

The Secret Policeman Police Authority Model Report

Issue	Key Questions for Authorities	Guidance Notes
Authority Self-Scrutiny	<ul style="list-style-type: none"> ➤ <i>How does the police authority demonstrate its leadership and commitment to race and diversity issues?</i> 	Note 1
Public Expectations	<ul style="list-style-type: none"> ➤ <i>What has the authority done to improve trust and confidence amongst Black and Minority Ethnic communities?</i> ➤ <i>Can it demonstrate improvements?</i> 	Note 2
Authority and Force Race Equality Schemes	<ul style="list-style-type: none"> ➤ <i>What is the authority doing to implement and progress its Race Equality Scheme?</i> ➤ <i>Is the authority satisfied that the force is effectively implementing its Race Equality Scheme?</i> 	Note 3
Authority Monitoring and Scrutiny	<ul style="list-style-type: none"> ➤ <i>Does the authority have in place effective arrangements for rigorous scrutiny and oversight of the force on race and other discrimination issues?</i> ➤ <i>Is the Force undertaking the Joint ACPO/APA Race and Diversity Audit?</i> 	Note 4
Policy	<ul style="list-style-type: none"> ➤ <i>Is the authority satisfied that the force has a robust policy on dealing with racism and other discrimination amongst officers and staff? Has this been agreed/approved by the police authority?</i> 	Note 5
Leadership	<ul style="list-style-type: none"> ➤ <i>Is the authority satisfied that the ACPO team is taking proactive steps to ensure that racist behaviour is systematically identified and eliminated?</i> 	Note 6
Recruitment, Retention and Progression	<ul style="list-style-type: none"> ➤ <i>Is the authority satisfied that the force has robust arrangements in place for the recruitment and selection of both officers and staff?</i> ➤ <i>Is the force paying sufficient attention to retention and progression of BME officers and staff?</i> 	Note 7
Training and development (inc. PDRs)	<ul style="list-style-type: none"> ➤ <i>Is the authority satisfied that the force has in place appropriate arrangements for the training and ongoing development of all staff?</i> 	Note 8
Grievances, ETs and Complaints	<ul style="list-style-type: none"> ➤ <i>Is the authority satisfied that the force has in place robust systems for collecting, analysing and monitoring data on internal grievances, ETs and complaints?</i> 	Note 9

Guidance Notes

Note 1 – Authority Self-Scrutiny

Every police authority should be continuously scrutinising its own performance, leadership and commitment to race and diversity issues.

Authorities are bound by the general and specific duties of the Race Relations (Amendment) Act 2000 and must ensure that they are complying with the duty to eliminate unlawful discrimination; promote equality of opportunity; and promote good race relations between people of different racial groups in carrying out all their functions.¹

An authority's fundamental statutory duty is to make sure that there is an efficient and effective police force for the area. A force which is not responsive to the needs of all the people it serves or is not representative of those communities cannot be effective. Equally, the authority should ensure that its own policies, procedures and practices meet the needs of all local communities.

The authority should:

- *publicly demonstrate its commitment to tackling racism or any other discrimination both within the workforce and in the delivery of policing services – for example by all members signing a declaration to this effect*
- *clearly define its desired race and diversity outcomes and set targets for improvement, where appropriate and constantly review its own performance against those outcomes*

Key Questions for Authorities

- *How is the authority demonstrating its commitment to identifying and eradicating racism and other forms of discrimination within the police service - To the force? To local communities?*
- *Does the authority have clear policies for identifying and tackling racism and other forms of discrimination amongst either members or staff?*
- *What arrangements has the authority made for scrutinising its own performance on race and diversity issues? Does the Standards Committee play a role?*
- *Do members and officers receive regular training on race and diversity issues?*
- *How proactive is the authority in seeking to ensure that its own membership and staffing reflects local communities? Is the authority actively working with local councils and Magistrates' Courts Committees to encourage diversity in member appointments?*
- *Does the authority ensure that black and minority ethnic (BME) members play a full part across the whole range of authority business and are not marginalised into dealing with race or diversity issues?*
- *Does the authority support and encourage its BME member(s) to participate in the APA BME network?*

