



Cumbria Shared Internal Audit Service

Internal Audit report for Cumbria Constabulary

**Audit of Reflective Practice Review Process –
Practice Requiring Improvement**

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Audit Committee:	The Joint Audit Committee which is due to be held on 23 rd June 2021 will receive the report.

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Executive Summary

Background

This report summarises the findings from the audit of **Reflective Practice Review Process – Practice Requiring Improvement**. This was a planned audit assignment which was undertaken in accordance with the 2020/21 Audit Plan.

The Reflective Practice Review Process (including Practice Requiring Improvement) was introduced as part of the updated Police Conduct Regulations which came into force on 1st February 2020.

Practice Requiring Improvement is defined within the Home Office Statutory Guidance as *‘underperformance or conduct not amounting to misconduct or gross misconduct, which falls short of the expectations of the public and the police service as set out in the Code of Ethics’*.

The purpose behind the reformed system is to develop an approach to the handling of matters which fall short of the expectations set out in the Code of Ethics and are considered low level conduct, mistakes or performance issues that can be handled in a more proportionate and constructive way without recourse to formal disciplinary proceedings or performance procedures.

The principal focus of following the process is to learn and to develop by improving from mistakes, poor judgement and low-level wrongdoing through early intervention. The process is designed to be inclusive, reflective and participative for the officer involved, and to be a process in which they can engage and take genuine learning and positive action from.

Reflective Practice Review Process - Practice Requiring Improvement (RPRP-PRI) falls within the remit of Professional Standards Department (PSD). A new Head of Professional Standards came into post in mid-November 2020.

The regulations came into place at the time the COVID-19 pandemic was escalating. As a result, the pace of introducing and developing the process within the Constabulary has been slower than anticipated and this means that the Reflective Practice Review Process – Practice Requiring Improvement (RPRP-PRI) process is not yet embedded within the Constabulary.

Audit Approach

Audit Objectives and Methodology

Compliance with the mandatory Public Sector Internal Audit Standards requires that internal audit activity evaluates the exposures to risks relating to the organisation's governance, operations and information systems. A risk-based audit approach has been applied which aligns to the five key audit control objectives. Detailed findings and recommendations are set out within the Management Action Plan.

Audit Scope and Limitations

The Audit Scope was agreed with management prior to the commencement of this audit review. The Client Sponsor for this review was Stephen Kirkpatrick (Director of Corporate Support). The agreed scope of the audit was to provide assurance over management's arrangements for governance, risk management and internal control in the following areas:

- Policy and procedures
- Themes identified from the process
- Compliance with the regulations
- Awareness raising and training

Assurance Opinion

Each audit review is given an assurance opinion, and this provides the Joint Audit Committee and Officers with an independent assessment of the overall level of control and potential impact of any identified system weaknesses. There are 4 levels of assurance opinion which may be applied. The definition for each level is explained in **Appendix A**.

From the areas examined and tested as part of this audit review, we consider the current controls operating within Reflective Practice Review Process – Practice Requiring Improvement provide **Partial Assurance**.

Note: as audit work is restricted by the areas identified in the Audit Scope and is primarily sample based, full coverage of the system and complete assurance cannot be given to an audit area.

Summary of Audit Findings and Recommendations

Controls were operating effectively in the following areas:

- The Professional Standards Department (PSD) undertook an initial exercise to review all RPRP-PRI cases (we were informed that this was in the region of 10 cases at the time of the audit). They identified that the process, as required by the regulations, was not being complied with. This has resulted in corrective action being taken with a new process being proposed to enable oversight for compliance by PSD.

The recommendations arising from this review can be summarised as follows:

High	Medium	Advisory	Total
2	3	0	5

The three levels of audit recommendation are defined in **Appendix A**.

Areas for development: Improvements in the following areas are necessary in order to strengthen existing control arrangements:

High Priority Issues:

- Awareness of, and training on RPRP- PRI within the Constabulary needs to be developed and rolled out so that there is a full organisational understanding of, and engagement with, the process.
- Arrangements are not in place to identify and capture organisational learning from the RPRP-PRI process.

