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|  |  |  | **Internal Audit** |  |
|  |  | **FINAL** |  |
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|  | **The Police and Crime Commissioner for Cleveland**  **and the Chief Constable Cleveland Police** |  |  |  |
|  | **Assurance Review of Governance – Ethical Standards**  **and Embedding Culture** |  |  |  |
|  | **2019/20** |  |  |  |
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| **Executive Summary** |

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| **OVERALL ASSURANCE ASSESSMENT** |  | **OVERALL CONCLUSION** |
|  |  | |  |  | | --- | --- | | **Transforming Cleveland Police (Everyone Matters) is a new initiative which embraces the College of Policing "Code of Ethics".** | | |  | **An integral part of the Code of Ethics is the Forces Values and Behaviour programme for all staff and Officers.** | |  | **Although in its infancy the audit found that good progress had been made with this initiative and sound systems are in place.** | |
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| **SCOPE** |  | **ACTION POINTS** |
| The audit reviewed the adequacy and effectiveness of the internal controls in place at the Force for identifying and maintaining ethical standards. In addition, the audit reviewed the culture within the Force and made recommendations accordingly. The audit focussed on the following areas;   * Policies and procedures; * Roles and responsibilities; * Training and awareness; * Systems and processes; and * Values and behaviour |  | |  |  |  |  | | --- | --- | --- | --- | | **Urgent** | **Important** | **Routine** | **Operational** | | **0** | **0** | **2** | **0** | |

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| **Management Action Plan - Priority 1, 2 and 3 Recommendations** |

| **Rec.** | **Risk Area** | **Finding** | **Recommendation** | **Priority** | **Management**  **Comments** | **Implementation**  **Timetable**  **(dd/mm/yy)** | **Responsible**  **Officer**  **(Job Title)** |
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| 1 | Directed | In reviewing key polices It was noted that the Reporting Professional Standards Concerns and Protected Disclosure Policy acted as the Force's Whistle Blowing Policy. The Police and Crime Commissioner also has a Whistle Blowing Policy titled "Public Interest Disclosure Policy" (last updated September 2014). If the PCC Whistle Blowing Policy only refers to the OPCC then this should be clearly stated and any reference to the Force removed to avoid any confusion. | The OPCC to review their Public Interest Disclosure Policy and if this only applies to the OPCC then this be clearly stated and reference to the Force removed. | 3 | *The PCC’s Chief Executive & Monitoring Officer does not concur with the underlying suggestion in the recommendation to the effect that action should be taken to explicitly limit the remit of the policy the employees of the PCC. For several legal and regulatory reasons, the policy is accessible to all police personnel. The Chief Executive will review the policy and make amendments (and refresh other provisions in the policy) to make the position clear and to ensure that the policy is fully up to date.* | *30/09/19* | *Chief Executive and Monitoring Officer* |
| 2 | Directed | It was noted that although there is a web page for policies on the force's web site but there were no actual Policies listed. A key value of the Force is Transparency and as such non confidential policies should be available on the web. | The Force to append relevant policies onto the website to support its transparency value. | 3 | *As an interim measure the wording on the current Force website has been updated to reflect the fact that no policies are currently available. A workstream has been added to the Single Online Home Project to ensure that at the point of implementation of a new Force website the Force is compliant with FOI guidance in relation to the publication of non-confidential policies.* | *30/11/19* | *Head of Corporate Services* |

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| **Operational Effectiveness Matters** |

| **Ref** | **Risk Area** | **Item** | **Management**  **Comments** |
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| No Operational Effectiveness Matters were identified. | | | |

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| **Detailed Findings** |

**Introduction**

1. This review was carried out in July/August 2019 as part of the planned internal audit work for 2019/20. Based on the work carried out an overall assessment of the overall adequacy of the arrangements to mitigate the key control risk areas is provided in the Executive Summary.

**Background**

1. Ethical behaviour comes from the values, beliefs, attitudes and knowledge that guide the judgements of each individual. The College of Policing in reviewing ethical behaviour has produced a Code of Ethics which identifies nine policing principles. These are built on the Nolan principles for public life, with the addition of ‘Fairness’ and ‘Respect’. The nine policing principles are:

Accountability, Integrity, Openness, Fairness, Leadership, Respect, Honesty, Objectivity and Selflessness.

