complainants in all cases was satisfactory.

Summary of findings



Good

Leaders in Leicestershire Police understand their responsibility to act as role models, and senior leaders are viewed by the workforce as operating to high ethical standards. The force's ethics, integrity and complaints committee provides independent scrutiny of policy and operational matters raised by the workforce. However, we found that few in the workforce use the online Ask the Question process to submit subjects for consideration or are aware of the committee's conclusions.

Ethical decision-making is clear in organisational matters like policy development, when impact and equality are given thorough consideration. The force could do more to encourage leaders in operational roles to make decisions based on ethical considerations and not just rigid application of policies.

Leicestershire Police is not complying fully with national vetting standards because it has not completed vetting on officers and staff who joined before 2012, and not all have been vetted to the right level. However, it is making good progress towards resolving this and has reduced the number of officers and staff still to be vetted by nearly 1,000 in one year. Officers and staff in sensitive posts who require enhanced levels of vetting have now all been suitably been vetted.

The force has good arrangements for members of the public to make a complaint. Information is easy to find on the force website and in police stations, and additional assistance is provided to complainants when needed. The force could develop this further by ensuring information about making complaints is available to communities that have less confidence in the police.

Leicestershire Police contacts complainants at the start and end of investigations and is improving the regularity of updates to complainants during the investigation. It is good at identifying discrimination in complaint and misconduct investigations and takes appropriate action; it refers serious cases to the IPCC in accordance with the law. Officers and staff describe the working environment as being intolerant of discrimination. Senior leaders work with staff representative groups to identify trends that might suggest discrimination in the treatment of the public or the workforce.

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.³² 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.³³ HMICFRS assessed how well force leaders seek feedback from their workforces and use this, alongside other data and information – including that on grievances³⁴ – to identify, understand, prioritise and resolve their workforces’

³² *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

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

³³ *Ibid.*

³⁴ 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.³⁵

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.³⁶ 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.³⁷

Leaders seeking feedback and challenge from the workforce

Leicestershire Police has a variety of systems for leaders at all levels of the hierarchy to gather feedback from the workforce. However, these systems are not functioning as well as they could. The range of opportunities for feedback is broad. It includes chief officers' roadshows, Solutions (a suggestion scheme) and the online function 'ask the question' (these allow questions or feedback to be pitched to senior leaders from anyone in the workforce), 150 officers and staff called change ambassadors, who receive and then distribute information about organisational changes among their colleagues, and the more routine management interactions, such as professional development meetings and return interviews with staff after periods of sickness.

We spoke to members of the workforce in a variety of roles and locations, and found that awareness and use of the methods of supplying feedback were better among those based at headquarters but members of the workforce based elsewhere knew less about them, generally did not know who change ambassadors were, and did not have any first-hand experience of change occurring as a result of feedback. Although officers and staff in frontline roles were confident about discussing their views and offering feedback to their immediate supervisors, we did not find a culture that was

³⁵ *Code of Practice on Disciplinary and Grievance Procedures*. Acas 2015. Available from www.acas.org.uk/media/pdf/f/m/Acas-Code-of-Practice-1-on-disciplinary-and-grievance-procedures.pdf. Also *Discipline and grievances at work: The Acas guide*, Acas, August 2017. Available from: www.acas.org.uk/media/pdf/9/g/Discipline-and-grievances-Acas-guide.pdf

³⁶ 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

³⁷ 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/

receptive to new ideas or which encouraged people to share views about the way things are done.

The force could reinvigorate and raise awareness about the existing systems it has for receiving feedback, and also improve the way that it communicates information about the action it has taken in response to issues identified by the workforce.

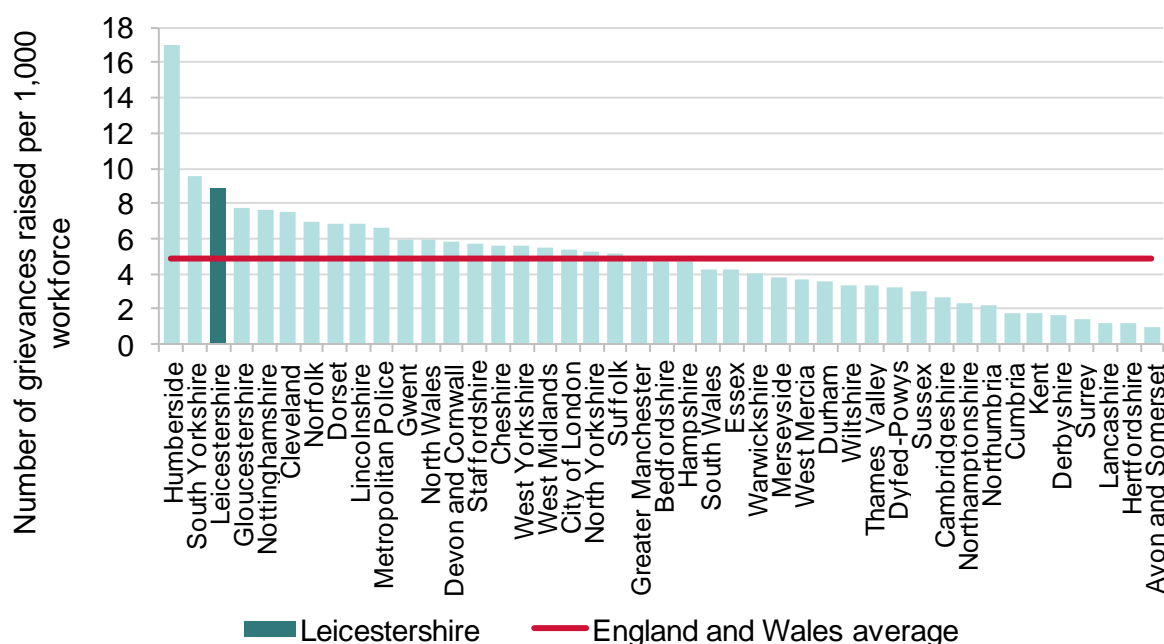
Identifying and resolving workforce concerns

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 2 below shows that Leicestershire Police had 8.9 grievances raised per 1,000 workforce. This is higher than the England and Wales average of 4.9 grievances raised per 1,000 workforce.