Note 2 – Public Expectations

Since the publication of the Lawrence Report in 1999, there has been a Ministerial priority for all Police Authorities:

“to increase trust and confidence in policing amongst minority ethnic communities”

¹ See Race Relations (Amendment) Act 2000: An APA Guide for Police Authorities *and the CRE's Statutory Code of Practice on the Duty to Promote Race Equality for further guidance.*

Trust, confidence and satisfaction in local policing are fundamental to the delivery of efficient and effective policing and each authority will want to ensure that all its communities have that trust and confidence in order to fulfil its statutory duty.

The impact of the Secret Policeman programme on trust and confidence is likely to be significant and authorities and forces should be working hard to ensure that arrangements are in place to routinely and rigorously monitor the impact of policies and practices on local communities.

Key Questions for Authorities

- *Can the authority show whether it is making a difference in building trust and confidence in policing amongst BME Communities? How?*
- *How effective is the authority in consulting/engaging with BME and other “hard to hear/reach” groups? Could the authority be doing more?*
- *Does the authority regularly scrutinise data on:*
 - *stop and search, arrests and outcomes²*
 - *complaints*
 - *hate crime*
 - *racist incidents*
- *Is the data broken down according to ethnicity, gender, sexual orientation etc? If not, is the authority satisfied that systems are being put in place to enable this?*
- *Where there is evidence of disproportionality, is the authority satisfied that the force is proactive in taking steps to tackle this?*
- *How proactive is the authority in informing local people of their rights when stopped and searched (as recommended by the Lawrence Report). Does it make use of the APA (or similar) publicity material?³*
- *How is the authority tackling issues around community cohesion?*
- *Does the force or authority have an IAG? How is the IAG or similar consultative/advisory groups being used to help in increasing and promoting trust and confidence among local communities?*

Note 3 — Authority and Force Race Equality Schemes

Under the Race Relations (Amendment) Act 2000 every authority and force has a statutory duty to eliminate unlawful racial discrimination; promote equality of opportunity; and promote good race relations between people of different racial groups. In addition, both authorities and forces must have in place and regularly review a published Race Equality Scheme (RES).

Police authorities also have a responsibility to ensure that the force meets the general and specific duties. Accordingly, there is an obligation on authorities to monitor and scrutinise all police policies and practices to identify any differential impact and, with the chief officer, ensure that steps are taken in a rigorous and focused way to address any unjustified discrimination.⁴

Authorities should have in place arrangements to:

- *regularly review progress against implementation of its own RES and associated action plan*
- *ensure that the authority’s action plan realistically matches aspirations with its capacity to deliver*

² For further guidance and information, see *Stop and Search: Asking the Right Questions — An APA Guide for Police Authorities*.

³ For further advice see *“Stop and Search: Know Your Rights” - An APA Guide for Police Authorities on Publicity and Raising Awareness*.

⁴ For further guidance on police authorities’ duties under the Act, see *Race Relations (Amendment) Act 2000: An APA Guide for Police Authorities and the CRE’s Statutory Code of Practice on the Duty to Promote Race Equality*

- *receive regular reports from the force on the arrangements it has in place to meet the general and specific duties*
- *review the authority's arrangements to monitor implementation of the force's RES and action plan*
- *consider how the authority challenges weak performance and secures improvement in race equality issues*
- *consider what action it would take if the force is failing to meet its duties*

Key Questions for Authorities

- *Does the authority regularly review progress against its own Race Equality Scheme (RES) and publish the results? Has it done so in the light of "Secret Policeman"? Is it satisfied with progress? If not, what action is it going to take?*
- *Does the authority regularly review the force's progress against its RES and implementation plan? Has it done so in the light of the "Secret Policeman"? Is it satisfied with progress? If not, has this been made clear to the force and is remedial action being put in place?*
- *What Race and Diversity outcomes have been achieved by the authority and force as a result of the RES and what is the evidence for this?*

Note 4 – Authority Monitoring and Scrutiny

Authorities should regularly review and agree with the force what monitoring and scrutiny of race and diversity issues will be undertaken and what information is required at full authority level and what information should be subject to more detailed examination at committee/working party level.