Medium Priority Issues:

- Supplementary procedures for the RPRP-PRI process have been developed. They require authorisation, approval and communication throughout the organisation.
- The measures identified by PSD to address issues of non-compliance with the RPRP-PRI process are not yet approved or rolled out so are not working in practice.
- A replacement for the Kallidus system, which included training outcomes from RPRP-PRI should be explored.

Advisory issues: None identified

Deputy Chief Constable Comments

Implementing new systems and processes to support the changed focus on police complaints and discipline towards Reflective Practice/Practice Requiring Improvement has been a developing area nationally since its recent introduction. The force approach is seeking to mirror that across other forces to ensure consistency. The College of Policing training products are key to that, along with internal process to record issues such as performance action plans that arise, along with ancillary issues such as the approval of business interests. These processes will allow the identification of themes across the organisation which can then be utilised to improve our policing approach. I am content that the steps outlined by the business area will take these issues forward in a way that will deliver to national standards and address the recommendations outlined within this report.

DCC M Webster 7th May 2021

Management Action Plan

High Priority

Audit finding	Management response
<p>Awareness Raising and Training</p> <p>We were informed that, at the time of our review, no training has been delivered on RPRP-PRI. Awareness raising and training is an area that the Head of PSD has identified as requiring some focus and development. It is recognised that RPRP-PRI represents a change in culture for the whole organisation and consideration is being given to how best this might be achieved.</p> <p>An extract of the notes from a recent Regional Professional Standards Panel meeting, which included a discussion on Practice Requiring Improvement, noted that <i>‘most forces reported that they have been able to roll out training for supervisors and line managers around the time the reforms were implemented in February 2020. However, and understandably, efforts have since been hampered by Covid-19 meaning some line managers may have been left without the necessary knowledge and experience of using Reflective Practice and RPRP to deal with performance and lower-level conduct matters’</i>.</p> <p>We were informed that in Cumbria, training has not been rolled out for supervisors and line managers. The Home Office Guidance document ‘Conduct, Efficiency and Effectiveness: Statutory Guidance on Professional Standards, Performance and Integrity in Policing’ highlights the important responsibility placed on supervisors and line managers in engaging in difficult conversations locally and addressing shortcomings through this process. Training for these roles is key to ensure that Officers have the confidence that unintentional mistakes, shortcomings or failings will be handled in a constructive way and</p>	<p>Agreed management action:</p> <p>We will develop a plan for rolling out training on RPRP-PRI. The plan will include timescales to enable delivery of training throughout the organisation.</p> <p>We are now utilising the MLE Training Package which will provide input in two formats.</p> <ol style="list-style-type: none"> 1) Supervisors 2) All members of staff (recipients) <p>It is anticipated this initial phase will see completion by Autumn 2021.</p>

admissions of such behaviour or mistakes will not be to their detriment or result in being punished. Instead they will be supported through constructive steps to aid their improvement and organisational learning identified to improve the wider environment.

We were informed that Chief Officer Group (COG) has recently approved the creation of a Force Learning Panel which is Chaired by the Head of People. At the time of our review the Panel had not yet met and Terms of Reference had not been defined to set out the remit of the Panel. We were informed that the Force Learning Panel would include work around how the RPRP-PRI might look with regard to training throughout the organisation.

The Head of PSD reported that the College of Policing’s Managed Learning Environment (MLE) will be used as part of the training roll out for RPRP-PRI once implemented. We were informed that the MLE information on RPRP-PRI had only been made available in late February 2021 and that the detail was still being worked through.

The Head of PSD informed Internal Audit that feedback had recently been sought from those involved in the RPRP-PRI process. We were informed that the feedback confirmed that additional work on awareness raising and training was required for the RPRP-PRI process.