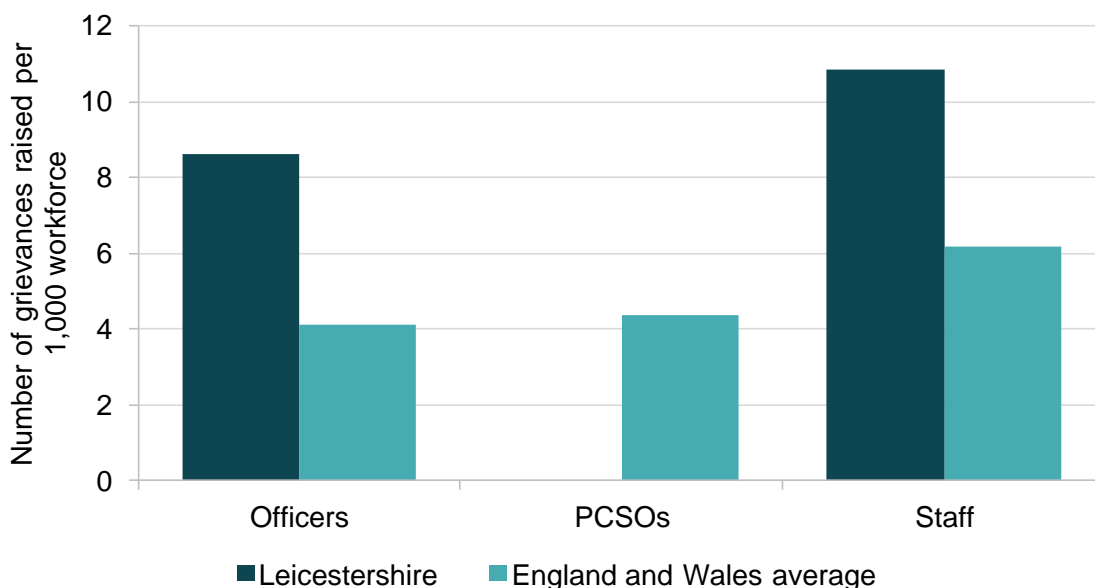
Figure 3 shows that the number of grievances raised by officers in Leicestershire Police was 8.6 grievances per 1,000 officers, and the England and Wales average of 4.1 grievances per 1,000 officers. In the same period PCSOs raised no grievances, and the England and Wales average was 4.4 grievances per 1,000 PCSOs. Police staff raised 10.9 grievances per 1,000 staff in the same period; and the England and Wales average was 6.2 grievances per 1,000 staff.

Figure 2: Grievances raised per 1,000 workforce, in Leicestershire Police in the ten months from 1 April 2016 to 31 January 2



Source: HMICFRS Legitimacy data collection

Figure 3: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Leicestershire Police in the ten months from 1 April 2016 to 31 January 2017



Source: HMICFRS Legitimacy data collection

Leicestershire Police gathers and analyses a wide range of management information that can identify issues which affect perceptions of fairness and respect among the workforce, but the effect of any changes it has made in response to them is not clear.

The strategic equality and fairness board and the strategic establishment leadership group each receive analysis based on detailed information about the composition of the workforce and critical indicators of treatment, such as sickness rates, grievances and people leaving the force. Senior leaders also meet workforce representative groups every three months to hear concerns raised by officers and staff.

The force has a clear, well-publicised and well-known grievance procedure that is perceived as fair by the officers, police staff members and representative groups we spoke to. It recognises that use of grievance procedures is higher than average and is content that members of the workforce register their concerns in this way. There is no alternative informal method available, but speaking to representative groups and senior leaders, we established that the overwhelming majority of cases are resolved quickly through explanations of why decisions had been made. Although this is a bureaucratic approach to resolving straightforward concerns, the force considers that changing the procedure might dissuade members of the workforce from voicing their concerns. During our case file review, we examined ten grievance cases and found that each had been conducted in a manner that was fair. We found some inconsistency in the way that cases were administered, causing delays to some, but more significantly, we found variations in the way information was recorded, which could mean that organisational learning is missed. At the time of our fieldwork, that process was being updated, with changes expected to be introduced in August 2017.

We did not find a significant amount of workforce involvement in decision making or widespread knowledge among officers and staff of changes made as a result of feedback they had given the force. The force is carrying out a series of changes to the way it organises frontline officers and staff to manage demand for police services from the public. This programme of changes is called Darwin and will alter where and how a high proportion of frontline officers and staff work. The force has sought to keep its workforce updated via online messages and, specifically, using the Change Ambassadors. When speaking to officers and staff across the force, we found a varied level of awareness about the changes associated with Darwin. There was no broad consensus about the detail of impending changes; some had a grasp of how their work will be affected but others were unaware. Some officers and staff knew that their work location would be changing and had completed a preference exercise as a consequence, but had received no further feedback or outcome. The force should consider how messages about this major change programme, and any other changes, are communicated to the workforce.

