



Metropolitan Police Authority

INQUIRY: RACE AND FAITH WITHIN THE MPS

TERMS OF REFERENCE

FINAL 19th December 2008



Metropolitan Police Authority

1 INTRODUCTION

The MPA is to carry out an inquiry into race and faith at the MPS in relation to employment. It will examine the current position of the organisation in order to establish what has changed as a result of lessons learnt from the past, identifying success and good practice and further opportunities to build upon this. The Inquiry is also an opportunity for the MPA to review its own oversight role and make recommendations for improvement.

It is not the intention to repeat previous investigations around race and diversity issues. The Inquiry seeks to establish what is still required in order to achieve real cultural change, facilitating the development of a police service that promotes open dialogue on diversity issues and provides a safe working environment for all officers and staff.

2 BACKGROUND

There has been much press coverage over the past few months of how the MPS deals with race and faith issues. This is of great concern to the MPS, MPA, officers and staff within the MPS regardless of background and we cannot ignore the potential for internal difficulties to reverberate beyond the police service and impact upon community police relations in London.

Having the confidence of all London's communities is essential and it is even more crucial when one considers the two major policing difficulties facing London today; namely, combating terrorism and stemming the number of gun and knife crime murders within London. Both of these issues require the complete trust and confidence of London's diverse communities and we cannot afford to weaken the relationship between them and the police service. We can only tackle gun, knife crime and terrorism if the police together with London's diverse communities work hand in hand.

The Police and Justice Act (2006) places a positive duty on police authorities to promote equality and diversity within the police force maintained for its area as of March 2008. The Inquiry is critical piece of work for MPA in meeting this new statutory duty.

The inquiry will focus on race and faith as this is where recent issues have arisen. This is not to diminish the importance of, or the MPA's commitment to other equality strands. It is recognised that there may be read across of the issues raised within the Inquiry in relation to gender, disability, sexual orientation and age as well as the compound effect of multiple discrimination. This will be highlighted and where appropriate, recommendations made.

3 FOCUS

Central to the Inquiry will be to understand the firsthand employment experiences of black and ethnic minority (BME) staff and officers within the MPS, namely in terms of recruitment, retention, career development and managing difference.

The inquiry will examine the progress made by the MPS as a result of a number of investigations into race within the police, most notably:

- the Stephen Lawrence Inquiry Report, which reaches its 10th anniversary in February 2009
- the Commission for Racial Equality (now Equality and Human Rights Commission) Formal Investigation into the Police Service in England and Wales published in March 2005
- the Morris Inquiry, commissioned by the MPA which published its report and recommendations in December 2004
- the MPA's Talent Management Scrutiny published in 2007

Bearing in mind the considerable amount of scrutiny into employment matters, both within the MPS and the police service overall, it is apposite to examine police officer and staff experiences from 2005 in order to evaluate the impact of this work.

Whilst it is not the intention of the inquiry to revisit previous reviews in their entirety, it is important to understand what has and hasn't worked as a result of recommendations made. It will also help to determine if the approach taken by the MPS as a result of such reviews has been the most beneficial to achieving cultural change.

The inquiry will also consider issues that are not directly in the control of the MPA and MPS e.g. the NPIA People Strategy, the role of the Senior Appointments Panel and the Strategic Command Course. Where relevant the MPA will make recommendations aimed at other bodies.

4 THEMES

The Inquiry will explore the following 5 themes. (NB. The questions set out under each of the themes are example lines of enquiry and should not be regarded as a complete and exhaustive list)

Leadership & Direction

- Who has the overarching responsibility for race, faith and wider diversity issues within the Metropolitan Police Service? Does diversity have the right profile within the organisation and at what level of seniority?
- What do we expect from the leaders of the MPS both ACPO officers and Senior Management staff?

- Who are the drivers for delivering culture change e.g. Diversity and Citizen Focus Directorate and Human Resources?
How does the MPS build the capacity of its leaders and how effective is this?
- How does the organisation build organisational confidence on race, faith and wider diversity issues?
- What is the process for dealing with the organisational impact and community/public impact of high profile cases involving race?

Communication and Relationships

- How does the organisation communicate and build positive relationships with all staff and officers and how effective is this?
- How does the service test the 'health' of the organisation – especially BME staff and officers?
- What role is played by staff support associations? What is their relationship with MPS leadership? What value do they provide to their members, the wider organisation and London's communities as a whole?
- What role is played by other representative bodies such as the Police Federation and Trade Unions?

