

**Metropolitan
Police Service
Complaints, Discipline
and Anti-Corruption Functions
December 2001**

Introduction

By virtue of Section 1(1)(d) of the Local Government Act 1999, all police authorities in England and Wales are required to make arrangements to secure continuous improvement in the way in which the function of policing is exercised within their force area, having regard to a combination of economy, efficiency and effectiveness.

In common with all other "best value authorities" (local authorities, fire authorities, etc.) police authorities must prepare a best value performance plan (BVPP) for each financial year in accordance with orders and guidance issued under the Act. In particular the authority must conduct reviews of all its functions within five years of the commencement of its obligation under best value (best value reviews (BVRs)), and publish a programme of the reviews and the impact that they have had on continuous improvement, in the BVPP. The BVPP is subject to annual audit by auditors appointed by the Audit Commission.

The original legislation was generically phrased to encompass all best value authorities and in so doing implicitly assumed that all responsibilities were common. In fact, there is a fundamental difference between police authorities and other local authorities covered by the requirements. Whilst other authorities are directly responsible for **all** aspects of service delivery, the unique tri-partite arrangement means that the chief constable is constitutionally personally responsible for operational service delivery, unlike other authority chief executives. This means that where the legislation places responsibility and accountability on "authorities", whilst it is clear the police authority has the legal accountability, the responsibility for service delivery must be read as meaning the police authority and the chief constable working together. For the purposes of this report "police force" will be used to signify this joint working responsibility.

Her Majesty's Inspectorate of Constabulary (HMIC) is charged with the responsibility of inspecting all BVRs conducted by police forces. The resulting reports are 'public' documents and in every case a copy will be forwarded to the Secretary of State, the chair of the police authority and the chief constable or commissioner of the force concerned.

Reviewing authorities must demonstrate that they have applied and complied with the statutory requirements of the Local Government Act 1999 in the way in which they have conducted the BVR. In particular they must show that they have:

- **Challenged** why and how a service is being provided.
- **Compared** their performance with others (including organisations in the private and voluntary sectors).
- Embraced fair **Competition** as a means of securing efficient and effective services.
- **Consulted** with local people, customers and stakeholders.

The purpose of independent inspection and thus of this report is to:

- Enable the public to see whether best value is being delivered.
- Enable the inspected body to see how well it is doing.
- Enable the Home Secretary to see how well best value is working on the ground.
- Identify failing services where remedial action may be necessary.
- Identify and disseminate best practice.

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1. Summary of judgements for local people

1.1 Function or process subject to review

The Metropolitan Police Service (MPS) underwent a major restructuring in 1999, resulting in the removal of the Area tier of command and establishing the current 32 borough-based operational command units (BOCUs). As a consequence of this restructuring, the Directorate of Professional Standards (DPS) was created in October 2000, bringing together the work of Area Complaints Units, the Discipline Support Unit, the Critical Incidents Department and the Anti-Corruption Squad under one pan-London command.

This review focuses on the Borough Support Command within the DPS. This part of the Directorate is primarily concerned with providing support to BOCUs in relation to the investigation of public complaints. The Borough Support Command has an important public-facing role in its investigation of complaints against members of the MPS. It also has a high profile internally in the support that it provides to BOCU commanders and the advice that it provides to staff at all levels and the Metropolitan Police Authority (MPA). Borough Support is headed by a Chief Superintendent, with a Deputy Assistant Commissioner (DAC) having responsibility for the Directorate as a whole.

The complaints and discipline function is tightly regulated by a legislative framework, although a number of significant changes in the police discipline code and the introduction of incapability procedures in recent years have had a significant impact on this area of business. Further changes are envisaged in the coming years, including the introduction of a new independent Police Complaints Commission.

1.2 Review methodology

The radical restructuring falling out of the creation of the DPS was initiated as a BVR pilot prior to the MPS being subject to Best Value legislation and prior to the establishment of the MPA. At the conclusion of this work, it was accepted that it did not fully meet the requirements of a BVR, but due to its scope and comprehensive approach it became the foundation for the restructuring of the Directorate.

The review was undertaken without authority involvement since the MPA only became established when the review was almost complete. The MPA has, however, taken an active role in relation to the implementation and subsequent monitoring of the review's findings. The MPS was still in the

process of establishing its central Best Value team at the commencement of the review and the application of the principles of Best Value evolved as the review progressed. The Best Value elements of the review did not follow any neat structure, but some sound principles, such as the effective use of process mapping, were used throughout. Because the application of the Best Value principles was carried out in parallel with the implementation of the original review, it has been difficult to distinguish which of the identified improvements can be specifically attributed to Best Value. That said, Best Value inspection is primarily concerned with outcomes and it is therefore the outcomes of the review overall that will provide the focus of this Inspection report.

