

10 Integrity management behind bars

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Introduction

The Custodial Institutions Agency (DJI) provides for the execution of sentences and custodial measures. The DJI has more than seventy establishments spread throughout the Netherlands and the Netherlands Antilles, and more than 14,000 employees. Each year, it has an intake of about 45,000 new prisoners. Confinement takes place in different types of institutions: prisons and remand prisons for adults, which are known as penal institutions, but also in special institutions for juveniles, the young offenders institutions. For patients for whom treatment has been ordered by the courts (detention under a hospital order, TBS) there are forensic psychiatric centres. For foreign nationals without residence permit the DJI uses detention centres.

The DJI is an agency of the Ministry of Security and Justice. This means that the DJI has a degree of autonomy. Each year, the DJI is allocated a budget by the ministry and agreements are reached on the performance to be realised by the DJI.

In addition to confining detainees, the DJI is also responsible for their day-to-day care. DJI employees work on preparation for a return to society with each target group in a different way. For a personalised approach is necessary. For example, the DJI offers adult detainees structure, stability and assistance. The DJI helps juveniles by giving them the necessary education. Detainees in forensic care are offered treatment and guidance by the DJI. With foreign nationals who must leave the Netherlands too, the DJI ensures that alliance partners are given every scope to prepare for the deportation as well as possible.

Integrity and a good cycle for integrity policy are important for the DJI, not least because the organisation is in transition. The way in which the DJI is managed is changing, and a DJI Master Plan¹ with a substantial challenge to realise cut-backs is in full swing.

Integrity at the DJI

The most important principle of the DJI's integrity policy is the promotion of a culture in which ethical standards and values can be openly discussed. The DJI employees must be able to tell each other if something is going well, but also if something is not going well.

Work is in progress on the creation of a safe working environment with and for all employees. In addition, the possibility and opportunity is offered to discuss matters and conduct that are important in order to be able to operate safely. That is a goal that it would be hard to disagree with. The DJI does not regard integrity as an isolated phenomenon. Integrity is embedded in 'security'. But how does the DJI put this into practice?

The DJI uses four key elements here:

- respect
- reliability
- openness
- professionalism

These are four *strong values*. In an executive organisation, strong values are extremely important, because they concern human behaviour. Firstly, they must be identifiable at every level of the organisation, and must be recognised by everyone. At the same time, strong values are a binding factor which contribute towards operations with integrity in this regard. In that way, they contribute towards a good organisational culture in which the employees can rely on each other. This leads to a 'high reliability organisation'.²

Respect involves an understanding of your colleagues and detainees, showing involvement and interest and taking account of each other. It involves treating not only people and their perceptions with due care, but also their property and their living environment. This also refers, for example, to how to deal with incidences of violence.

Reliability is ensuring that colleagues can trust each other, and that they and the detainees can always count on someone. Detainees and society assume that a DJI employee will comply with the current rules, keep to agreements and ensure that his or her interests do not harm those of the DJI. 'Just as you must be able to rely on your colleagues, the DJI relies on

you.’ Breaching that trust not only leads to dangerous situations in the workplace, but also harms the reputation of the DJI. Observing the rules reduces the risks that staff will face undesirable or dangerous situations. In the practical translation, this includes the explanation of which contacts are not permitted and the fact that absence without leave is forbidden.

Openness is communicating honestly and effectively with colleagues through expression, discussion, agreement and calling each other to account. These principles support the working atmosphere and effectiveness. Firstly, a person must be able to express themselves. This may relate to an opinion, questions, doubts, errors or initiatives. Agreements are reached on matters that have been discussed. These reflect the standards and values of the DJI. Such agreements can be recorded in team agreements or in individual agreements with the supervisor. On the basis of agreements, staff can also call each other to account if agreements are not met. DJI employees keep their word. In day-to-day practice, this means ‘put your cards on the table’. The same applies with regard to reporting information that is of importance for the DJI. Do not keep that information to yourself, but share it with your supervisor and your colleagues. Do not walk around worrying about unasked questions either, but put them to your direct colleagues, supervisors or the confidential integrity counsellor’.

Professionalism is doing the work competently, observing the rules and helping colleagues to keep to the rules too. Professionalism is using the resources made available by the DJI correctly. Treating detainees correctly also shows professionalism. Training, professional knowledge and insight play an important role here. The DJI assumes that employees will maintain a professional distance in contacts with detainees, but will nevertheless be close to them. Professional conduct is essential in finding the right balance and in showing respect and being respected by the other person. That supports the working environment in the office or penitentiary focus and thus the atmosphere in the institution. ‘Penitentiary focus’ is a broad term which combines security, alertness and a sense of responsibility. A practical example: alcohol and drugs are not permitted at work and employees may not bring any items with them for detainees.

The situation in practice

Integrity thus merits our attention. But not solely as a regularly recurring item on an agenda. There is always a particular context.