A survey of all officers, staff and volunteers was carried out in April 2016, which had a very low return rate of all possible replies, at 16 percent. The paucity of information it offered about workforce views has led the force to reconsider how it will conduct a survey in 2017. Plans have been developed for a wholly revised survey, developed in conjunction with other forces and academic institutions, to be conducted in September, and with clearer incentives for the workforce to contribute. The survey has been designed to permit comparison with other forces and will form the basis for identifying workforce opinions and feelings before and after the changes linked to Darwin. The force has also made plans for increasing rates of participation, including better publicity, improved ease of access for completion and more interesting and relevant ways of presenting the information produced.

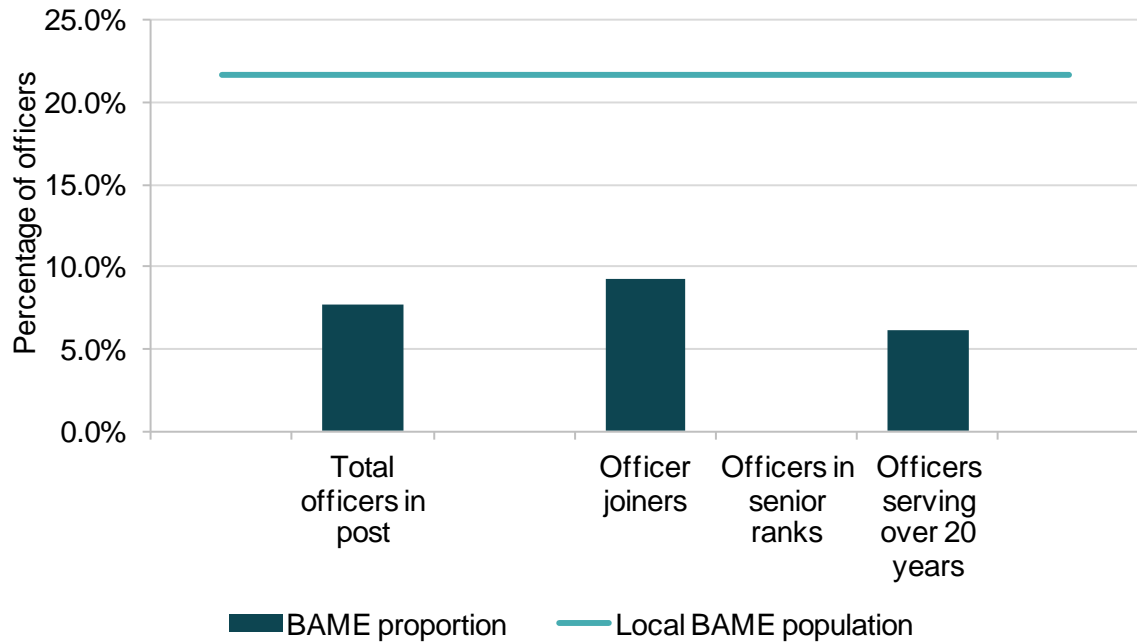
Creating a more representative workforce

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 the data to compare the make-up of the force with the make-up of the community it serves.

In the geographical areas served by Leicestershire Police, the 2011 census indicates that BAME people made up 21.6 percent of the local population. In 2016/17, 7.7 percent of officers in Leicestershire Police were BAME (see figure 4). In relation to officers, 9.3 percent of those joining the force, none of those in senior ranks and 6.2 percent of those who had served over 20 years were BAME. Fluctuations in the BAME officer joining rate may be due to low numbers of BAME officers in the force.

In 2016/17, in Leicestershire Police, for the equivalent of every 1,000 BAME officers, 56 left the force (see figure 5), while for every 1,000 white officers 51 left.

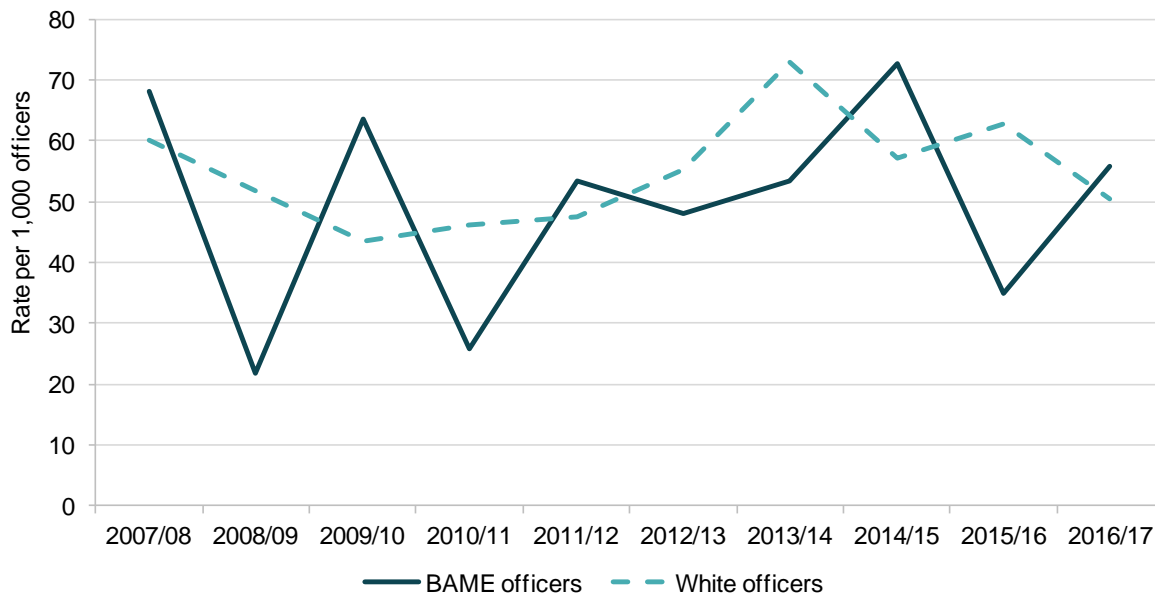
Figure 4: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME) in Leicestershire Police in 2016/17, compared with the percentage of BAME people in the local population