The review identified a number of areas for improvement and a clear need for the introduction of corporate MPS-wide systems and processes for the recording and handling of complaints. A number of such systems and processes were developed and rolled out across the Force within a short period following the review.

The majority of the recommendations from the review were implemented through a development site, a pilot based at the South East Borough Support Complaints Unit at Norbury. The principal changes centred on redefining responsibilities and decision-making levels in support of the investigative functions. The pilot is currently being evaluated by the Force's PRS Consultancy Group with the evaluation report due to be completed in August 2002.

1.3 Inspection methodology

The Inspection methodology is set out in guidance first published in October 2000 and revised as part of the HMIC Best Value Toolkit published in December 2001. Each BVR is subject to a risk assessment process which determines whether the Inspection will be "light touch" – conducted by desktop review; "limited" – involving only a day or two on site, or "standard" – typically involving around a week on site. This BVR was assessed as being suitable for a "limited" Inspection, largely because of the fact that the review was a pilot which was quite dissimilar to the rest of the Authority's review programme and in which the Authority has not played an active role up until the point of implementation. After assessing the review and supporting documentation, a number of interviews were held with those who had been involved or had been identified as key stakeholders. The purpose of this Inspection activity was to:

- Explore how the Best Value process had added value to the fundamental review of the DPS.
- Gain a greater understanding of the role of the MPA in the implementation of the findings of the review.

- Examine the results of those aspects that had already been implemented.

1.4 Summary of judgements

- Complaints recorded are on a downward trend and the Force compares favourably with its most similar force (MSF) group against a range of indicators.
- Force restructuring in 1999 led to the creation of the DPS in October 2000, bringing the complaints and discipline function under one pan-London command.
- An initial review was carried out to inform the creation of the Directorate and this comprehensive piece of work was later modified to fulfil the requirements of a BVR and form the basis for the Directorate's development.
- Because of the process adopted it has been difficult to distinguish between those improvements resulting from the original review and those specifically attributable to the BVR. However, taking the two reviews together, there have been many positive outcomes.
- Amongst these outcomes are:
 - the development of a set of corporate standards;
 - the redefinition of roles and responsibilities within the Directorate, tested at a development site at Norbury;
 - the instigation of a “learning lab” involving key partners and designed to help drive a process of continuous improvement; and
 - the introduction of Investigating Officer Workload Analysis (IOWA), which provides management information about the workload of investigators to assist in case allocation and management of workloads.
- The improvement plan resulting from the review does not fully meet the requirements of members as a tool for monitoring the implementation of the recommendations from the review and is being adapted to better meet those needs.
- **Her Majesty's Inspector grades this service as “good” and is of the view that the prospects for improvement are “excellent”.**

Recommendations for improvement

2.1 Recommendation 1

Her Majesty's Inspector recommends that an agreed template be developed for the improvement plans from future BVRs. This template should include a clear description of the actions involved as well as the accountabilities for delivery, costs and benefits to enable members to fully discharge their responsibilities under Best Value (paragraph 5.2).

Her Majesty's Inspector does not feel it appropriate to make any further specific recommendations in relation to this review. The MPA was not established at the commencement of the review and therefore recommendations relating to the role played by the Authority would not be helpful. In addition, the Force's understanding of Best Value is now much greater than during this review and the resources at the centre to support the work of review teams are now fully in place. Her Majesty's Inspector therefore looks forward to the outcome of subsequent reviews, which should provide a better basis on which to judge the approach being taken by the Force.

3. Contextual background

The MPS area consists of 32 BOCUs, sharing co-terminous boundaries with the 32 London boroughs, plus a number of units undertaking national and international functions. The MPS serves a resident population of around seven million, which is increased by a daily influx of about three and-a-half million workers and two million visitors. Its net revenue budget is £2,040.1 million for the current financial year, representing approximately 24% of the total policing bill for England and Wales. The MPS employs 25,701 police officers and 11,185 support staff (data as at 31 March 2001). This equates to a ratio of one police officer per 283 resident population, compared with a national average of 426.

The creation of the first MPA in July 2000 in conjunction with the advent of the first elected mayor and the establishment of the Greater London Authority (GLA) were significant constitutional changes which have already had considerable impact on the organisation. Specifically, the role of the MPA as a Best Value authority gives the Authority significant statutory responsibilities and this has been a key driver in the developing relationship between the MPS and the Authority.

The MPS was the subject of a full force Inspection by Her Majesty's Inspector of Constabulary Sir Keith Povey in February 2001 and part of this Best Value Inspection has relied on the data and information obtained during that Inspection. The Force Inspection commented favourably on some of the recent positive developments within the complaints and discipline arena.

