



BRITISH
TRANSPORT
POLICE

Report to: BTPA
Date: 29th March 2012
Agenda Item: 7
Subject: HMIC – Without Fear or Favour
SCT Sponsor: CC
For: For discussion

1. PURPOSE OF PAPER

- 1.1 To brief the BTPA on the HMIC report *Without Fear or Favour* to enable informed discussion and decision making in relation to the BTP response.

2. BACKGROUND / ISSUE

- 2.1 In the summer of 2011 The Home Secretary commissioned HMIC to conduct a review of Police Integrity as a result of concerns following on from the 'phone hacking' revelations. In December 2011 HMIC published their findings in *Without Fear or Favour*, this report contained six main recommendations which are reproduced below, together with twenty-three sub-recommendations at Appendix A.
- 2.2 The Police Service is required to bring forward their detailed proposals for dealing with the issues by April 2012 with HMIC revisiting in October 2012. The BTP response will be reflected in updates to the PSD 2012/13 Policing Plan, the PSD 2011-14 Strategic Plan and the PSD Business plan.

HMIC MAIN RECOMMENDATIONS

- 1. Forces and authorities institute robust systems to ensure risks arising from relationships, information disclosure, gratuities, hospitality, contracting and secondary employment are identified, monitored and managed.** They should ideally do so on the basis of national standards and expectations – there are no geographical variables when it comes to integrity and there should not be local differences in standards. This work on national standards should be encouraged by the Home Office and promoted by leaders in the Service locally.



2. **There should be clear boundaries and thresholds in relation to these matters. Such limits should be consistent and Service wide.** This in effect means identifying a clear message for staff on these issues as to what is acceptable, what is unacceptable and what areas of vulnerability to avoid. ACPO should lead this work in partnership with staff associations and those involved in police governance.
3. **Training courses should include appropriate input in relation to integrity and anti-corruption. In particular, given the importance of leadership to securing high standards of integrity (a theme which runs through this review), the Strategic Command Course (in January 2012) and the High Potential Development Scheme should encompass these issues.** Chief Constables should review how much effort is being put into briefing their staff on the standards as to what is acceptable, unacceptable and on the areas of vulnerability.
4. **Chief officer teams should review their corporate governance and oversight arrangements to ensure that those arrangements are fulfilling their function in helping promote the values of their force in helping promote the values of their force in the delivery of its objectives, and that they are, through their actions and behaviours, promoting the values of the organisation and making sure good corporate governance is seen as a core part of everyday business.**
5. **HMIC expects the Service to have detailed proposals in the above areas ready for consultation with all relevant parties by April 2012.**
6. **An assessment relating to these matters should be conducted by HMIC by October 2012 to inform incoming Police and Crime Commissioners and Police and Crime Panels.**

2.3 **Summary of National Points of Note**

- There is no evidence of endemic corruption.
- Police authorities and forces are not as focused as they could be and force audit and checking mechanisms have not always been sufficiently robust to alert senior leaders to the risk.
- The research suggests that police officers of all ranks need to consider how their behaviour towards an individual or organisation will be interpreted if at some future point they, or their subordinates, are called upon to investigate that individual or organisation.
- Visible consistent leadership is a key contributor to promoting integrity and raising awareness of and focus on these issues.



- Inconsistent approach to
 - Relationships between the police, the media and others
 - Acceptable gifts and hospitality
 - Secondary employment and business interests.
- Audit in relation to major contracts and procurement; particularly in relation to spends of £5k and less
- Training and education is inconsistent and fails to identify appropriate values and standards
- Many forces and authorities have an 'it wouldn't happen here' mentality
- Forces generally do not 'police' their hospitality registers
- The current economic constraints have the potential to impact on forces' capability and capacity to address integrity issues. A distinct counter corruption capability is recommended.

2.4 **The BTP Response**

PSD and HR are jointly working on energising Standards of Professional Behaviour and Values with a view to bringing organisational culture to the front of thinking and being drivers for high standards of behaviour in 2012/13. This will include recommendations for every supervisor, manager and leader to have a specific PDR objective in 2012/13 relating to such standards.

PSD will continue to work closely with the BTPA PSD Committee through quarterly review meetings.

PSD will work with L & D to build input in relation to Standards and Values as a key 'golden thread' through-out all levels of training.



PSD, supported by MPS DPS, have commissioned a Strategic Assessment to inform of our organisational exposure to risk from corruption¹.

PSD are re-organising² the Counter Corruption Unit to adopt the EPIC model [Enforcement, Prevention, Intelligence and Communication] and to comprise:

- Intelligence
- Covert Operations Unit
- Vetting
- Infosec
- Audit and compliance.

The above structure of PSD is undergoing review in order to ensure current resources are being optimised, with any structural change required been subject of a high level briefing report to the DCC by 31st March 2012.

PSD will increase the awareness, use and governance of hospitality registers.

PSD will review proportionate investigative tactics surrounding inappropriate media contact.

PSD will review policy surrounding the appropriate and professional use of social media by staff.

PSD will liaise with Corporate Services regarding governance arrangements on procurement / corporate credit cards.

PSD will review and draft an appropriate strategic response to secondary employment.

¹ This is likely to conclude that the greatest risks are around information misuse and leakage, inappropriate association and secondary employment.

² The preferred model is that of Merseyside Police



**BRITISH
TRANSPORT
POLICE**

2.5 These measures and review will provide a proportionate, pro-active and robust response to the recommendations brought forward by HMIC. These will also be incorporated within the proposed PSD Policing Plan 2012/13 and reflected in PSD Strategic Plan 2011-14 updates.