1. These principles underpin and strengthen the existing procedures and regulations for ensuring standards of professional behaviour for both police officers and police staff. This gives the profession and the public the confidence that there is a system in place to respond appropriately if anyone believes that the expectations of the Code of Ethics have not been met. These principles should also underpin every decision and action across policing. They should be used, for example, in day-to-day operations as interventions are planned and debriefed, in the selection of new staff, in educational and development programmes, in annual reviews and in promotion. The principles must be more than words on a page and must become embedded in the way police professionals think and behave. The internal audit will examine and test how Cleveland Police have embraced the nine policing principles and will review the systems and procedures in place that support ethical behaviour and the culture of the Force.

**Materiality**

1. Ethical standards and culture are at the heart of running an effective and inclusive policing service.

**Key Findings & Action Points**

1. The key control and operational practice findings that need to be addressed in order to strengthen the control environment are set out in the Management and Operational Effectiveness Action Plans. Recommendations for improvements should be assessed for their full impact before they are implemented.

**Scope and Limitations of the Review**

1. The audit reviewed the adequacy and effectiveness of the internal controls in place at the Force for identifying and maintaining ethical standards. In addition, the audit reviewed the culture within the Force and made recommendations accordingly. The audit focussed on the following areas;
   * Policies and procedures;
   * Roles and responsibilities;
   * Training and awareness;
   * Systems and processes; and
   * Values and behaviour
2. The definition of the type of review, the limitations and the responsibilities of management in regard to this review are set out in the Annual Plan.

**Disclaimer**

1. The matters raised in this report are only those that came to the attention of the auditor during the course of the internal audit review and are not necessarily a comprehensive statement of all the weaknesses that exist or all the improvements that might be made. This report has been prepared solely for management's use and must not be recited or referred to in whole or in part to third parties without our prior written consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended, for any other purpose. TIAA neither owes nor accepts any duty of care to any other party who may receive this report and specifically disclaims any liability for loss, damage or expense of whatsoever nature, which is caused by their reliance on our report.

**Risk Area Assurance Assessments**

1. The definitions of the assurance assessments are:

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| **Substantial Assurance** | There is a robust system of internal controls operating effectively to ensure that risks are managed and process objectives achieved. |
| **Reasonable Assurance** | The system of internal controls is generally adequate and operating effectively but some improvements are required to ensure that risks are managed and process objectives achieved. |
| **Limited Assurance** | The system of internal controls is generally inadequate or not operating effectively and significant improvements are required to ensure that risks are managed and process objectives achieved. |
| **No Assurance** | There is a fundamental breakdown or absence of core internal controls requiring immediate action. |

**Acknowledgement**

1. We would like to thank staff for their co-operation and assistance during the course of our work.

**Release of Report**

1. The table below sets out the history of this report.

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| **Date draft report issued:** | 8th August 2019 |  |
| **Date management responses received:** | 10th September 2019 |  |
| **Date final report issued:** | 13th September 2019 |  |

1. The following matters were identified in reviewing the Key Risk Control Objective:

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| **Directed Risk: Failure to direct the process through approved policy & procedures.** |

* 1. The transformation programme at Cleveland Police (Everyone Matters) has as an integral thread the Force's Values and Behaviours and is in its early stages of implementation. That said, the direction the Force wishes to take is progressing well with the College of Policing document "Code of Ethics" produced in July 2014 being adopted as good practice. A number of "Values into Action Workshops" have been run and staff and Officers made aware of the changes that are taking place.
  2. On the Cleveland Police intranet system - Ethics and Decision Making - there are some fourteen "Policy and Guidance" documents available to Officers and Staff. The following Policies/Guidance were selected for review:
     + Business Interest and Additional Occupation Policy;
     + Reporting Professional Standards Concerns and Protected Disclosure Policy;
     + Service Confidence Policy;
  3. In reviewing these three policies they were found to be comprehensive and easily understood. All three documents were in date and had version control. It was noted however that the Reporting Professional Standards Concerns and Protected Disclosure Policy acted as the Force's Whistle Blowing Policy. The Police and Crime Commissioner also has a Whistle Blowing Policy titled "Public Interest Disclosure Policy" (last updated September 2014). If the PCC Whistle Blowing Policy only refers to the OPCC then this be clearly stated and any reference to the Force removed to avoid any confusion.