4. Findings - Judgement 1: How Good is the Service?

4.1 Are the relevant aims clear and challenging?

The investigation of complaints plays an important part in the overall confidence of the public in the police service, a fact reflected in the MPA's policing and performance plan for 2001/02. In this document, "Dealing with corruption and dishonesty" is highlighted as a "developmental sustained activity". The lack of reliable baseline data meant that it was not appropriate to set specific targets, but performance against a number of measures is subject to regular monitoring. These are set out below. Targets are due to be set for 2002/03, but this work is not yet complete.

OBJECTIVE: To improve professional standards across the MPS by continuing the development of proactive prevention and detection initiatives	2001/02 Target
PI 1: Number of members of MPS staff charged or convicted on one or more corruption related offences	No target set – levels to be monitored
PI 2: Number of complaints dealt with under service confidence procedures	No target set – levels to be monitored
PI 3: Number of complaints per 1000 officers	No target set – levels to be monitored
PI 4: Percentage of complaints substantiated	No target set – levels to be monitored

4.2 Does the service meet the aims?

The MPS is experiencing a continually reducing trend in the number of complaints received. Data for the last three financial years is shown in the table below.

	1998/99	1999/2000	2000/01	Change 1999/2000 to 2000/01	% Change 1999/2000 to 2000/01	MSF Average 2000/01
Total complaints recorded	7,154	6,611	5,830	-781	-11.8%	2,608
Complaints recorded per 1000 officers	293	278	234	-44	-15.8%	243
% of complaints substantiated	2.1	2.5	2.4	-0.1	+0.4%	2.3

4.3 How does the service compare?

As can be seen from the table at paragraph 4.2, complaints per 1000 officers in the MPS compares favourably with its MSF group, with only Merseyside from that group having a lower rate. In 2000/01, 31.2% of complaints were informally resolved, a lower level than all but one of the MPS's most similar forces. The average time taken to investigate cases was 133 days. This is high in comparison to forces nationally, but similar to two of its three most similar forces.

Comparative data for 2000/01 is shown in the table below.

	Total complaints recorded	Complaints recorded per 100 officers	% complaints substantiated	% complaints informally resolved	Average investigation time	% completed 120 days or less
Metropolitan Police	5,830	23.4	2.3	31.2	133	62.6
West Midlands	1,884	25.4	2.3	30.2	72	93.6
Merseyside	911	22.3	2.6	36.0	133	63.2
Greater Manchester	1,807	26.2	1.9	33.9	134	56.5
MSF Average	2,608	24.3	2.3	32.8	118	69.0

4.4 Overall Judgement

HMIC grades services as either excellent, good, fair or poor, depending on the extent to which they meet criteria set out in the Inspection Guidance. The MPS performs well in comparison with its MSF group for many of the indicators used to monitor performance in this area. Furthermore, trend data is generally positive. A number of positive innovations had been implemented within the DPS prior to the BVR and for these reasons, **Her Majesty's Inspector grades this service as "good"**.

5. Findings - Judgement 2: What are the Prospects for Improvement?

5.1 Does the BVR drive improvement?

This BVR was in effect “bolted-on” to the restructuring of the DPS that had already been completed. Much detailed review work had already taken place to inform that restructuring and during the Inspection process it was difficult to differentiate between those improvements that would have happened in any case and those that can be specifically attributed to the BVR. It is also difficult to make any meaningful comment on the role of the MPA in the process, since the review was almost completed at the time of its formation. The Authority has, however, fully embraced its responsibilities in relation to the implementation and monitoring of the outcomes of the review.

Again, because this work was commenced prior to the MPS fully establishing a central Best Value team, the process adopted for the review evolved over time, involving the central Best Value team on an increasing basis as it came up to strength. The review team found the application of some of the Best Value principles difficult at first, but Her Majesty’s Inspector was pleased to find evidence of Best Value being mainstreamed in the management of the Directorate.

The restructuring, coupled with the redefinition of roles and responsibilities, has resulted in anticipated cashable and non-cashable efficiency savings in the region of £1.8 million over three years, the majority of which will be realised in 2002/03. The way in which this saving is to be reinvested is still under consideration by the Authority, although the Directorate command team would wish for at least some of this saving to be used to develop a more extensive prevention programme.

The structural changes were tested at a pilot site at Norbury (subsequently re-titled a development site), the outcomes of which were subject to a rigorous evaluation by the Force’s PRS Consultancy Group. However, it became clear at an early stage that many of the changes should be rolled out immediately across the Force, without awaiting the outcome of the full evaluation.

A number of other significant developments have resulted from the review, including:

- The development of a set of Corporate Standards, covering a wide range of issues including initial recording of complaints, internal investigations, interviews, suspensions and many others;

- The introduction of Investigating Officer Workload Analysis (IOWA) which provides management information about the workload of investigators to assist in case allocation and management of workloads;
- The establishment of a “Learning Lab” involving members of the MPS, the MPA, the Police Complaints Authority and the Crown Prosecution Service.