Source: Home Office Annual Data Requirement

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

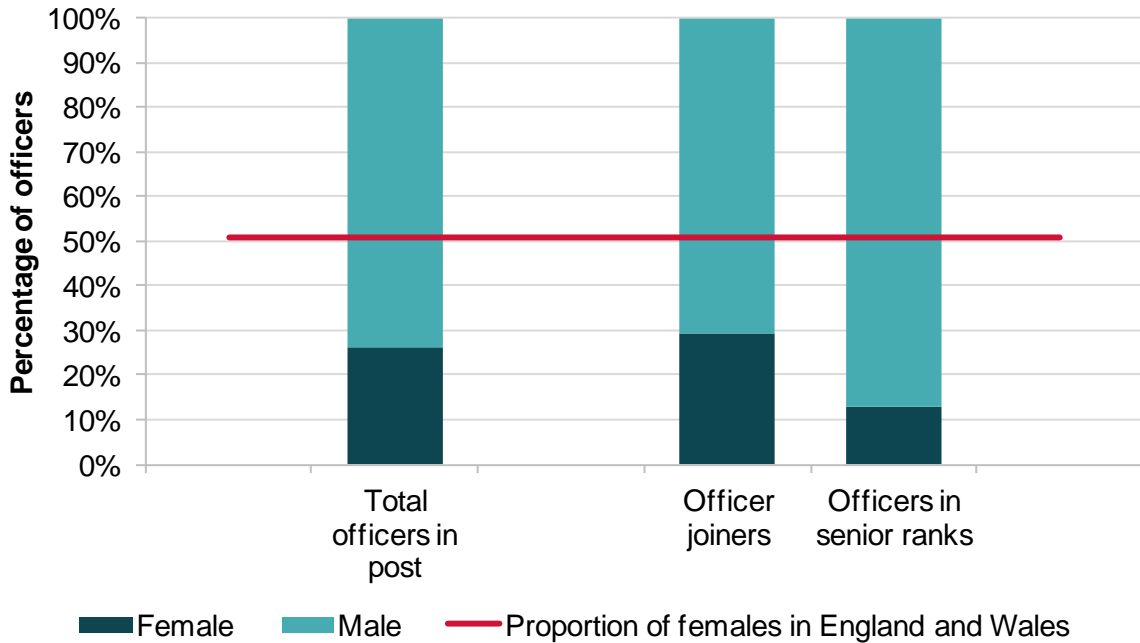
Figure 5: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers) in Leicestershire Police from 2007/08 to 2016/17



Source: Home Office Annual Data Requirement

The proportion of female officers in Leicestershire Police (26 percent) is lower than the proportion of females in the general population (51 percent). In the 12 months to 31 March 2017 in Leicestershire Police, 29 percent of those joining the force and 13 percent of those in senior ranks were female (see figure 6).

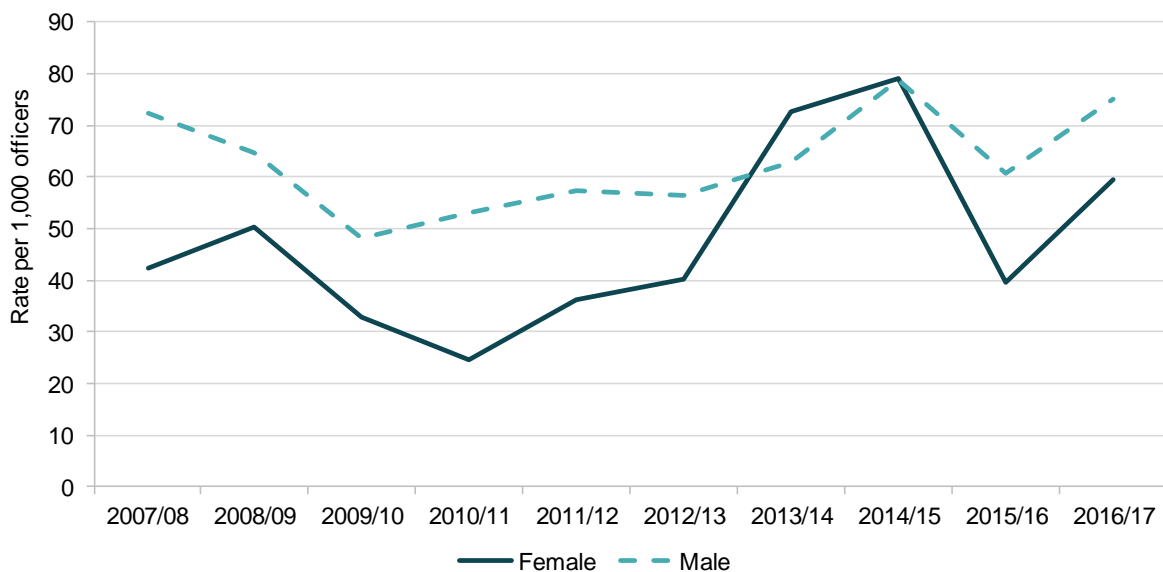
Figure 6: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Leicestershire Police in 2016/17 compared with the percentage of women in the England and Wales population



Source: Home Office Annual Data Requirement

In 2016/17 in Leicestershire Police, 59 female officers per 1,000 officers left the force, compared with 75 male officers per 1,000 officers (see figure 7).