ACPO and the APA have jointly produced a Race and Diversity Audit which all forces have been asked to undertake to assess their progress, including external review by a "buddy" force. This should be revisited by the force at regular intervals to benchmark progress.

In addition, authorities through their own consultative and community engagement mechanisms will wish to gather information on public experiences and satisfaction, to gauge the impact of force activities

Key Questions for Authorities

Force Activities

- *Is the force undertaking the Joint ACPO/APA Race & Diversity Audit? Is the police authority involved in this process? Are arrangements being put in place for the audit to be regularly revisited?*
- *Does the authority receive regular reports from the force on:*
 - *implementation of the force's Race Equality Scheme and action plan*
 - *force recruitment, selection and assessment procedures*
 - *training and development programmes*
 - *grievances, ETs and complaints*
- *Is performance in relation to race and diversity issues assessed and inspected as an integral part of overall performance monitoring and management? If not, why not?*

Public Experiences

- *What information is available (eg from the BCS, local surveys, consultative events) about communities' views/satisfaction with police attitudes and behaviour when carrying out their duties? How does the authority use this?*

- *What information is available about the experiences of local people who have been subject to stop and search, including the manner in which officers conduct such encounters?*
- *Is there any evidence of differential levels of satisfaction between white and BME Communities? If so, what steps are being taken to tackle this?*
- *Does the authority examine the number and nature of complaints relating to officers' conduct on patrol? How does the authority satisfy itself that appropriate training or other action being taken to avoid recurrences?*
- *Does the authority have any information about whether there is any differential in the quality of service provided to white and BME Communities or in policing outcomes, for example, in terms of detection of crime? If not, is the authority taking steps to ensure such data is available?*

Note 5 – Policy on Racism and Discrimination

*Every force should have a clear and published policy and strategy — **approved** by the police authority — on identifying and eradicating racism and other forms of unjustified discrimination amongst police officers and staff.*

Key Questions for Authorities

- *Can the force demonstrate its compliance with its duties under race and discrimination legislation? See Annex A for list of current race and equalities legislation.*
- *Does the policy cover:*
 - force standards of behaviour of police officers and staff in regard to racism and other unacceptable behaviour
 - dealing with internal hate crime
 - sanctions for racist or discriminatory attitudes and behaviour
 - whistle-blowing and the support available to officers who report wrongdoing by other officers
 - how officers and staff can report racist/homophobic/sexist and other incidents that happen internally
 - support for and engagement with local Black Police Association (BPA), Gay Police Association (GPA) etc — e.g. an agreed protocol for engagement between the force and staff associations
- *Does it set out clearly expectations of:*
 - ACPO team
 - BCU commanders
 - Frontline supervisors
 - Police officers
 - Police staff

In terms of identifying and eradicating discrimination?

- *How does the police authority satisfy itself that the force is proactively implementing race and diversity policies?*
- *Does this include regular contact and feedback from the local BPA, GPA, women's' network, unions and staff associations?*

Note 6 — Leadership

Following the broadcast of the Secret Policeman, Chris Fox — President of ACPO — wrote to the Home Secretary setting out the seven-point programme which chief officers would be undertaking in response to the issues raised in the programme.

Seven-point Programme

1. Every chief constable will meet their local Black Police Association during the next seven days and meet with local interested parties such as advisory groups or RECs. The aim will be to understand the impact of the programme and identify any local matters that require action
2. Every force will re-visit its Race Equality Scheme and discussions have taken place with HMIC inviting an intrusive inspection of these arrangements
3. Every force to re-visit the current state of training and how far they have travelled along the road to training all staff on issues such as diversity and stop and search
4. The Police Training and Development Board with HMIC should consider the current state of recruitment, selection and training. Chief constables will assess their selection process and their relationship to the National Assessment Centre programme
5. ACPO, led by Matt Baggott, will review its whole diversity strategy over the next 2 or 3 months. This strategy will be refined further to an action plan to ensure its delivery
6. An open letter to the national media endorsed by every member of the ACPO Council repudiating all forms of racism within the service and their determination to eradicate it — published in The Guardian on 23 October
7. Regular meetings with the National Black Police Association (NBPA). ACPO President to personally meet the President of the NBPA and all local chairs to discuss the issues as seen from their perspective and begin to develop an agreed action plan for the future

Authorities will wish to ensure that their chief officers are implementing the seven-point programme locally and taking steps to address the issues identified by ACPO.