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| **Recommendation: 1** | **The OPCC to review their Public Interest Disclosure Policy and if this only applies to the OPCC then this be clearly stated and reference to the Force removed.** |
| **Priority: 3** |

**Independent External Ethics Committee**

* 1. This Independent Committee is to promote the highest standards of ethical conduct for both Cleveland Police and Durham Constabulary providing a focus for education, a source of support and a measure of compliance with organisational values. The Committee ensures senior leaders are aligned to both their force values and those of the Code of Ethics, through scrutinising, challenging and advising the organisations in areas such as:
     + Leadership;
     + Police culture;
     + Complex operational decision making;
     + Themes of national significance;
     + Strategic influence; and
     + Development and management of resources and estate.
  2. It was noted that although there is a web page for policies on the force's web site but there were no actual Policies listed. A key value of the Force is transparency and as such non confidential policies should be available on the web.

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| **Recommendation: 2** | **The Force to append relevant policies onto the website to support its transparency value.** |
| **Priority: 3** |

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| **Compliance Risk: Failure to comply with approved policy and procedure leads to potential losses.** |

* 1. Senior management have endorsed and are indeed an integral part of the development and embedding of ethical standards and culture throughout the Force. From interview and review of documents it became apparent that the Officers and Staff at Cleveland Police have engaged with and have actively progressed implementing a culture which flows from the values of the Force and behaviour of its staff and Officers.

**Personal Development Review Guide**

* 1. As part of staff and Officers personal development plan the Force's Mission and Values form an integral part of the performance development review process. Within this review procedure is a section specifically on Values and Behaviours requiring Officers/staff to identify how they have embraced the Force's Values and Behaviour principles.
  2. At the PDR interview the behaviours questionnaire is a two way assessment between a line manager and their staff member. It encourages staff members to rate themselves using a scale from 1-5, (1 being almost never, 5 being almost always) against how they believe they perform against the six behaviours. Once completed the line manager has the opportunity to assess their team member in the same way prior to viewing the team members completed questionnaire. Once both have completed their assessment the PDR system provides a comparator table that shows if there are any discrepancies between answers. This encourages both parties to have an open and honest discussion around how to improve any shortfalls in skills or indeed to give credit where credit is due. The discussion will help to set more realistic objectives as well as give an insight into a person’s skill set. Against each behaviour in the questionnaire there are three examples of, what good looks like, and three examples of what the behaviour shouldn’t look like. This helps people put into context what is expected of them around the behaviours and reiterates what each behaviour means.
  3. In addition, staff and Officers are continually made aware of the Force's Values and Behaviours in the following ways:
* Every person receives a credit card sized handout (pull out z card) which explains them;
* Posters are displayed around Force building which identify them; and
* Mouse mats on all workstations display them.
  1. At the time of the audit some 76% of staff/Officers had either started or completed their behaviour assessment in their PDR.
  2. Values and behaviours is a mandatory knowledge and application requirement for all staff and Officers. Staff/Officers would receive additional support if it was judged that improvements were required in their behaviour. As an integral part of an individual’s training log, values and behaviours are included.
  3. A review of the system and process for the induction to new staff and the continuous embedding of the principles and application of the Forces values and behaviours, although in its infancy is now established.
  4. Although the system is brand new and in its early days of implementation, the Force are measuring how many staff and managers have done their Personal Development Review (PDR) behaviour assessment. The outcome of these assessments will be a good measure of awareness regarding embedding the change in culture throughout the Force. Another measure will be to look at average scores for performance in PDR, although it will need to bed in before any confidence can be taken that it is a true measure of meeting the behavioural standards. There is also a low level of complaints, which if they did arise would be progressed through the PDR conversations.
  5. In conclusion the Transforming Cleveland Police vision is well underway with the Forces Values and Behaviours at the heart of the transformation programme. The Personal Development Review process is supporting this change in culture and helping to embed ethical standards/culture throughout the whole Force.

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