Figure 7: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers) in Leicestershire Police from 2007/08 to 2016/17



Source: Home Office Annual Data Requirement

Leicestershire Police understands the importance of addressing potential disproportionality. It has effective processes in place for scrutinising workforce information and is continually seeking to enrich the diversity of its workforce. The force recognises there is disproportionality in terms of the ethnic mix across its whole workforce. In the 12 months to March 2017, the BAME proportion of the Leicestershire workforce was 9.4 percent. As described earlier, several strategic groups regularly analyse workforce data, and specific plans have been made to improve and to develop existing and new routes into the force for people from BAME backgrounds.

A significant amount of support is given to the force by people on a voluntary basis. It is managed well via the Volunteers in Policing programme, which includes the Special Constabulary, cadets and police service volunteers. Force figures show that almost 10 percent of 310 special constables, 19 percent of 210 cadets and 14 percent of 250 volunteers are from BAME backgrounds. This demonstrates considerable success by the force in attracting people from a wide range of communities.

In terms of recruitment of people with protected characteristics, the force seeks applicants from among its volunteers and it has also begun to carry out targeted, positive action in areas with a high concentration of residents from communities that are less likely to apply to join the force. Recruitment roadshows and public events have been held in those areas, and mentoring has been given to applicants to support them through the selection process. The force has evaluated this and it has found that, in general, people joining the force from the volunteer programme or with mentor support are less likely to leave the organisation during the early stages of their careers.

To improve workforce composition across all protected characteristic traits, the force has developed a policy to apply employment legislation (sections 158 and 159 of the Equalities Act 2010) that supports positive action for under-represented groups in recruitment and selection processes. The force sought opinion from the ethics board when developing the policy, particularly in relation to what considerations must be included for using it in a fair and equitable manner.

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.³⁸ 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

The commitment of senior leaders in Leicestershire Police towards promoting the benefits of wellbeing for the whole workforce, including volunteers, is comprehensive and well established. There is a broad spread of services and support for maintaining good physical, mental and emotional health.

Recent work by the force to raise awareness about emotional wellbeing demonstrates its continual and proactive approach, with the development of bite-sized learning packages and other more detailed training sessions for mindfulness. In support of pastoral and spiritual care, the force Chaplaincy encompasses various Christian denominations along with the Hindu and Buddhist faiths, and provision can be made for others through the close working relationship between the force's senior officers and religious leaders at the local inter-faith group. Members of the workforce who find themselves in situations of need, hardship or distress are actively supported by the force in making applications to apply for assistance from charities and other benevolent groups.

When we spoke to officers and staff, particularly those not working in headquarters, we heard an inconsistent message about the workforce accessing the full range of wellbeing provision available to them. Most supervisors that we spoke to understand their responsibilities, but some expressed concern that they now manage more staff who are spread over a wider area. This has meant that they are not seeing their staff as often as they should, and, in some cases, not regularly enough, to spot signs of deterioration in health that would stimulate a referral for support. We also spoke to some people in the workforce who felt reluctant to seek help from supervisors. In light of the good provisions made by the force, it may wish to reassure itself that all

³⁸ *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/>

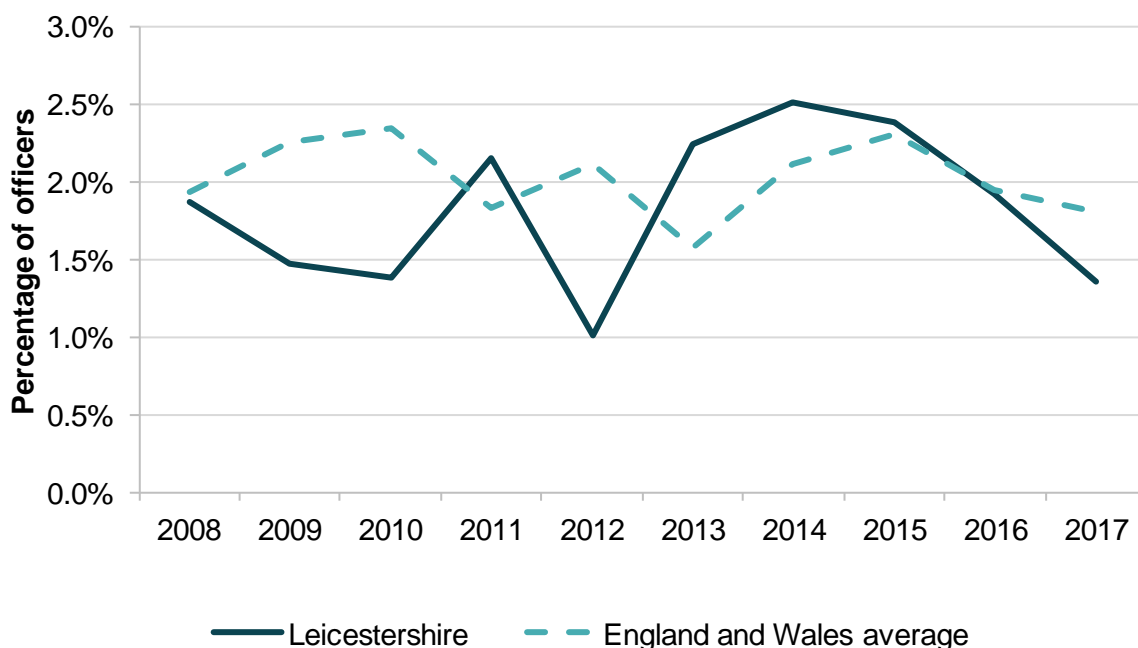
supervisors have the skills to recognise signs of ill-health among colleagues and staff in the context of remote management, and that all members of the workforce are encouraged to seek help when needed.

