



THE POLICE FOUNDATION

The UK's policing think tank

How do we move from a
blame culture to a
learning culture in
policing?

June 2018

Background

The 2016 Hillsborough inquest verdicts drew sharp attention to some deep-rooted aspects of police culture that are increasingly being recognised as problematic. At a time when the imperative for the police to reform, improve and learn from mistakes is most pressing, there remains an institutional tendency – acknowledged by police leaders¹ – towards defensiveness and recrimination that can undermine learning, systemic improvement and, potentially, public safety.

Industries such as aviation, nuclear power and, to some extent, healthcare have led the way in developing a 'safety culture' so that when things go wrong the priority is to learn lessons and prevent mistakes from happening again. In policing however, the clamour for public accountability and the necessarily rigorous regulatory environment can lead to a preoccupation with individual blame and culpability that can impede the search for truth and stand in the way of systemic learning.

In June 2018 the Police Foundation and KPMG held the fourth in a series of police policy dinners, bringing together a group of senior police leaders and stakeholders with experts from the aviation and healthcare sectors, to discuss this issue and consider key questions, including:

- Is it possible to combine strong external accountability to the public with an open culture in which people are willing to admit to and learn from mistakes?
- What can policing learn from other sectors such as health and aviation about how to overcome risk aversion and enable innovation and learning?
- How can policing strike the right balance between individual culpability and organisational responsibility?

This report provides a thematic summary of the issues raised during discussion. Individual contributions have not been attributed however attendees are listed at the end of the report.

¹ <https://www.theguardian.com/commentisfree/2016/may/13/blame-police-culture-force>

Building a safety culture: what can policing learn from other sectors?

The discussion began with a description of an investigation undertaken by the Air Accident Investigation Branch following a serious aviation safety breach. The investigation identified a string of human errors leading up to the incident, but also brought to light multiple similar ‘near misses’ involving unconnected individuals – illustrating the need for attention to systemic short-falls rather than individual culpability. Rather than pursuing disciplinary action against those involved, the process focused on identifying problems within the operating environment and making remedial recommendations to prevent reoccurrence.

It was emphasised during discussion that this approach relied on gaining frank and candid accounts from those involved which could only be achieved by assuring anonymity. As a result, strict separation needed to be maintained between safety investigations and other simultaneous processes, such as criminal or coroner’s investigations. This ensured that evidence and accounts collected in the former process would not be made more widely available; a principle that had been supported by rulings in the High Court. It was also reported that recommendations were framed at the national level to avoid any implication of blame to individuals or institutions.

The group also heard about the value of full-time investigators and the important role played by human behaviour specialists in identifying the factors that led to mistakes

and lapses in judgement. The value of attention to recording and addressing ‘mundane’ mistakes, breaches in procedure or ‘near misses’, was also emphasised with one participant using the metaphor of ‘slices of Swiss cheese’ to describe the way that the alignment of otherwise trivial lapses or flaws, could occasionally result in catastrophic consequences.

While the safety investigation system in the aviation industry benefited from a legacy of trust, built up over many years, it was noted that efforts to transfer the approach to the healthcare sector were more recent and less developed, and that the central concept of a ‘safe space’ was proving difficult and controversial to implement.

With regard to policing, the importance of learning from investigative frameworks used in other sectors was recognised, however significant barriers were perceived in transferring concepts such as ‘safe space’ and mixed views were expressed on whether, and how quickly, substantial progress might be achieved.

How policing responds ‘when bad things happen’

Several attendees urged caution in the language used to describe the instances of harm following which some form of review or investigation might be undertaken. It was suggested that referring to ‘things going wrong’ or ‘mistakes being made’ failed to recognise the realities of the critical circumstances in which the police were often called on to intervene, and that even when the best possible decisions were made, harm was sometimes unavoidable.

With that acknowledged, it was broadly recognised that there were a number of barriers to safety and improvement-focused learning within policing, both in terms of routine practice and in the aftermath of particular events.

A number of examples of police good practice were provided by attendees, including:

- Debriefing sessions in which firearms and surveillance teams routinely challenge themselves and their peers to be better.
- The peer review process and openness and transparency around critical findings.
- Serious case reviews, in which the police and other agencies examine catastrophic failure in a non-legalistic framework.
- Accepting corporate responsibility and organisational failure in order to enable lesson learning.
- Providing structured time for reflection, particularly for staff exposed to trauma.

Notwithstanding these examples however, there was general agreement that in response to criticism, complaints or the occurrence of harm, the police too readily defaulted to a focus on individual conduct and legal accountability that could both hinder candour and deflect attention from the need for deeper organisational learning.

Attendees emphasised that individuals guilty of misconduct, malpractice and criminality must be held to account and sanctioned appropriately, and that the voices and wishes of those (and/or the families of those) who come to harm in incidents involving the police must be heard and taken into account. At the same time however several made the point that genuine misconduct needed to be separated from well-intentioned mistakes, which often occurred

within sub-optimal operating environments.