Her Majesty’s Inspector was pleased to note that the MPS and MPA have now developed a three-stage process, together with a guidance document to assist the work of future review teams. This approach is in line with good practice as described in the HMIC Best Value Toolkit and should help develop a corporate approach to the methodology adopted in conducting future BVRs. It will also help ensure that BVR reports are presented in a standard format that makes it clear precisely how the 4Cs have been applied and used in the development of change options.

5.2 How good is the improvement plan?

The development of an improvement plan which can act as a driver for improved service as well as enabling the MPA to discharge its responsibilities in relation to monitoring the implementation of the review has been a difficult process for the review team. This is in part symptomatic of the evolving relationship between the Force and the Authority. The Authority has played an active role in refining the plan which now contains a number of specific actions related to the improvement of the service, as well as milestones and some performance measures.

Monitoring the implementation of the plan will be aided by the role the Authority already plays in overseeing the complaints and discipline function of the MPS. Regular scrutiny of data in relation to this function already takes place through the Authority’s Professional Standards and Performance Monitoring Committee and this will in part enable the Authority to monitor the effectiveness of the actions within the plan.

It is recognised that the plan in its current structure is a useful document for managing the implementation phase of the review within the MPS. It does, however, still lack sufficient descriptive detail of the actions, accountabilities, costs and benefits to enable members to fully discharge their responsibilities under Best Value. Her Majesty’s Inspector therefore recommends that an agreed template for the improvement plans from future reviews be developed that satisfies this requirement.

RECOMMENDATION 1

Her Majesty's Inspector recommends that an agreed template be developed for the improvement plans from future BVRs. This template should include a clear description of the actions involved as well as the accountabilities for delivery, costs and benefits to enable members to fully discharge their responsibilities under Best Value.

5.3 Will improvements in service be delivered?

The Inspection team was impressed with the extent to which the principles of Best Value had been embraced within the way in which the Directorate is managed. An increasing use of the principles of challenge, compare, compete and consult is being made to further develop the areas addressed in the review and secure continuous improvement. A significant reduction in the overall management costs is likely, but there is still some uncertainty about how this efficiency saving will be used. The MPA is becoming increasingly confident about the part it has to play in delivering Best Value and will play a key role in monitoring the delivery of the improvement plan and driving forward change.

5.4 Overall Judgement

HMIC grades the prospects for improvement in the service under review as being "excellent", "promising", "uncertain" or "poor". Whilst it has been difficult to differentiate between the improvements that would have happened as a result of the initial review and restructuring and those specifically attributable to the BVR, nonetheless it is clear to Her Majesty's Inspector that the overall picture in relation to Professional Standards is a promising one. The introduction of a set of corporate standards is an important step in developing a consistent approach to this area of business within the Force. The increasing use of benchmarking and consultation, reinforced by the learning labs, is an indication of the mainstreaming of Best Value principles within the management of the Directorate. Finally, the efficiency savings anticipated from the implementation of the review's findings Forcewide are significant, whether they are ultimately reinvested in front-line police resources, in an increased preventative role within the Directorate or a combination of the two. Therefore, despite the fact that BVR methodology was not applied as rigorously as might be the case for subsequent reviews, **Her Majesty's Inspector is nonetheless of the view that the prospects for improvement in this service are "excellent"**.

6. Follow-up Inspection

Where the original Inspection has exposed serious problems with performance, the Authority will be re-inspected to determine whether the action taken in response to the BVR and the initial Inspection has had the necessary effect. In this case, there will **not** be a follow-up Inspection. Her Majesty's Inspector will, however, monitor progress towards implementing the action plan as part of the existing Inspection cycle.

7. Appendices

Appendix 1: Inspection conducted by, and dates of Inspection. List of stakeholders and consultees

The Inspection was carried out on various dates during October, November and December 2001, as well as using information gained during the full Inspection of the Force in 2000. The Inspection was led by Her Majesty's Inspector of Constabulary Sir Keith Povey, QPM, BA (Law), assisted by two staff officers

Appendix 2: Reality Checks

Interviews were held with:

Ms. Diana Marchant, Programme Manager
Mr. Brett Dalby, Best Value team
D/C/Superintendent Andrew Sellers, Head of Borough Support, DPS
Superintendent Duncan MacPherson, Borough Support, DPS
Group of supervisors, Norbury evaluation site
Superintendent Tony Dawson, DPS, Implementation Manager
Mr. Brian Harrigan, Support Services Manager, DPS
Mr Richard Sumray, MPA member
Mr. Derrick Norton, Best Value Manager, MPA

Appendix 3: Select bibliography and reference sources

Examination of strategic plans, previous Inspection reports, audit reports, the BVR report and associated supporting documents, the PRS Consultancy evaluation reports, the implementation plan and various progress reports, minutes of meetings, etc.