At the DJI, people are detained against their will. These are people who often exhibit behavioural problems. That makes security a top priority which requires permanent attention. As I have already argued, integrity is inseparably connected with security. It is also part of the culture of an organisation. The DJI is an organisation in which (major) risks can arise, with enormous personal and political consequences. Comparisons can also be made with industry, for example, or aviation. It is interesting and instructive to see how others deal with integrity. To be brief, I refer to an integrated approach in aviation, where security, safety and culture are addressed as parts of a consistent system (Shorrock et al., 2014).

An organisation in which the above key elements are sufficiently present is safe and you can rely on each other as colleagues under all circumstances. Integrity also forms part of the regular appraisal interviews. And finally: a matter for which repressive instruments must also be present.

Each year, an internal investigation agency handles around 250 integrity-related cases. This agency takes on integrity investigations based on a report from a supervisor (in legal terms, the ‘competent authority’, which as a rule is a director of a prison or other DJI institution), or based on a report from an employee. Obviously, a report must always be addressed, in observance of the privacy guidelines. Furthermore, proper execution of repressive integrity policy makes the boundaries drawn by the organisation clear, but also helps to ensure that employees are more likely to report cases, because they feel they can count on adequate, fair action being taken, with due care, in the event of actual incidents.

The competent authority is required to involve the investigation agency if the integrity of its organisation or its employees is at issue. In that case, the agency observes the principles and provisions of Dutch administrative law. In order to obtain an insight into a concrete suspicion of a breach of integrity, the agency opens an investigation. If it is revealed during or after an investigation that a criminal offence may have occurred, a criminal investigation may be necessary. By agreement with the competent authority, the agency may submit the facts to the Public Prosecution Service. If this

leads to a criminal investigation, this will be carried out by or on behalf of the competent authority. An important element in the approach to an investigation is the obligation to rehabilitate employees who were improperly the subject of an investigation of which, despite all the safeguards, third parties (often close colleagues) become aware. This takes place by agreement with the employee concerned, but is always a task that the management must address in a personal manner and with integrity.

The investigation agency of the DJI has eleven qualified investigators and a small executive staff. The agency is independent and answers directly to the management of the DJI. All reports and their settlement are reported to the management of the DJI. A review is also presented each year to the Ministry of Security and Justice and, for the Government-Wide Annual Review of Operations, to the Ministry of the Interior and Kingdom Relations. Part of this report on 2014 is presented below. Records of staff members guilty of confirmed dereliction of duty are kept in a database. These records are kept for up to five years after the termination of the employment. The database is checked as part of the screening of applicants for jobs at the DJI. The investigation data in the database are confidential and are used for (anonymised) trend reports according to the nature and scale of the breaches of integrity.

Most breaches (in both absolute and relative terms) take place among employees who work directly with detainees. They are our 'front-line' workers and are therefore very frequently put to the test. That sometimes leads to undesirable conduct. Swearing at detainees, writing about detainees on social media and fights are a number of more frequently occurring expressions that can lead to integrity investigations.

Breaches of Integrity, number of cases 2014

Types of (suspected) breaches	reports/ suspicions	total confirmed
involvement with (suspected):		
• financial breaches	14	5
• abuse of position and conflicts of interest	0	0
• leaks and misuse of information	8	1
• abuse of powers	4	3
• abuse of powers of force	5	2
• forms of undesirable treatment	13	4
• misconduct in a private capacity	35	16
• improper use of agency resources/breaches of internal rules	186	91
• misconduct according to the whistleblower scheme	0	0
Total number of types of breach	265	122

Source: DJI, Security & Integrity Office

The DJI has its own training institution. Every employee who comes into contact or may do so on a professional basis receives a basic training course. That course encompasses attention to integrity. A number of follow-up courses are also offered.³ More important, however, is that a supervisor devotes attention to this on the formal appointment as a civil servant. As a rule, this takes place by enclosing the DJI code of conduct with the papers for the appointment. This could be done differently and better. Subjects relating to integrity are now explicitly raised on the occasion when DJI employees take the oath. The subject of integrity is also on the agenda in the training for managers. The DJI is aware of the important role that managers play in setting an example for employees, in which active communication of the importance of acting with integrity may not be forgotten, but also in dealing with potential breaches of integrity with due care and in a balanced manner.

The DJI has two central confidential integrity counsellors. Employees who do not feel secure enough to report situations concerning integrity or undesirable behaviour (also an aspect of integrity) to a confidential integrity counsellor within their own institution can contact one of these counsellors. The Ministry of Security and Justice also has an external confidential integrity counsellor and a central integrity coordinator. Employees who are not willing or able to report (suspicions of) breaches of integrity within their own service unit can contact the external confidential integrity coun-

sellor for this. As the name suggests, the external confidential integrity counsellor is not an officer of the ministry. In conclusion: the DJI has created an 'Integrity & Society Knowledge Network'. In addition to a number of DJI employees from across the organisation, this knowledge network consists of people from the academic world (universities) and organisations affiliated to the DJI (such as the Dutch National Integrity Office (BIOS), the Police Force and the Ministry of Defence).

Next steps?