Key Questions for Authorities

- *How does the police authority ensure, through the selection and appointments process, that potential ACPO appointees are positively committed to tackling race and diversity issues?*
- *Has the police authority developed a protocol for engagement with their local BPA and other staff associations?*
- *How has the ACPO team demonstrated its commitment to identifying and eradicating racism within the force?*
- *Does this include offering effective and practical support and resourcing to the local BPA (and similar staff support groups)?*
- *Does the force have a dedicated budget for race and diversity issues and in particular for supporting and providing resources to the local Black Police Association and other staff associations?*
- *How is the authority encouraging the force to value and empower its BME officers and staff and to mainstream the roles and functions of local BPAs?*
- *Are chief officers committed to taking forward the race and diversity agenda and what actions have they personally taken in relation to this? Do they promote a police culture of intolerance to racist and other discriminatory behaviour?*
- *Is there clear ownership of race and diversity issues at a senior level?*
- *Is there proper and informed “anti-racism” training and scrutiny of senior officers?*
- *How is the strategic implementation of race and diversity issues monitored within the*

force?

- *What support is being given to supervisors to help them tackle the sorts of issues highlighted in the Secret Policeman?*

Note 7 — Recruitment, Retention and Progression

The BBC programme “Secret Policeman” identified serious examples of racist behaviour among some new recruits to the police service. Following the broadcast, the APA called for a review of national and local recruitment procedures and of the current national training programme for probationers.

The new national assessment and selection process has been designed to thoroughly test candidates’ attitudes towards race and diversity. These attitudes are tested at least seven times across the exercises in the new assessment centre — those who do not score sufficiently highly are not offered a job irrespective of their performance in the rest of the selection process.

A majority of forces have yet to implement the new procedures. Authorities in these areas will need to consider whether there are actions they need to take in respect of their existing force recruitment and assessment procedures to ensure that there is an enhanced focus on attitudes to race and diversity.

Equally important is the issue of retention and progression of BME and other under-represented officers and staff.

In particular, police authorities have specific responsibility for achieving Dismantling Barriers Progression Target 5:

“From 2009 the percentage of ethnic minority officers with 15 years to under 25 years service at Assistant Chief Constable and above is equal to the percentage of white officers with 15 years to under 25 years service at Assistant Chief Constable and above.”

Locally, police authorities might wish to:

- *seek reports from chief officers on what measures are in place to make sure that racist behaviour is systematically identified and eliminated in the assessment and selection process*
- *consider what the authority role should be in monitoring the implementation of the new assessment and selection process in their force*
- *consider what information they should be receiving in order to assess the success of the process on an ongoing basis*

Key Questions for Authorities

Recruitment

- *Has the force adopted the new National Assessment Centre Process? If not, when will it be implemented? Is the authority satisfied that the force is committed to the new procedures and that there has been no unnecessary delay in implementation?*
- *Has the force reviewed existing procedures to ensure that these test as effectively as possible for attitudes to race and diversity?*
- *Does the force seek to recruit and select both force and community assessors from a diverse range of backgrounds? What proactive steps are being taken to increase the number and diversity of community assessors?*
- *What race and diversity training do assessors receive? What training is provided on how to identify racist attitudes and behaviour? Has the effectiveness of this training been evaluated and improvements made following this evaluation?*
- *Does the force monitor and evaluate the attitude and behaviour of assessors to identify any evidence of discrimination? What procedures are in place to deal with any*

inappropriate behaviour that is uncovered?

