

LEICESTERSHIRE POLICE AUTHORITY

PAPER MARKED

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Meeting **HUMAN RESOURCES COMMITTEE**
Date **3 DECEMBER 2009**
Report of **DIRECTOR OF HR**
Subject **MISCONDUCT STATISTICS FOR POLICE STAFF**

Purpose of the Report

1. The purpose of this report is to notify members of the number of Police Staff who have been subject to misconduct procedures between 1st April 2009 and 31st October 2009.
2. The report will identify Police Staff that have been subject to misconduct proceedings through internal misconduct investigations, Criminal Convictions and misconduct proceedings.

Scope of Analysis

3. The Professional Standards Department has two database recording systems, to separately record covert (Integrity Department) and overt (PSD) investigation cases. It is important to clarify that the following analysis is based entirely on the Centurion Database System which records overt cases only. This means that there are cases continually being investigated by the Integrity Department, which may or may not invoke the disciplinary procedure and therefore cannot be reported or analysed.
4. Covert investigation cases remain covert until such times that enough evidence is secured to serve the subject matter with a notice of investigation, at which point the case becomes overt and is recorded on Centurion.
5. The introduction of new Misconduct Police Regulations in December 2008 requires improved assessment and recording mechanisms. The principle of better assessment and recording methods has now been extended to include Police Staff misconduct cases in order to capture Area and Departmental misconduct investigations. This process is still in its infancy however, in the main Areas and Departments have responded well but there is still a lack of minor misconduct reporting to enable a 100% reliable corporate memory. Plans are in place to address this inaccuracy.

Background

6. For the period 1st April 2009 to 31st October 2009 the actions of **29** Police Staff were investigated as a result of alleged misconduct or criminal convictions. Please note some investigations may concern more than one member of staff.

Category	Total
Internal Misconduct Investigations	15
Internal Gross Misconduct Investigations	14
Criminal Investigations in addition to internal Gross Misconduct	(3)
Total	29

Police Staff Headcount & Breakdown

Average Headcount

Total Average Headcount, all Staff	1626.5		
		% Female Staff	% All Staff
Female Staff	997	-	61.3%
Ethnic Female Staff	93.5	9.4%	5.7%
Not Stated Female Staff	10	1.0%	0.6%
White Female Staff	893.5	89.6%	54.9%
		% Male Staff	% All Staff
Male Staff	629.5	-	38.7%
Ethnic male Staff	62.5	9.9%	3.8%
Not Stated male Staff	10.5	1.7%	0.6%
White male Staff	556.5	88.4%	34.2%

7. Twenty nine cases represents less than 1.8% of the total Police Staff strength. A diversity breakdown has been undertaken and there are no concerns regarding bias or acts by or towards any particular group.

Table A below shows the breakdown that has been recorded:

Table A: Internal Misconduct Investigations by category detailing, ethnicity and gender for the period 01.04.09 to 31.10.09.								
Ethnicity	Other Ethnicity		Asian or Asian British - Indian		Black or Black British		White British	
Role	Police Staff		Police Staff		Police Staff		Police Staff	
Gender	Male	Female	Male	Female	Male	Female	Male	Female
Minor Misconducts				1			2	1
Misconduct Investigations	1	1	1			1	4	3
Gross Misconduct Investigations/Criminal Convictions							7	7
Total	1	1	1	1		1	13	11

Suspension

8. Risk assessments are carried out to clarify the personal and organisational risks involved in suspending staff. Following this, recorded considerations and a brief summary of case is forwarded to the Deputy Chief Constable to review, agree and authorise the suspension.
9. Two members of staff in relation to new cases have been on paid suspension pending Gross Misconduct Investigations outcomes within the last reporting period compared to 7 members in the previous reporting period, with one member of staff still on suspension from the previous reporting period.
 - One suspended member concerned in a new case resigned 35 calendar days after being suspended (criminal investigation ongoing).
 - The second member was suspended from duty on 21st October 2009 and remains on suspension pending criminal allegations.
 - The third member on suspension was suspended on 18th February 2009 and is still suspended pending serious criminal allegations. The CPS has now advised of prosecution.
10. The gross salary cost for the above suspensions during this reporting period is £11,786.35, compared to £20,002.20, despite 4 more Gross Misconduct cases during this period.

Outcomes

11. The investigation outcomes so far this reporting period are demonstrated in Table B below.
12. It should be noted that 20 of the total cases (29) are now closed. This leaves 9 cases involving 3 members of staff currently ongoing.

		Table B: Internal Misconduct Investigation outcomes by category detailing, ethnicity and gender for the period 01.04.09 to 31.10.09.							
		Ethnicity		Asian or Asian British - Indian		Black or Black British		White British	
		Role		Police Staff		Police Staff		Police Staff	
		Gender		Male	Female	Male	Female	Male	Female
Minor Misconduct (4 Cases)	No Further Action								
	Words of Advice		1			2	1		
	Verbal Warning								
Misconduct (11 Cases, 5 of which are still live)	No Further Action/ advice	1				1	2		
	Verbal Warning								
	Written Warning					1			
	Final Written Warning								
	Resigned during the process					1			
Gross Misconduct /Criminal Conviction (14 cases, 4 of which are still live)	No Further Action/Advice					1	2		
	Verbal Warning								
	Written Warning								
	Final Written Warning						1		
	Dismissal								
	Resigned during process					3	2		
	Compromise Agreement						1		
	Total	1	1			9	9		

Categories of Recordable Allegations

Number	Allegation Category
8	Discreditable Conduct
3	Duties & Responsibilities
4	Authority, Respect & Courtesy
3	Orders & Instructions
1	Confidentiality
9	Honesty & Integrity
1	Equality & Diversity
Total 29	

Conclusions

13. Whilst individual cases will not be subject to specific comment, this report does identify a significant rise of 37.9% in the number of staff who have undergone investigation compared to the end of the last reporting period. The difference is potentially accounted for by Areas and Departments reporting more cases of minor misconduct and misconduct .
14. Significantly more Discreditable Conduct and Honesty & Integrity cases than other categories.
15. A notable trend that has arisen through analysis is that out of 29 investigation cases into allegations against Police Staff members, 12 of them were PCSO's which equates to 41%.
16. There is a headcount rise of 57 staff members this period compared to last period, which could be another potential reason for the rise in investigation cases.

Recommendations

The Director of Human Resources requests that the Human Resources Committee note the content of this report.

Background Papers

Administration monitoring from database system, which are confidential (exempt information).

Person to contact

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