This article has described how integrity is integrated with and fits into the operations of the Custodial Institutions Agency (DJI). Specific attention is already devoted to the subject of integrity. Efforts are made here not to draw attention to integrity in isolation. For example, 'integrity' is one of the elements of the regular appraisal interviews between supervisors and employees. The most senior level of the DJI is also required to discuss this with the various management tiers. Discussion of management dilemmas cannot yet be regarded as *self-evident*. But the DJI is gradually making progress.

The Netherlands Court of Audit conducted surveys of the status of the integrity policy at the DJI in 2013 and 2014 (The Netherlands Court of Audit, 2014). The Court of Audit took an approving view of some matters, while a number of other points required improvement. It was recommended, for example, that an umbrella policy be formulated via a single integrity coordinator. Firstly, this coordinator will gather all information, so that it will be possible to draw on a single source. Secondly, policy initiatives can be proposed on the basis of analyses to be conducted by this coordinator. And thirdly, by appointing a single integrity coordinator, an internal supervisory role will be given shape in order to keep attention focused on integrity. Furthermore, an annual report will be drawn up. The DJI has now appointed this coordinator and the first results will be presented to the management team top-level in 2015. This significantly increases the opportunities to learn with and from each other.

A second point for improvement raised by the Netherlands Court of Audit was that attention seems to focus more strongly within the DJI on the 'hard' side of the integrity policy than on the 'soft' side of integrity, while the 'soft' side is an important factor for the support of the 'hard' side. Because monitoring and accounting for the integrity policy to the manage-

ment was primarily confined to the number of reports of breaches of integrity, it was questionable whether preventive aspects and the concept of professional ethics⁴ received enough attention. A point for attention here is that there appears to be little demand from the work floor for the integrity courses that the DJI's own training institution offers. Professional ethics and prevention merit more attention. Although the DJI does devote attention in the regular employee satisfaction surveys to aspects in the organisational culture relating to integrity (such as ethically aware conduct) and to preventing forms of undesirable behaviour, no research has been conducted at the DJI into the aspects mentioned above. The survey of the Netherlands Court of Audit emphasised the importance of a full policy cycle for integrity policy.⁵ Evaluation surveys of the operation of the policy will assist the DJI in this.⁶ Such a survey focusing specifically on the DJI is a good way to determine the effects of the integrity policy and, in this way, to develop the integrity policy further. The DJI made a start on this in 2015.

The world around the DJI is changing and the DJI will have to change with it. That, too, calls for a flexibility, not only in terms of capacity, but also in terms of the attitude of the staff. Staff with integrity are competent to perform their tasks and comply with the agreed rules. It is interesting to consider how organisational and technological developments affect people and the performance of their jobs. For example, the shrinking organisation makes it increasingly necessary for employees to use the available time to best effect and to make still more use of technology and the knowledge and skills of close colleagues. Technological developments such as Google Glass and drones throw a new light on current forms of work. Increasingly compact appliances (telephones, cameras and the aforementioned drones) imply changes in the field of security and security awareness. For example, are the present education and training and thereby, the experience requirements that the DJI sets for the staff then still adequate? This question is being formulated as I write, and must become a point for attention in the staff development agenda of the DJI.

Conclusion

The DJI faces major challenges. A shrinking organisation, a rising number of detainees with behavioural disorders and rapid technological changes that have an impact on the detention climate. These developments have their effects on the staff of the DJI and consequently, on the integrity of the

DJI. This is precisely the time when we must ensure that we remain alert to developments within and outside the DJI. I have illustrated in this article that these developments receive close attention, so that in the future too, the DJI can operate as an organisation with integrity.

Notes

- 1 The Master Plan concerns the realisation of the cabinet's target of cutting € 271 million from a budget of € 2.1 billion (letter of 19 June 2013 to the House of Representatives from the State Secretary of Security and Justice), which will involve the closure of a large number of institutions and will mean that many employees will have to look for a new job.
- 2 Just compare the DJI with the police force! See: De Bruine, Noordhoek & Tjon Pam Tau, 2011.
- 3 Dilemma training (for employees who may have to deal with integrity issues); professional integrity: dealing with occupational risks (for all DJI employees); integrity management (training for directors and managers of institutions on giving shape to the integrity policy and the ethical learning process within their institution); basic training local confidential integrity counsellor; refresher training local confidential integrity counsellor.
- 4 Professional ethics: every decision or action is morally correct if it does justice to the other; if the rights and interests of all concerned are sufficiently taken into account.
- 5 To be divided into general (overall framework), preventive (contributing to prevention of breaches; culture; creating conditions for safely drawing attention to breaches) and repressive (setting boundaries; adequate and fair action with due care) integrity policy.
- 6 Such forms of research have already been conducted before for the public sector as a whole, usually commissioned by BIOS and the Ministry of the Interior and Kingdom Relations. An example of such research is the study entitled *Een luisterend oor, onderzoek naar het interne meldsysteem integriteit binnen de Nederlandse overheid* (A listening ear: survey of the internal integrity reporting system within the Dutch government), conducted by the Quality of Governance research group of the Public Administration department of the VU University of Amsterdam.

Literature

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