It was observed that aspects of the current policing context make attention to system and circumstances particularly important. For instance, it was suggested that as resources reduced and workload increased, instinctively pragmatic police officers and staff were faced with little alternative but to 'cut corners' in order to 'get things done'. One attendee suggested that while leaders might 'turn a blind eye' as long as these lapses in compliance kept business running, it would be particularly unjust to revert to disciplinary action when this resulted in negative outcomes.

Attendees gave several examples of the negative and unsatisfactory consequences arising from (arguably) unnecessary misconduct investigations. Lengthy investigations, sometimes resulting in no or very little action being taken, had negatively impacted the wellbeing of those under scrutiny as well as their families, and resulted in risk aversion and low morale among colleagues.

New contexts

Several contributors drew attention to the added complexities of complying with risk management procedures and regulations within a multi-agency context. It was observed that complex, multiple and overlapping processes could 'strangle' practitioners, leading to risk aversion and potentially catastrophic delays. It was also noted that the standards of accountability applied to the police were different and often more stringent than those of the partner agencies with whom they collaborated. This could result in police officers and staff carrying a greater workload and burden of responsibility than their counterparts.

Looking ahead, it was suggested that these disparities would become more problematic as the roles and responsibilities currently distributed across agencies became more integrated. In response to these issues it was suggested that leaders needed to 'get closer to the work' to better understand the operational realities faced by their staff, and that mid-level leaders in collaborating agencies needed to invest time in better understanding each other's business and risks. Deeper integration also generated a demand for more closely aligned 'place based' regulation, such that the same – or at least compatible – standards should be applied to different agencies dealing with the same issues and cases.

It was also suggested that this more complex operating environment, and the 'wicked problems' policing was increasingly required to confront, might call for changes in recruitment, training and a more professionalised workforce.

Cultural barriers

A number of attendees reflected on the 'cultural' elements of the police inclination towards a 'blame', instead of a 'learning' response to criticism and crisis. For example it was suggested that the tendency to locate fault with individuals reflected a reluctance to confront the need for more fundamental and difficult, organisational change. One attendee suggested that some essential elements of police identity – the commitment to 'do the right thing', get the job done and exhibit bravery in exceptional circumstances – might lead to a level of unintentional 'hubris' around police competence and reinforce the inability to contemplate internal failings.

Another gave a more sympathetic analysis of the factors underlying 'unconscious' organisational defensiveness, including the desire to protect and support colleagues and employees and anxiety about the legal ramifications of candour and openness.

The hierarchical culture within policing and the accompanying disincentives to 'speak up' and challenge authority were raised as a factor which could inhibit organisational learning. It was noted that regulation had had a positive effect on overcoming similar issues within the aviation sector.

One attendee suggested that an environment that required, rather than just permitted, challenge was preferable. Another reported that recent legislation within the financial services sector holds chief executives responsible for ensuring a sound culture throughout the organisation.

Public expectation

It was noted that the form of investigatory response adopted within policing – and to some degree in other sectors – was often linked to a perceived public expectation of accountability and redress. It was also noted however that the form of accountability expected by the public was poorly understood and that 'journalistic outrage' should not be mistaken for public opinion. The need to bring the public into the discussion was identified, and the relative baseline levels of trust in policing, other professions and in regulators, was considered.

Across sectors, attendees emphasised the need to listen to those who had come to harm during the matters under investigation (and/or their families).

The imperatives for investigators and institutions to ‘put themselves in the shoes of others’, ‘truly listen’ to, and put those harmed at the centre of any process, was agreed by all. The experiences of attendees, gained across a number of high profile investigations in different sectors, identified a spectrum of nuanced expectations from victims and families; while there were often calls for justice and individual accountability the frequently expressed desire of those affected ‘to ensure this never happens again’ was also reported.

Is policing different?

While cultural barriers, although deeply ingrained, might be challenged and overcome by strong leadership (with a particular importance attached by some, to the role of immediate supervisors and middle tiers of management), attendees were asked to consider whether there were fundamental aspects of the police role and function that counted against the transferability of an aviation-style safety ethos.

While warning against the ‘narcissism’ of police exceptionalism, several attendees drew attention to the intrinsically confrontational nature of policing, that set it apart from other sectors and created the conditions in which conflict and contest are inevitable. It was noted that the extensive powers conferred on the police to take action against individuals without their consent, rightly necessitated a ‘fierce’ regulatory framework; it was also noted however that regulation in other sectors such as healthcare, was equally strong, and this did not in itself prevent a shift towards a safety-oriented approach.

It was also argued that the lack of ‘shared voluntary enterprise’ that characterised the policing environment meant that it was particularly susceptible to vexatious and malicious, as well as legitimate, complaints, and that the veracity of allegations against the police should not be presumed.

Attendees noted that the police, as key players in the criminal justice system, are intrinsically bound up in the business of attributing blame and holding to account, and therefore it is inevitable – and perhaps right – that the standards, mindsets and logics applied to transgressions within society more generally, are also applied internally.

One attendee suggested that the current imperative for policing to reform – in the context of shrinking resources and changing patterns of crime and expectation – should prompt a fundamental rethink of the police role within society and provided an opportunity to ‘get out of the blame game’, in favour of a radical reorientation towards improving public safety and preventing harm. Only then, it was argued, would internal culture and practice change too.

