Cumbria Office of Police and Crime Commissioner

**Cumbria Police and Crime Commissioner (PCC) response to inspections of Cumbria Constabulary published by Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS)**

*Section 33 of the Police Act 1996 (as amended by section 37 of the Policing and Crime Act 2017) requires local policing bodies to respond to recommendations in inspectors reports within 56 days.*

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| **Inspection Title:** | #23684 An Inspection of Vetting, Misconduct, and Misogyny in the Police Service |
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| **Type of Inspection:** | National Inspection |
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| **Key Findings** | |
| Following the murder of Sarah Everard by a service police officer, the then Home Secretary commissioned HM Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) under section 54 (2B) of the Police Act 1996 to assess current vetting and counter corruption capacity and capability in police across England and Wales. This was to include forces’ ability to detect and deal with misogynistic and predatory behaviour.  We were asked to consider current vetting (and re-vetting), arrangements for transferees, whistleblowing arrangements, the work of counter corruption units and, where relevant, wider Professional Standards. | |
| **Recommendations:** | |
| **Recommendation #23732: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 2.**  By **30 April 2023**, chief constables should establish and begin operation of a process to identify, within their vetting IT Systems, vetting clearance records  Where:   * Applicants have committed criminal offences; and or * The record contains other types of concerning adverse information.   **Recommendation #23775: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 3.**  By **30 April 2023**, chief constables should take steps to make sure that, when granting vetting clearance to applicants with concerning adverse information about them:   * Vetting units, counter-corruption units, professional standards departments and HR departments (working together where necessary) create and implement effective risk mitigation strategies; * These units have enough capacity and capability for this purpose; * Responsibilities for implementing specific elements of the risk mitigation strategy are clearly defined; and * There is robust oversight.   **Recommendation #23818: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 4.**  By **30 April 2023**, chief constables should make sure that, when concerning adverse information has been identified during the vetting process, all vetting decisions (refusals, clearances and appeals) are supported with a sufficiently detailed written rationale that:   * Follows the National Decision Model * Includes the identification of all relevant risk; and * Takes full account of the relevant risk factors described in the Vetting Authorised Professional Practice.   **Recommendation #23864: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 7.**  By **31 October 2023**, chief constables should introduce an effective quality assurance process to review vetting decisions including routine dip sampling of:   * Rejections and * Clearances where the vetting process revealed concerning adverse information.   **Recommendation #23907: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 8.**  By **30 April 2023**, chief constables should make sure they comply with the Vetting Authorised Professional Practice by analysing vetting data to identify, understand and respond to any disproportionality.  **Recommendation #23954: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 11.**  By **30 April 2023**, chief constables who have not already done so should establish and begin operation of a policy requiring that, at the conclusion of misconduct proceedings where an officer, special constable or member of staff has been issued with a written warning or a final written warning, or been reduced in rank, their vetting status is reviewed.  **Recommendation #23999: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 13.**  By **31 October 2023**, chief constables who have not already done so should establish and being operation of a process to:   * Identify the required vetting level for all posts within the force, including designated posts requiring management vetting; and * Determine the vetting status of all police officers and staff in designated posts.   As soon as possible after this, these chief constables should:   * Make sure all designated postholders are vetted to the enhanced (management vetting) level using all the minimum checks listed in the Vetting Authorised Professional Practice; and * Give continued assurance that designated postholders always have the requisite level of vetting.   **Recommendation #24044: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 15.**  By **30 April 2023**, chief constables should:   * Make sure that all police officers and staff are made aware of the requirement to report any changes to their personal circumstances; * Establish a process through which all parts of the organisation that need to know about reported changes, particularly the force vetting unit, are always made aware of them; and * Make sure that where a change of circumstances creates additional risks, these are fully documented and assessed. If necessary, additional risks should lead to a review of the individual’s vetting status.   **Recommendation #24087: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 16.**  By **31st December 2023**, chief constables should make routine use of the Police National Database (PND) as a tool for revealing any unreported adverse information about officers and staff. To help this, the College of Policing should:   * Working with the National Police Chiefs’ Council lead for counter-corruption change the Counter-Corruption (Intelligence) APP to include a requirement for the PND to be used in this way; and * Change the PND Code of Practice (and any subsequent code of practice concerning the Law Enforcement Data System) to include a specific provision that allows for the PND to be used in this way.   **Recommendation #24133: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 18.**  By **30 April 2023**, chief constables should make sure that there is a robust response to any criminal allegation made by one member of their force against another. This should include:   * Consistent recording of allegations; * Improved investigation standards; and * Sufficient support for victims and compliance with the Code of Practice for Victims of Crime in England and Wales.   **Recommendation #24187: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 24.**  By **31 October 2023**, chief constables should make sure their professional standards departments attach a prejudicial and improper behaviour flag to all newly recorded relevant cases.  **Recommendation #24230: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 25.**  By **30 April 2023**, chief constables should make sure their professional standards departments and counter-corruption units routinely carry out all reasonable wider inquiries when dealing with reports of prejudicial and improper behaviour. These inquiries should ordinarily include (but not be limited to) sampling the following, in relation to the officer under investigation:   * Their use of IT Systems; * Incidents they attended, and incidents they are otherwise connected to; * Their use of work mobile devices; * Their body worn video recordings; * Radio location checks; and * Misconduct history.   **Recommendation #24273: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 26.**  By **30 April 2023**, chief constables should make sure their professional standards departments:   * Produce and follow an investigation plan, endorsed by a supervisor, for all misconduct investigations; and * Check all reasonable lines of inquiry in the investigation plan have been concluded before finalising the investigation.   **Recommendation #24317: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 28.**  By **30 April 2023**, In the forces where we have not carried out fieldwork during this inspection, chief constables who have not already carried out a review of all allegations relating to prejudicial and improper behaviour, should do so. The review should be of cases from the last three years where the alleged perpetrator was a serving police officer or member of staff. The review should establish whether:   * Victims and witnesses were properly supported; * All appropriate authority assessments, including assessments which didn’t result in a complaint or misconduct investigation, were correct; * Investigations were comprehensive; and * Any necessary steps are taken to improve the quality of future investigations.   These reviews will be subject to examination during our next round of inspections of professional standards departments.  **Recommendation #24360: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 29.**  **With immediate effect**, chief constables must make sure that forces use Regulation 13 of the Police Regulations 2003 for underperforming officers during their probationary period, rather than the Police (Performance) Regulations 2020.  **Recommendation #24409: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 32.**  By **30 April 2023**, chief constables should make sure that:   * All intelligence concerning possible sexual misconduct by officers or staff (including abuse of position for a sexual purpose and internal sexual misconduct) is subject to a risk assessment process, with action taken to minimise any risk identified; and * Rigorous additional oversight arrangements are in place to monitor the behaviour of officers subject to the risk assessment process, especially in cases assessed as high risk.   **Recommendation #24452: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 33.**  By **31 March 2023**, chief constables should make sure that counter-corruption units (CCUs) have established relationships with external bodies that support vulnerable people who may be at risk of abuse of position for a sexual purpose, such as sex-worker support services, drug and alcohol and mental health charities. This is to:   * Encourage the disclosure by such bodies, to the force’s CCI of corruption related intelligence relating to the sexual abuse of vulnerable people by police officers and staff; * Help the staff from these bodies to understand the warning signs to look for; and * Make sure they are made aware of how such information should be disclosed to the CCU.   **Recommendation #24495: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 34.**  By **30 April 2023** chief constables should make sure that their counter corruption units actively seek related intelligence as a matter of routine.  **Recommendation #24538: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 35.**  By **31 March 2023** to protect the information contained within their systems and help them to identify potentially corrupt officers and staff, chief constables should make sure that:   * Their force has the ability to monitor all use of its IT systems; and * The force uses this for counter corruption purposes, to enhance its investigative and proactive intelligence gathering capabilities.   **Recommendation #24581: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 36.**  By **30 April 2023**, chief constables should establish and begin operation of an improved system of mobile device management, with accurate record keeping concerning:   * The identity of the officer or staff member each device is allocated to; and * What each device has been used for.   **Recommendation #24624: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 37.**  By **30 April 2023**, chief constables should:   * Convene, and hold on a regular and continuing basis, people intelligence meetings; or * Establish and begin operation of an alternative process to support the presentation and exchange of corruption related intelligence, to identify officers and staff who may present a corruption risk.   **Recommendation #24667: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 38.**  By **30 April 2023**, chief constables should make sure that all corruption-related intelligence is categorised in accordance with the National Police Chiefs’ Council counter-corruption categories (and any revised version of these).  **Recommendation #24710: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 39.**  By **30 April 2023**, chief constables should make sure they have a current counter-corruption strategic threat assessment, in accordance with the Counter-Corruption (Intelligence) Authorised Professional Practice.  **Recommendation #24753: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 40.**  By **30 April 2023**, chief constables should make sure their counter-corruption units:   * Produce and follow an investigation plan, endorsed by a supervisor, for all counter-corruption investigations; and * Check all reasonable lines of inquiry in the investigation plan have been concluded before finalising the investigation.   **Recommendation #24796: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 41.**  By **30 April 2023**, chief constables should strengthen their business interest monitoring procedures to make sure that:   * Records are managed in accordance with policy and include cases where authorization has been refused; * The force actively monitors compliance with conditions that are attached to the approval, or where the application is refused; * Regular reviews of each approval are carried out; and * All supervisors are properly briefed about business interests held by members of their teams.   **Recommendation #24839: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 42.**  By **30 April 2023**, chief constables should strengthen their notifiable association procedures to make sure that:   * They are compliant with the Counter-Corruption (Prevention) Authorised Professional Practice (APP) and that the obligation to disclose all association listed in the APP is explicit; * There is an effective monitoring process to make sure that any conditions imposed are being complied with; and * All supervisors are correctly briefed on the notifiable associations declared by members of their teams.   **Recommendation #24882: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 43.**  By **30 April 2023**, chief constables should make sure that a robust process is in place for completing annual integrity reviews for all officers and staff.  **Recommendation #25140: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 1.**  By **31 October 2023**, the College of Policing should update its guidance on the minimum standard of pre-employment checks that forces must carry out before appointing an officer or member of staff. Every chief constable should make sure their force complies with the guidance. As a minimum, pre-employment checks should:   * Obtain and verify previous employment history for at least the previous five years (including dates of employment, roles carried out and reason for leaving); and * Verify the qualifications the applicant claims to have.   **Recommendation #25183: An inspection of vetting, misconduct, and misogyny in the police service – Recommendation 20.**  By **30 April 2023**, chief constables should adopt the National Police Chiefs’ Council sexual harassment policy.  **AFI #24925 An inspection of vetting, misconduct, and misogyny in the police service – AFI 1**  Forces’ use of vetting interviews is an area for improvement. In more cases, forces should interview applicants to explore adverse information of relevance to the case. This should help with assessing risk. When they carry out such interviews, forces should maintain accurate records and give copies of these to interviewees.  **AFI #24968 An inspection of vetting, misconduct, and misogyny in the police service – AFI 2**  Automated links between force vetting and HR IT systems are an area for improvement. When specifying and procuring new IT systems for these purposes, or developing existing ones, forces should seek to establish automated links between them.  **AFI #25011** **An inspection of vetting, misconduct, and misogyny in the police service – AFI 3**  Forces’ understanding of the scale of misogynistic and improper behaviour towards female officers and staff is an area for improvement. Forces should seek to understand the nature and scale of this behaviour (like the work carried out by Devon and Cornwall Police) and take any necessary action to address their findings.  **AFI #25054** **An inspection of vetting, misconduct, and misogyny in the police service – AFI 4**  Forces’ data quality is an area for improvement. Forces should make sure they accurately categorise all items of sexual misconduct intelligence. Sexual misconduct cases that don’t meet the definition of abuse of position for sexual purpose (AoPSP) (because they don’t involve the public) should be recorded as AoPSP.  **AFI #25097** **An inspection of vetting, misconduct, and misogyny in the police service – AFI 5**  Workforce awareness of corruption-related threats is an area for improvement. Forces should routinely brief police officers and staff on the pertinent and sanitised content of their annual counter-corruption strategic threat assessment. | |
| **PCC & Chief Constable Response to Report and Recommendation:** | |
| Cumbria’s Police and Crime Commissioner has welcomed the inspection by His Majesty’s Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) regarding vetting, misconduct, and misogyny in the Police Service.  The Police and Crime Commissioner said: “We expect our Constabulary to hold the highest standards of conduct and I am pleased that our force does that on a daily basis, keeping us all safe.  There is no place for misogyny in any part of society but especially not in policing. Cumbria Constabulary is welcoming to everyone, and we hold all staff to account regarding the respect they show towards each other and the public.  Any officer that is found to be disrespectful or bigoted towards a colleague, victim or perpetrator is dealt with in the appropriate manner.  I will continue to seek assurance from the Chief Constable around how police systems of vetting and counter-corruption are being developed and improved, taking account of these recommendations.”  The Deputy Chief Constable said:  “His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) has made a number of recommendations to the Constabulary, setting out ways our system of vetting can be improved upon moving forward.  Cumbria Constabulary has prioritised these improvements in advance of the release of the report and, as a result, vetting processes are now far more robust than when the inspection took place last year. However, the Constabulary is committed to making further improvements to these processes.  The HMICFRS report raises significant concerns regarding a culture of behaviour in policing which includes misogyny, sexism and predatory behaviour and the role flaws in vetting processes have played in enabling such a culture.  Cumbria Constabulary’s most recent [HMICFRS Peel Inspection](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.justiceinspectorates.gov.uk%2Fhmicfrs%2Fnews%2Fnews-feed%2Fcumbria-constabulary-congratulated-on-good-performance%2F&data=05%7C01%7CSandra.Radcliffe%40cumbria.police.uk%7C88096ae9b4834fa5a03508dac0cc22c2%7C7ea6412da8874942951ccd722827b11a%7C0%7C0%7C638034280248741531%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=Id0rDyyuSS%2F4uoXtapALlgTNwk%2Fd4EOjTR1uvj%2FNVeY%3D&reserved=0), in April 2022, found the force has a “positive, supportive and inclusive culture” and rated the Constabulary as “Good” in both protecting vulnerable people and building, supporting and protecting the workforce.  The report also highlighted how Cumbria Constabulary has the highest proportion of female officers of any police force.  However, Cumbria Constabulary recognises that more can, should and will be done to improve the culture in policing. The force supports the National Police Chiefs’ Council in committing to act on the recommendations in the report to help put things right. The continued support of the public demands nothing less.  This year, the Constabulary entered into a [collaboration with the independent charity SafeLives](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.cumbria.police.uk%2Fnews%2Fcumbria-constabulary-and-safelives-collaborate-on-enhanced-domestic-abuse-investigations&data=05%7C01%7CSandra.Radcliffe%40cumbria.police.uk%7C88096ae9b4834fa5a03508dac0cc22c2%7C7ea6412da8874942951ccd722827b11a%7C0%7C0%7C638034280248741531%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=ec0iHSWyaG1WWlofNFNCjvs9nezsi5BufXumbSMuAdM%3D&reserved=0) as part of an intensive training drive to promote long-term cultural change in the Constabulary by developing hundreds of officers and staff with specialist training in domestic abuse.  Cumbria Constabulary holds its officers and staff to a high standard of conduct and integrity and, where those standards are found not to be met – whether through vetting, the force’s robust misconduct process or some other means – swift and effective action will be taken and has been taken.” | |