- *Have there been any complaints made against assessors? How many were substantiated? What action was taken as a result?*
- *Is the authority satisfied that systems are in place to ensure that those recruits who fail the race and diversity element of the assessment process do not become probationers?*
- *Is the authority satisfied that systems are in place to monitor the conduct, attitudes and behaviour of recruits to identify any racist or other discriminatory tendencies?*

Retention

- *Does the authority regularly monitor data on retention of BME and other under-represented officers and staff and explore reasons if there is disproportionate wastage?*
- *Is the authority satisfied that “Breaking Through”⁵ is given a high priority in the force RES and that the force strategies to achieve a representative workforce is properly resourced?*

Progression

- *Does the authority ensure that Dismantling Barriers Progression Targets features as a key priority within the Police Authority’s own Race Equality Scheme?*
- *Does the authority rigorously examine its processes for the selection and appointment of chief officers to assess any adverse impact on minority ethnic applicants for chief officers’ posts and remove any barriers identified?*
- *Does the authority engage with local BPA; GPA and Women’s networks to seek their assistance in increasing representation at ACPO level?*

Note 8 – Training and Development

Probationer Training

Since the broadcast of the “Secret Policeman”, there has been considerable Ministerial interest in how the new probationer training programme will help develop more positive attitudes to race and diversity. The new programme includes:

- *a strong emphasis in the Learning Requirement on the importance of engaging with the community*
- *National Occupational Standards on race and diversity*
- *practical engagement with the community from the beginning of training*
- *an assessment of behaviours in the PDR process*
- *proposals to improve training of trainers and tutor constables, particularly those teaching race and diversity*
- *strong focus on practice-based learning and reflective practice*

In 2002, “Training Matters” — the HMIC thematic inspection of probationer police training — highlighted the key role of police authorities in overseeing the effective delivery of training locally, including probationer training and expressed disappointment that there was still little evidence of police authority members actively raising the profile of police training issues, and the probationer training programme, on either a local or national basis.

⁵ “Breaking Through” Joint Home Office /APA/ACPO Action Plan on Promoting Minority Ethnic Employment in the Police Service. January 2004

Recommendation 3.5 said:

- ***“all police authorities [should] take responsibility for the strategic oversight of the adequacy of probationer training arrangements, within their individual forces, including holding the chief officer properly to account for the Probationer Training Programme within the Policing Plan”.***

People Matters — the APA’s framework for police authority oversight of police human resource plans — provides guidance for authorities on strategic oversight of the Probationer Training Programme and authorities might find it helpful to refer again to this document for further information. Authorities will also wish to refer to the detailed scrutiny toolkit that the APA issued following publication of the ‘Training Matters’ report (see APA Circular 40/2001).

Key Questions for Authorities

- *Is the authority satisfied that the probationer training programme in force provides a sufficient focus on race and diversity issues?*
- *How are probationers provided with a clear sense of the values and culture underpinning policing in the area and the force as an organisation, particularly in relation to race and diversity issues?*
- *How are tutor constables selected and trained? How is the importance of race and diversity issues stressed in this training?*
- *Is there a clear policy in place locally relating to the role and responsibilities of first line supervisors of probationer constables? Does this set out their responsibilities in relation to race and diversity? Is the authority satisfied that it is clear and effective?*

Race and Diversity Training

HMIC’s thematic inspection report on race and diversity training — “Diversity Matters” — recognised the considerable progress and investment which has been made in race and diversity training since the publication of the Lawrence Report but identified a number of serious weaknesses in the current arrangements both nationally and locally.

It expressed disappointment that, generally, there is little evidence of police authority members taking responsibility for the strategic oversight of race and diversity training and effectively holding the chief officer to account for the training being delivered locally

The report highlighted the need for police authorities to play a key role in overseeing the effective design, delivery and evaluation of race and diversity training locally and stressed the need for authorities to raise their level of awareness and involvement in all training.

Authorities will therefore wish to ensure that effective and robust arrangements are in place for the continuous scrutiny and oversight of all police training and in particular race and diversity training.

The report also highlighted the importance of community involvement in all aspects of design, delivering and evaluation of training, and made recommendations which the APA is taking forward for guidance on this.