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, and forces can use sickness data to help them understand the nature and causes of sickness across their organisation to help them prevent sickness and manage it when it occurs.

HMICFRS compared force data on the percentage of police officers, police community support officers (PCSOs) and police staff on long-term and short or medium-term sickness absence. On 31 March 2017 in Leicestershire Police, 1.4 percent of officers were on short or medium-term sick leave. The England and Wales average was 1.8 percent. In 2017 there was a decrease of 0.6 percentage points from 2016, which is in line with changes in the last ten year period (see figure 8).

Figure 8: Percentage of officers on short or medium-term sick leave in Leicestershire Police compared with the England and Wales average, on 31 March between 2008 and 2017



Source: Home Office Annual Data Requirement

On 31 March 2017, the proportion of officers in Leicestershire Police on long-term sick leave was 2.1 percent, while the England and Wales average was 1.9 percent. In 2017 there was an increase of 0.3 percentage points from 2016, which is in line with changes in the ten-year period (see figure 9).

Figure 9: Percentage of officers on long-term sick leave in Leicestershire Police compared with the England and Wales average, on 31 March between 2008 and 2017



Source: Home Office Annual Data Requirement

Leicestershire Police evaluates data and seeks analysis from different sources of management information to identify adverse indications about workforce wellbeing. Its wellbeing plan for 2017–2019 is structured round the four pillars of financial, physical, mental and emotional wellbeing, and prioritises reducing stigma, ending discrimination, promoting positive health, providing support at a time of need and seeking organisational learning.

Senior level meetings, including the performance delivery group, strategic establishment leadership board and strategic equality group, consider analysis of data linked to sickness, working hours, employment tribunals, grievances and people leaving the force. The force’s employee assistance programme is operated by an independent company. Part of that arrangement is that the company supplies the force with analytical data every three months. This allows the force to compare knowledge of organisational changes and other sources of data against trends in members of the workforce seeking help from the company. The company does not disclose any details which can identify individuals, but sufficient information is available to detect trends by general role or location. The information supplied to the force includes the reasons why people seek help, and this is used by the force to consider whether it has suitable arrangements in place to support its workforce.

We found that supervisors are familiar with the process for making referrals to the occupational health unit and those who had been in contact with the external service provider had heard back from them relatively quickly, most citing seven days or less. However, the referrals and receipt of support only follow a person seeking help and, during our time spent with frontline officers and staff, several disclosed that workload

pressures had increased recently. The information gathering and analysis carried out by the force is comprehensive, but it could be improved through the use of diagnostic measures to detect pressures felt by people in the workforce who have not sought help or taken sick leave or triggered some other administrative process, such as poor performance or complaints.

The force lacks information drawn from a force-wide survey as the material gathered in 2016 was insufficient to form reliable conclusions, but the survey planned for later in 2017 is designed to obtain information about wellbeing.

In the operational setting, the use of leave entitlement for officers and staff is managed well. Supervisors are notified when their staff have not taken their leave entitlement throughout the year, or have arrangements in place to take it. Similarly, when officers or staff are required to work a day that should have been a rest day, it is always replaced later in their work pattern. That re-rostered rest day can be moved again once at the request of the person affected but these days are not allowed to be held in credit.

Taking preventative and early action to improve workforce wellbeing

Leicestershire Police has a comprehensive range of services and measures in place to improve workforce wellbeing, including easily accessible independent, confidential counselling and advice, health and fitness facilities and greater awareness of mental health problems among supervisors. The force is taking part in the Workplace Wellbeing Charter, a national programme to demonstrate its commitment to the health of its workforce by reference to standards set and assessed by an independent body.

A range of preventative measures is available to the entire workforce. Some of these are obligatory. For example, officers and staff in vulnerable roles, such as child abuse investigators, receive clinical supervision and screening, and this extends to officers and staff who are subject to investigations.

Following traumatic incidents, any officer and staff member affected is offered the chance to take part in structured de-briefing events through trauma risk management (TRiM) post-incident support. Provision for mental health care has been improved, and supervisors receive training in mental health first aid, designed to allow early recognition of symptoms in colleagues. Further training has been provided for frontline officers and staff to help them to recognise mental health problems affecting people they deal with, and ways of reducing the stigma associated with mental ill-health. The force has also made a long-term commitment to two national mental health programmes, both of which are led by the mental health charity Mind:

- the time to change pledge,³⁹ aimed at tackling mental health discrimination; and
- the blue light⁴⁰ scheme to promote awareness of mental health issues among emergency services personnel.

Among the services available in Leicestershire Police via the employee assistance programme is a helpline, open 24 hours per day throughout the year, for members of the workforce to reach support when it is most needed, at a time and in a location of their choice. This means that people do not have to use the telephone or online system to get help while they are at work, and this allows them to discuss concerns linked to the workplace freely.

To prevent force policies having a negative effect on the wellbeing of staff and officers with protected characteristics, all new policies and revisions to existing ones are evaluated by staff who are experienced in equality matters. Although this has not presented any difficulties for the force, it has led to the recognition that not all supervisors are well equipped to understand how reasonable adjustments in the workplace should be considered and supported.

There is a range of schemes to encourage physical wellbeing, including a cycle-to-work scheme, initiatives for staff to take regular exercise, access to a specialist adviser to help people to improve their fitness and diet, and discounted gym membership funded by the force through a commercial provider.