Recommendation 1:

A plan for rolling out training on RPRP-PRI should be developed, approved by management and delivered across the Constabulary. Items to consider as part of the plan should include timescales, who the training will be initially focussed at (e.g. line managers and supervisors), arrangements for cascading and embedding the training throughout the

<p>organisation and how the training will be delivered (e.g. through e-learning, classroom based, as part of the promotion process etc).</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • RPRP-PRI process doesn't work as anticipated and the intended purpose is not achieved. • Under-developed workforce. • Non-compliance with Police Conduct Regulations 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Plan to be drawn up by end April 2021</p>

High Priority

Audit finding	Management response
<p>Themes identified from the process</p> <p>We are advised that there are currently no routine arrangements in place to identify whether there are themes arising from RPRP-PRI to determine if there are any wider organisational issues arising.</p> <p>The Head of PSD agreed that this was an area that he would like to see developed and it was noted that this has been built in to the new process proposed which includes that “<i>DI PSD reviews the [RPRP] form identifying any organisational learning, requirement to update complaints etc</i>” but at the time of our review this process was not in operation.</p> <p>We were informed, as part of our audit discussions, that there is no reporting to management on the number of RPRP-PRI cases.</p>	<p>Agreed management action:</p> <p>The process to identify themes and organisational learning identified through RPRP-PRI will be built into the plan to be developed as part of recommendation 1</p> <p>We are currently working with IT to develop an existing process (Secondary Business Interests), as a model to address this priority. It is anticipated the adoption of this system will facilitate the individual and organisational learning that will fall out of the process.</p>

<p>Capturing organisational learning from the RPRP-PRI process is a valuable practice in improving how the force as a whole interacts with members of the public and the community and its importance is noted in the Home Office Guidance document.</p>	
<p>Recommendation 2: Arrangements should be put in place to identify whether any themes are emerging from the RPRP-PRI process which highlight organisational learning and would require a corporate response (this links to recommendation 1 on awareness raising and training).</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • RPRP-PRI process doesn't work as anticipated. • Intended purpose of the process is not achieved. • Underdeveloped workforce. • Wider learning opportunities / improvements are not identified. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Themes & organisational learning to be identified by March 2022 once arrangements have had sufficient time to embed.</p>

Medium Priority

Audit finding	Management response
<p>Policy and Procedure The framework for Reflective Practice Review Process – Practice Requiring Improvement (RPRP-PRI) is governed by legislation including the Conduct Regulations. These are supported by the Home Office Guidance – Conduct, Efficiency and Effectiveness: Statutory</p>	<p>Agreed management action: The procedure has now been approved by the Head of PSD and the process will be communicated within the Force in line with the</p>

<p>Guidance on Professional Standards, Performance and Integrity in Policing. The details are set out in Chapter 13 of the guidance.</p> <p>During our initial discussions on 12 January 2021, we were informed that local guidance, setting out how the legislative requirements should be applied in practice, was not required as the process was set out in legislation. On 28 January 2021 we were made aware that a procedure ‘Participating Officers Guide’ and ‘Reviewer Guide’ had been developed to set the scene and expectations of PRPR-RPI. We were informed that the guidance was drafted, based on College of Policing documents, amended for Cumbria Constabulary’s requirements in response to issues found when the RPRP has been used (in approximately 10 cases at the time of the audit). At the time of our review the guidance was in draft, awaiting review and approval by management.</p>	<p>plan to be developed as part of recommendation 1.</p> <p>We are now utilising the MLE Training Package which will provide input in two formats.</p> <ol style="list-style-type: none"> 1) Supervisors 2) All members of staff (recipients) <p>It is anticipated this initial phase will see completion by Autumn 2021.</p>
<p>Recommendation 3: RPRP-PRI procedure prepared by the Constabulary should be reviewed, approved and communicated within the Constabulary.</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • The RPRP-PRI process is not effectively applied. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: Procedure approved March 2021 Initial phase completion Autumn 2021</p>

Medium Priority

Audit finding	Management response
<p>Compliance with the process</p> <p>We were informed that completed RPRP-PRI referrals, undertaken since February 2020 when the new regulations were introduced, have recently been reviewed by the DI PSD. Information provided for this audit identified that a number of issues had been identified as part of the DI PSD’s review of cases. The issues included:</p> <ul style="list-style-type: none"> • RPRP not being completed by the participating officer / reviewer • RPRP not being launched • Some cases where no record has been completed • Questions whether full reflection had occurred / reflection doesn’t appear to fully agree with the issue identified by the Appropriate Authority. <p>An interim measure, a process (referred to under policy and procedures) was developed by the DI PSD, together with templates to be completed. This process is with the Head of PSD for review and approval.</p> <p>We were informed that the Ethics and Integrity Panel will undertake dip sampling work on the Reflective Practice Review Process (RPRP) and the Practice Requiring Improvement Process (PRI) during April 2021 as its Thematic Session for the May 2021 meeting.</p>	<p>Agreed management action:</p> <p>The quality assurance process has now been agreed and is embedding.</p>
<p>Recommendation 4:</p> <p>The quality assurance process for RPRP-PRI should be agreed and approved as part of the embedding of the overall process.</p>	