3. RISK ASSESSMENT & IMPLICATIONS

3.1 The risks of BTP not undertaking the recommendations outlined within the HMIC report include:

- Force reputation being undermined.
- Lack of understanding of BTP's exposure to corruption and as a result an ineffective PSD response.
- Potential adverse media coverage.
- An increase of FOI requests and/or complaints.

4. PROPOSED NEXT STEPS / OPTIONS

4.1 The options for SCT are:

- Option one: To note the contents of this HMIC report but to undertake no change to current PSD arrangements.
- Option two (recommended): In line with the HMIC recommendations endorse, support and assist PSD drive the measures as set out above.

5. GOVERNANCE

5.1 In relation to the recommendations, the responsibility for ensuring HMIC is supplied with the relevant information lies with the Strategic Development Department, in consultation and confirmed with the Deputy Chief Constable. However, the governance of the recommendations is the responsibility of the PSD on behalf of SCT.



6. RECOMMENDATION

- 6.1 It is recommended that SCT endorse option two and are then updated further with any proposed PSD structural change, together with draft Policing Plan 2012/13 updates, prior to 31/3/12.



APPENDIX A

In addition to the main recommendations as detailed above, HMIC also identified a number of recommendations within the main body of the report as detailed below:

1. Relationships with Media and other parties

- 1.1 Forces should explore options for identifying and monitoring emerging and inappropriate relationships with, and leaks to, the media.
- 1.2 HMIC suggests all forces' notifiable association policies include reference to persons who 'undertake paid or unpaid work for the media'.
- 1.3 HMIC view that forces and authorities should record all interactions between police employees and media representatives, with an appropriate mechanism in place to audit these.
- 1.4 Consideration should be given to development of national media policy to include appropriate levels of interaction. Policy should be supported by structure programme of media training and awareness and link into broader legal and ethical framework.

2. Information Disclosure

- 2.1 Forces should consider how best to prevent, monitor, investigate and take action against officers and staff in relation to information disclosure, which should include reference to all other areas of this review and inappropriate associations.
- 2.2 HMIC suggests that all forces need to have a policy in place if they are to be able to effectively protect their reputation through staff use of social networking.
- 2.3 Forces and authorities need to have a consistent approach to preventing, investigating, and responding to information disclosure issues, whether such disclosure is to the press and broadcast media, via social networking or to other third parties.
- 2.4 Consideration should be given to risk assessing social media and explore options for monitoring use by officers and staff and to ensuring that all police officers / staff understand the boundaries within which to operate on social networking sites – clearly explaining how they relate to professional and personal use.

3. Gratuities and Hospitality

- 3.1 HMIC suggests that this function sits most appropriately with PSD.
- 3.2 HMIC suggests that the Service needs to adopt a national standard which clearly defines the boundaries of acceptability around gifts and hospitality. This should include reporting practices which illustrate both what is accepted / declined so that the full nature of the relationship is transparent.



-
- 3.3 HMIC believes that the simple checklist (Genuine, Independent, Free, Transparent (mnemonic GIFT)) would allow staff to make an informed spontaneous decision when they are offered hospitality or a gift.
4. Procurement and Contractual Relationships
- 4.1 HMIC suggests that PSDs and authorities should work together with chief officers in more co-ordinated and proactive manner to ensure effective intrusion and oversight of procurement and contractual matters. There needs to be effective monitoring at all financial levels, and this also requires scrutiny of force credit cards / procurement cards where they are used.
- 4.2 HMIC suggests that national good practice should be shared and implemented by all forces to ensure a consistent and risk aware approach to procurement of goods and services, with standardised checks and balances at different financial levels. Believe this should include a moratorium on hospitality during tendering processes between police employees, members of police authorities and potential contractors.
5. Secondary Business Interests and Conflict of Interest
- 5.1 HMIC suggests that Service develops a decision making model in respect of secondary occupation that is sufficiently robust to address individual risk and organisational reputation, and compatibility with the applicant's role and responsibilities.
- 5.2 Post-Service Employment – HMIC suggests that any force or authority considering such restraint clause should obtain specialist legal advice first as the consequences of getting this wrong can be severe.
6. Professional Standards and Proactivity
- 6.1 HMIC suggests that the ACPO Counter Corruption Advisory Group 'practice advice' is published on the 'authorised professional practice site' as soon as possible.
- 6.2 HMIC suggests that this is included within the Strategic Command Course and the High Potential Development Scheme.
- 6.3 HMIC suggests that the corruption lead for each force should be a senior detective who has the skills and experience to lead / supervise investigations and who is in a position to inform and influence force-level decision making.
- 6.4 HMIC suggests that consideration be given to subsuming the valuable role currently undertaken by SOCA into the National Crime Agency.
- 6.5 HMIC suggests that all forces should re-evaluate their proactive and covert capability and consider the use of formal collaborative arrangements.
- 6.6 HMIC suggests that forces consider the use of specialist IT software to enhance their audit and analytical capabilities.
-



7. Governance and Oversight

- 7.1 Integrity is likely to be stronger where there is co-ordination between organisational issues, policy development, training and cultural change. This should bring greater organisation coherence, reducing opportunities for inappropriate behaviours to develop.
- 7.2 Police and Crime Commissioners – In the new policy landscape will be important that the role of elected local policing bodies in respect of force integrity is articulated to ensure that there is effective challenge to chief officers.