During our inspection, we found that supervisors had a mixed degree of confidence in their ability to recognise warning signs and intervene early to prevent future deterioration. Some supervisors had received the recent training and had made use of the systems in place to refer staff for help, whereas others had not. However, comprehensive information is available on the force's intranet that would be sufficient to meet any immediate needs if colleagues with more experience are not available.

³⁹ For more information, see: www.time-to-change.org.uk/get-involved/get-your-workplace-involved/employer-pledge

⁴⁰ For more information, see: www.mind.org.uk/news-campaigns/campaigns/bluelight

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

College of Policing research on organisational justice suggests that the process for promoting people and failure to deal with poor performance may have an adverse affect on workforce perceptions of fairness, and this in turn may lead to negative attitudes and types of behaviour in the workplace.⁴¹ In addition, effective performance management and development mitigate risks to the force and ensure continuous improvement. HMICFRS assessed how fairly and effectively forces manage the performance of individual officers and staff, including the value that forces place on continuing professional development (CPD), in line with guidance from the College of Policing.⁴² Also, we looked at how fairly forces identify and select their leaders, and the extent to which these decisions result in leaders who represent a range of styles, approaches and backgrounds.

Managing and developing individual performance

Leicestershire Police has arrangements in place to assess and develop the individual performance of all members of the workforce, including those in the Special Constabulary, but the primary process in use, the professional development review (PDR), is not considered effective by officers or staff.

There is very wide disparity in the use made of the PDR system. Some PDRs are fully up to date, with personal objectives set based on a discussion with supervisors, but this was not the common experience among the officers and staff we spoke to. The majority of the workforce complies with the policy to have a PDR, but statistics provided by the force showed that 12 months after the end of the 2015/16 reporting year, only 79 percent of PDRs created had been finalised correctly, and it is unclear whether all members of the workforce did in fact have a PDR in progress. For the 2016/17 reporting year, around half were complete one month after the relevant period had ended. We received a consistent message from officers and staff that meetings with supervisors about professional development are infrequent. More needs to be done to make the importance of this process clear to staff and hold supervisors to account for completing PDRs. In some cases, the impact of

⁴¹ *Fair cop 2: Organisational justice, behaviour and ethical policing*, College of Policing, 2015.

Available at:

http://whatworks.college.police.uk/Research/Documents/150317_Fair_cop%202_FINAL_REPORT.pdf.

⁴² College of Policing guidance on the police performance development review (PDR) process is available from www.college.police.uk/What-we-do/Support/Reviewing-performance/Pages/PDR.aspx

See also the College of Policing's competency and values framework. Available from:

www.college.police.uk/What-we-do/Development/competency-and-values-framework/Pages/Competency-and-Values-framework.aspx

incomplete PDRs is considerable for individuals whose progression along pay scales is dependent on their PDR being signed off and completed through their management chain.

Although we did find some good examples of people being supported to develop new skills and qualifications, these tended to be dependent on the individual's situation and coincidental to the PDR system. Broadly, the PDR system is viewed by the workforce as a hollow process and we found few examples of professional development, whether training or promotion, directly linked to it. We did not find clear evidence about how the force makes use of information contained within PDRs, nor how comments and judgments are scrutinised and moderated, nor how analysis is conducted to assure fair and equitable treatment of staff and officers, especially those with protected characteristics.

Unsatisfactory performance procedures (UPP) are not used frequently in Leicestershire Police. Data for the 18 months from 1 August 2015 to 31 January 2017 showed UPP were used for 0.5 percent of the whole workforce, whereas the England and Wales average was 0.9 percent. Although this might suggest that few members of the workforce underperform, the force itself is uncertain whether this is the case. We spoke to supervisors in many locations and roles, and found a general uncertainty about how to use UPP and little experience of doing so. Some of those we spoke to were more inclined only to consider disciplinary action based on collating a series of instances of poor performance.

The force has recognised its low use of UPP and a general blurring of understanding among supervisors about it and how to deal with unsatisfactory performance or attendance. Human resources professionals have started work, along with workforce representative groups and the professional standards department, to update and improve how supervisors are supported when deciding on the correct approach to take with their staff when staff demonstrate poor performance or attendance. Precise details and a timescale for this work were not available at the time of our fieldwork, but it is important that supervisors are encouraged to hold difficult conversations and fully understand the escalation process for all situations.

Identifying potential senior leaders

The force could make improvements to the way it identifies members of the workforce with potential to become senior leaders. The force does have officers taking part in Fast-Track, a national high potential development scheme, but awareness of it is low amongst the workforce. Supervisors also described how opportunities for officers and staff to broaden skills and improve organisational awareness through attachments to other teams had diminished recently. The force might consider improving how it publicises development opportunities for future senior leaders and talented individuals generally.

Police officers at chief inspector rank and above are subject to closer monitoring by chief officers in terms of development and postings, but this is not specifically intended to reveal high potential among officers who have already progressed through a series of promotion processes.

Selecting leaders

Leicestershire Police demonstrates full commitment to ensuring that officers and staff who are selected to become leaders represent a wide range of styles, approaches and backgrounds. However, it is not exploiting opportunities to use progressive or contemporary selection techniques for the bulk of promotions.

Promotion opportunities in recent years have been restricted just to police officers and, until recently, the gender and ethnic mix of successful candidates has been disproportionately low for female and BAME officers. Force figures indicate that no applicants from those groups took part in the constable to sergeant promotion process in 2015, but following amendments to the overall process, a third of successful candidates from the process in 2016 were from those groups. Some changes at the initial sifting and moderation stages were made for the most recent process, which the force believes caused the improved representation, but there is no plan for the force to make systematic changes to sustain this improvement or include contemporary techniques that evaluate leadership style, personal values or emotional intelligence.