Another attendee suggested this was difficult to achieve given the broader media and societal culture of blame. Others provided a different challenge, noting the substantial shifts that were already taking place within policing, away from a purely criminal justice response towards early intervention and problem solving: it was argued that policing should remain a fundamentally plural or double track’ endeavour, with a strong ‘thirst for accountability’ maintained alongside a developed focus on prevention.

It was suggested however, that both internally and externally, deeper conceptual understanding of how individual accountability operates within systemic constraints was required.

Broadly it was felt that 'seriousness' should be used to differentiate between a learning-focused versus an accountability-focused investigatory response, however this prompted unresolved questions around where the threshold between the two forms of response should sit and on what basis such decisions should be made. The value of embedding a culture and environment of learning, by dealing with more numerous, less serious matters with a focus on improvement rather than blame was also emphasised.

Performance versus disciplinary responses

In practice the above could often amount to a choice between dealing with a complaint or investigation within a 'performance management' as opposed to disciplinary framework; with the former considered more conducive to creating opportunities for learning and improvement. Examples were given of matters dealt with through costly and protracted misconduct proceedings that might have been addressed more effectively and efficiently through management action. It was also noted however that there could be perverse incentives within the system for those being investigated and their advocates to favour more serious misconduct channels as this could provide greater access to legal representation.

One attendee questioned whether the unique disciplinary code that operated within policing – linked to the historic and legal status of the

Office of the Constable – continued to be necessary and appropriate in the modern context. It was suggested that all matters of police professionalism and behaviour might be addressed through employment channels, as in the vast majority of other professions. Less radically it was accepted that there was an institutional challenge in moving some of the business currently dealt with by professional standards departments over to human resources departments and line managers.

It was noted that the Home Office was in the process of developing recommendations relating to policing 'practice requiring improvement' based on a recognition that sufficient discretion was not being used in decisions about the channels through which complaints and conduct matters should be handled.

Time to reflect

There was broad agreement that increasing the opportunities for practitioners to reflect and review their actions and decisions, including in a structured way and with supervisors, was essential for building a culture of learning and improvement. One attendee reflected that mainstreaming reflective practice into healthcare had been particularly beneficial. While the ideal of 'reflecting more and learning more, not working more' and investing in the individual, as the greatest resource in policing and other public services, was identified, the challenge of creating the space and time to put this into practice – particularly within the current operational context – was also recognised.

Conclusions

Although there is an inherent tension between the need for public accountability and the desire for a learning culture – and a recognition that a number of factors make that tension particularly acute within policing – the discussion identified a number of areas in which the police could seek to shift the dial towards learning and systemic improvement without surrendering the basics of a robust accountability framework, including through;

- Exploring a twin-track approach which separates and protects investigations aimed at facilitating learning and making organisational improvements, from disciplinary and conduct processes.
- Developing and expanding the use of methods for promoting learning such as debriefing sessions, peer review, structured time for reflection, learning from mundane errors and ‘near misses’ and aiding investigations with human behaviour specialists.
- Generating a learning environment by adopting the assumption that more numerous, less serious matters are dealt with via line management and HR within a performance management framework as opposed to discipline and professional standards channels.
- Strong leadership to promote a ‘flatter’ hierarchical culture in which there is an expectation and requirement to speak out.

- Public engagement and dialogue to better understand the kind of accountability the public actually want and expect.
- Emphasising the importance to listening to complainants, developing individual and institutional empathy, and building greater trust.

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Attendees

The Police Foundation and KPMG would like to thank all attendees (listed alphabetically below) for their contributions.

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Robert Beckley	Assistant Commissioner, Operation Resolve
Katy Bourne	Police and Crime Commissioner, Sussex
Simon Burnett	Senior Manager, KPMG Financial Services
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Sara Thornton	Chair, National Police Chiefs' Council
Claire Warnes	Lead for Medical Regulators, KPMG
Wendy Williams	HMI, Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services

About the Police Foundation

The Police Foundation was founded in 1979 and is the only independent charity focused entirely on influencing policing policy and practice (and related issues) through research, policy analysis and training/consultancy. Its core aim is to challenge the police service and government to improve policing for the benefit of the public. Since its inception, the Police Foundation has become an influential think tank on a wide range of police-related issues, working closely with external funders and other third sector organisations.

About KPMG

KPMG's policing team offers practical advice and experience to help enable clients design, deliver and implement real change. We have worked with over 30 police forces in the UK on their most strategic challenges, from the design and implementation of new operating models and implementation of new technologies, to the creation of platforms for sharing information. Our knowledgeable team uses data to prioritise improvements. They bring well-established techniques to improve frontline performance, enhance customer centricity and increase efficiency. Most importantly, our team help police forces develop these skills so that our work is not a one-off, but helps empower our clients to continue to adapt and improve outcomes. We offer insight from, and access to, our global network to give a different perspective on how other countries and sectors are managing similar complex challenges.

Reports from previous Police Foundation/KPMG policy dinners can be found at <http://www.police-foundation.org.uk/events/police-policy-dinners/>