<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> • Non-compliance with legislation and guidance. • The RPRP-PRI process is not effectively applied. • Reputational damage from non-compliance. 	<p>Responsible manager for implementing: Head of Professional Standards</p> <p>Date to be implemented: March 2021</p>
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Medium Priority

Audit finding	Management response
<p>Replacement of Kallidus system used to record training</p> <p>The outcome of RPRP-PRI process was recorded on the Kallidus system which has now become obsolete. We were informed that there had been an omission to include RPRP-PRI in the new Crown system. As an interim measure the details of RPRP-PRI are being recorded on a spreadsheet.</p> <p>We were informed that the Kallidus system had an audit trail which meant that any training (including training identified as RPRP-PRI) went into the individual’s profile so that managers / supervisors could see what training had been given. However, the indication is that the new Crown system doesn’t have the facility to capture information into each officer’s profile.</p> <p>PSD have access to the Centurian system and the various stages of the RPRP-PRI process is stored within that system. This allows traceability for PSD, but as this is a PSD system, line managers do not have access.</p> <p>While the number of RPRP-PRI cases are small, the spreadsheet held by PSD (although not ideal) will currently suffice to record and monitor RPRP-PRI. As the process becomes</p>	<p>Agreed management action:</p> <p>We are currently working with IT to develop an existing process (Secondary Business Interests), as a model to address this priority. It is anticipated the adoption of this system will facilitate the individual and organisational learning that will fall out of the process.</p> <p>Timescales are currently looking at 4 – 6 months to implement following agreement of the proof of concept.</p>

<p>embedded within the organisation it is possible that the number of cases will increase so there is a need to implement a robust, fit for purpose system to record RPRP-PRI cases and outcomes moving forward.</p>	
<p>Recommendation 5: Arrangements for recording RPRP-PRI should be explored to ensure that the information is captured and retained organisationally.</p>	
<p>Risk exposure if not addressed:</p> <ul style="list-style-type: none"> RPRP-PRI is not fully captured and organisational learning in this area is not addressed. 	<p>Responsible manager for implementing: Head of Professional Standards Date to be implemented: 4-6 months following agreement of the proof of concept</p>

Appendix A

Audit Assurance Opinions

There are four levels of assurance used, these are defined as follows:

Assurance Level	Definition
Substantial	Sound frameworks of governance, risk management and internal control are in place and are operating effectively. Recommendations, if any, will typically be no greater than advisory.
Reasonable	Frameworks of governance, risk management and internal control are generally sound with some opportunities to further develop the frameworks or compliance with them. Recommendations will typically be no greater than medium priority.
Partial	Weaknesses in the frameworks of governance, risk management and/or internal control have been identified or there are areas of non-compliance with the established control framework which place the achievement of system / service objectives at risk. Recommendations will typically include high and medium priority issues.
Limited	There are significant gaps in the governance, risk management and/or internal control frameworks or there are major lapses in compliance with the control framework that place the achievement of system / service objectives at significant risk. Recommendations will include high priority issues.

Grading of Audit Recommendations

Audit recommendations are graded in terms of their priority and risk exposure if the issue identified was to remain unaddressed. There are three levels of audit recommendations used; high, medium and advisory, the definitions of which are explained below:

Grading	Definition
High	A recommendation to address a significant gap in governance, risk management or internal control frameworks or to address significant non-compliance with controls in place.
Medium	A recommendation to address a gap in governance, risk management or internal control frameworks or to address aspects of non-compliance with controls in place.
Advisory	A recommendation to further strengthen governance, risk management or internal control frameworks or to improve compliance with existing controls.