Conversely, psychometric testing, anonymised sifting and the inclusion of an assessor from outside the force during the interviews were all used for the recent superintendent promotion process. The force should, therefore, seek to use comparable elements in all other promotion processes and react to learning gained from the most recent round of promotions that yielded a far higher number of female and BAME candidates.

Summary of findings



Good

Leicestershire Police uses a variety of ways to obtain feedback from the workforce, including chief officer roadshows, intranet tools for asking questions or suggesting changes, and 150 officers and staff who act as change ambassadors. However, although these offer good opportunities for communication, these systems are not working as well as they could because not all the workforce are aware of them.

The force gathers and analyses a wide range of management information to identify issues that affect the workforce's perceptions of fairness and respectful treatment.

The workforce see the grievance procedure as fair and accessible. A force-wide workforce survey in September 2017 will offer much greater information about workforce opinions and feelings before and after the force's change programme.

The force recognises that there is disproportionality in terms of the ethnic mix of its workforce and, although it compares favourably with other forces, it is not yet representative of the local community. It has had considerable success in attracting BAME people as volunteers and is trying new ways to encourage minority groups to apply to work in the force.

Services to support the physical and mental health and emotional wellbeing of the workforce are excellent. The breadth of services continues to grow, especially in terms of understanding, de-stigmatising and dealing with emotional and mental health problems. The force analyses management information to identify problems concerning workforce wellbeing and has effective processes to ensure leave entitlements and cancelled rest days are taken.

The force should improve the way professional development is managed and how promotion processes are operated. The appraisal system is not valued by the majority of the workforce because they do not feel it enables continuing professional development or promotion. The promotion processes for police officers need to be improved. Currently, contemporary techniques to select the best candidates are only used for senior officer promotions. The force should ensure future promotions processes encourage a broad range of leadership styles and are fully accessible to all potential applicants.

Areas for improvement

- The force should ensure that it has effective systems, processes and guidance in place to develop individual performance and manage unsatisfactory performance.
- The force should ensure that its promotion processes use contemporary techniques, are transparent and achieve equal representation from protected characteristic groups among candidates.

Next steps

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

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

Annex A – About the data

Data used in this report

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

Methodology

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

Comparisons with England and Wales averages

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

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

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

Statistical significance

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

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

Population

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

Note on workforce figures

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

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

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

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

Force in numbers

Workforce (FTE) for 2016/17

Data may have been updated since the publication. Workforce includes Section 38-designated investigation, detention or escort officers, but does not include Section 39-designated detention or escort staff⁴³. 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).

⁴³ See sections 38 and 39 of the Police Reform Act 2002. Available at: www.legislation.gov.uk/ukpga/2002/30/section/38

Stop and search

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

Figures throughout the report

Figure 1: Likelihood of black, Asian and minority ethnic (BAME) people being stopped and searched (under section 1, PACE) compared with white people, in the local population of Leicestershire 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). Stop search totals used exclude vehicle only searches and those searches where the ethnicity of the subject was 'not stated'. Data may have been updated since publication. The likelihood of a stop and search is based on the number of stop searches per 1,000 population for each ethnic group. The population data used is usual residents by ethnicity from the 2011 census. These are the most robust and up-to-date population breakdowns by ethnicity.

Figure 2: Grievances raised per 1,000 workforce, in Leicestershire Police in the ten months from 1 April 2016 to 31 January 2017

Figure 3: Grievances raised by officers, PCSOs and staff (per 1,000 officers, PCSOs and staff), in Leicestershire 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 4: Percentage of officer joiners, officers in post, officers in senior roles and officers serving over 20 years who are black, Asian or minority ethnic (BAME), in Leicestershire 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 5: Comparison of officer leaving rates between white and black, Asian or minority ethnic (BAME) officers (per 1,000 white or BAME officers), in Leicestershire 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 6: Percentage of officer joiners, officers in post and officers in senior ranks, by gender, in Leicestershire 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 7: Comparison of officer leaving rates between male and female officers (per 1,000 male or female officers), in Leicestershire 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 8: Percentage of officers on short or medium-term sick leave, in Leicestershire 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).

Figure 9: Percentage of officers on long-term sick leave, in Leicestershire 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). Long-term sick leave is defined as an absence due to sickness that has lasted for more than 28 days as at 31 March 2017. Data may have been updated since the publication.

Stop and search record review methodology

HMICFRS was commissioned by the Home Office to conduct a further assessment of reasonable grounds, building on the assessments we carried out in 2013 and 2015 so that we could demonstrate any changes over time. We used a similar methodology to do this: forces provided details of stop and search records by

working back in time from 7 January 2017 until a total of 200 was reached.⁴⁴ This amounted to a total of 8,574 records – some records provided were not actually records of stop and search encounters, and these were excluded. As part of our assessment, we gave forces the opportunity to review our findings and make representations.

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

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

Professional standards case file review methodology

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

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

⁴⁴ City of London Police was unable to provide records up to 7 January 2017 but instead provided 200 records from 4 October 2016 to 26 November 2016.

UNDER EMBARGO UNTIL 00.01 ON TUESDAY 12 DECEMBER 2017

- 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 practice⁴⁵ 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?

⁴⁵ Relevant police complaints and misconduct legislation, IPCC statutory guidance, IPCC guidelines for handling allegations of discrimination, Acas code of practice on disciplinary and grievance procedures and Acas discipline and grievance guide.