Key Questions for Authorities

- *Is the authority satisfied that the force is giving sufficient priority to the importance of race and diversity training? Does this include proper resourcing and support for Race and Diversity Trainers?*
- *Does the authority have a good understanding of the race and diversity training provided to:*
 - *ACPO ranks*
 - *new recruits and probationers*
 - *existing officers and staff*
- *Do members “dip-sample” or “sit-in” on training?*
- *Has the authority received reports on any reviews or evaluation of force race and diversity training? How effective has the training been? What steps are being taken to address weaknesses?*
- *Is the authority satisfied that the force fully involves local communities in the design, delivery and evaluation of race and diversity training?⁶*
- *Is there ongoing race and diversity training that allows “safe” expressions of personal views?*

PDRs

Performance Development Reviews provide an opportunity for managers and staff to review formally the performance achieved during the year and to identify and plan development needs and opportunities for the following year. If used correctly PDRs represent an important management, development and motivational tool.

Police authorities should ensure that the PDR process is being used effectively in their force. Effective use of the process can be a key means of identifying individual performance shortcomings, including in respect of race and diversity issues, and provide an opportunity for further development to address these.

Key Questions for Authorities

- *Has the force moved to a competence-based PDR/appraisal system?*
- *Is the authority satisfied that race and diversity issues are monitored in relation to PDRs/appraisals?*
- *Are effective procedures in place to ensure that weaknesses identified through the PDR process are addressed?*
- *How is the effectiveness of the PDR process being evaluated locally?*

Note 9 — Grievances, Employment Tribunals (ETs) and Complaints

It is extremely important that police authorities engage in effective monitoring and scrutiny of grievance procedures and Employment Tribunal (ET) cases. Comprehensive and proactive monitoring of cases will enable the authority to identify any evidence of disproportionality in the handling of cases involving particular groups and thereby tackle discrimination.

Authorities need to be alert to victimisation and discrimination within their forces and be proactive in ensuring this is rooted out. Authorities also need to look closely at the role of the ACPO team, the leadership, approach and nature of their response to and involvement with grievance and ET cases.

⁶ For further guidance, see the APA's *Guide to Community Involvement in Police Training (Forthcoming 2004)*

Authorities may find it helpful to agree with the force what information will be provided to it on a regular basis as well as a protocol for how significant cases will be brought to its attention. Authorities might wish to consider including in their protocol arrangements for dip sampling of completed cases to assist in identifying and tackling any discrimination and to ensure that they are routinely dealt with rigorously and fairly and in line with established force policies and procedures.

As the employers of chief officers and police staff, authorities have a legal responsibility to the individual staff involved, as well as a moral one; although police staff remain under the direction and control of chief officers. Equally importantly, there is no doubt that high-profile grievance and ET cases, particularly those arising from race and sex discrimination, have impacted significantly on both

- *confidence in policing, particularly amongst minority ethnic communities*
- *confidence amongst both police and support staff in the service as an employer*

Forces will continue to find it difficult to recruit and retain people from minority ethnic backgrounds, women, gays/lesbians and disabled people until they both are and are seen to be treating staff fairly, sensitively and with respect.

By monitoring and scrutinising employment monitoring data, using positive action and learning the lessons from grievances and ET cases, authorities and forces can bring about a real lasting culture change across the service and stamp out any discrimination.⁷

Key Questions for Authorities

- *Does the authority receive regular reports about patterns of grievances, ETs and complaints at force/BCU/squad/department level? Does this include:*
 - *trends over time*
 - *comparisons with most similar forces/BCUs figures*
 - *different types of discrimination*
- *Is there any evidence of a higher number of grievances, ETs or complaints from minority groups? If so, what action is being taken to address this?*
- *Are satisfactory mechanisms in place to ensure that the force considers proactively the lessons that can be identified and learned from an analysis of grievance and ETs which impact on wider force policy and practice?*
- *Does the authority receive information about the satisfaction of officers and staff with the handling of grievances, ETs and complaints within the force/BCU?*

Further Information or Advice

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⁷ For further advice, see the APA guidance Tackling Discrimination: Police Authority Oversight and Scrutiny of Grievance Procedures and Employment Tribunals. January 2004