Organisational development and learning

- What factors have contributed to organisational successes?
- What are the drivers and barriers to achieving cultural change around race, faith and diversity?
- How does the MPS embed a people focussed approach; does the organisation understand the value of a diverse work force (both institutionally and operationally)?
- How does the MPS learn from elsewhere and what comparators exist within the police service, other public sector bodies and the private sector?
- What learning can be gained the experience of the Police Service of Northern Ireland?

Work force development (recruitment, retention, progression)

- What is the current demographic profile in relation to recruitment, retention and progression? How has the profile changed since 2005?
Is recruitment activity consistent across all business groups – how accessible are specialist areas? What learning can be gained from the PSCO recruitment experience?
- What processes are in place to promote career development? Where the examples of success and what are the barriers?
- How are positive action and career development initiatives applied in practice? Are they making a difference? What is available and to whom? How are they accessed? Are these initiatives helping the MPS to get the best out of its people and are they value for money?

Managing behaviour

- What is the capacity of managers in managing difference within the MPS – both informal and formal practices?
- Does a comparative analysis of discipline outcome show that BME staff dealt with fairly and in the same way as their white counterparts?
- Is the Fairness at Work procedure delivering what it was intended to deliver? Do staff and officers have confidence in this process?
- How does the organisation learn from both discipline and ET cases, which cases have held the organisation to account?

5 OBJECTIVES

1. Assess the extent to which there is a common understanding of diversity within the organisation and how it translates to the employment experience within the MPS.
2. Assess the extent to which there is effective leadership and a co-ordinated approach on issues of race and faith.
3. Determine if there are appropriate structures and resources are in place across all business groups and at B/OCU level to deliver the diversity agenda internally.
4. Determine the confidence levels of managers across the organisation in managing issues of race and faith and examine the support and training provided.
5. Evaluate the organisational response to diversity against the personal experiences of BME police staff and officers.
6. Examine the MPA's oversight role in relation to diversity and equality within the MPS
7. Identify any gaps in the current approach that need to be addressed
8. Examine work undertaken to address internal racial disproportionality in managing behaviour.
9. Identify internal good practice and learning to be shared across the organisation.
10. Identify appropriate external comparators and good practice.
11. Consider national programmes not directly in the control of the MPS and MPA relevant to race and faith and the impact on MPS Diversity Strategy.
12. To publish a report with its findings and recommendations

6 EXCLUSIONS

The Inquiry will focus on employment within the MPS; operational and service delivery elements of policing will not be examined. The inquiry will not consider current or pending cases of individuals challenging the force on the grounds of race or faith discrimination.

7 APPROACH

Cindy Butts, an independent member of the police authority will chair the Inquiry. A panel of external experts will be convened to support her. The panel will focus on gathering information to answer questions relating to the identified themes. Panel-led sessions will, where possible, be held in public.

The panel will be supported by a team of officers who will gather information in several ways:

- Taking oral and written submissions, harnessing the experience and expertise of a broad range of individuals and organisations from the MPS, the public sector and the private sector.
- Gaining a wide range of staff experience through facilitated focus groups (consideration is also been given to whether a staff survey is possible)
- Analysis of workforce data in key areas (e.g. recruitment, retention, discipline)
- Background research and identification of best practice.

An Inquiry Reference Group will also be established to test, challenge and inform the work of the inquiry.

8 DELIVERABLES

The Inquiry will deliver a written report setting out:

- What was reviewed and why;
- How the review was undertaken (including witness list);
- Findings
- Conclusions
- Recommendations for the MPS, MPA and/or others with rationale;
- Next steps.

9 COSTS

It is anticipated that the Inquiry can be delivered within MPA resources, using staff from the Oversight and Review team. It is anticipated that extra support may be required to aid the delivery of the facilitated workshops. Panel members will be provided with a small honorarium. The budget is unlikely to exceed £100k.

10 RISKS

This inquiry has been instigated in response to a series of difficult and sensitive events. The sensitivities in the relationship between the MPS and staff support associations will have to be very carefully managed by the Panel. The authority needs to be aware of the potential reputational risks associated with the Inquiry, particularly in respect of the recommendations it makes. As noted above there have been several reviews in this area, yet it appears problems remain. One of the challenges for the panel will be to understand the barriers to and drivers for change in order to deliver a product that enables the organisation to move forward positively. This includes considering the oversight role of the MPA.

Managing staff expectations will also be a key challenge. The panel needs to identify mechanisms that ensure confidentiality is assured to those participating in staff focus groups.

The MPS is dealing with a number ongoing employment issues (tribunals and otherwise). The Inquiry needs to be very clear that it is not addressing individual “live” cases. Nevertheless, when publishing findings, the timing of employment tribunals needs to be carefully considered. The panel may also wish to reconvene once these cases have been completed, in order to consider any new evidence arising out of Tribunal judgements.