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# Police discretion, outsourcing, and performance management: 999 emergency calls in the Lincolnshire Police-G4S Strategic Partnership

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## Abstract

**This article explores police discretion and performance management in the Lincolnshire Police-G4S Strategic Partnership—a landmark £229 million outsourcing arrangement which ran from 2012 to 2022. Interpreting original qualitative and quantitative data relating to 999 emergency call handling through a structure-agency lens, it advances three key findings: (1) the local contract-based 999 performance management structure enabled some degree of police discretion, allowing police actors to turn-up performance metrics to maximize G4S service delivery and turn-down these metrics to accommodate public demand (this is termed 'contractual police discretion'); (2) this structure also constrained police discretion, preventing police actors from responding to public need when their proposed solution necessitated a redrawing of the contract (this is termed 'non-contractual police discretion'); and (3) to circumvent these constraints, police actors played their ultimate discretion card—exiting the contract altogether. These findings contribute to scholarship on discretion, outsourcing, and performance management and reveal some of the key successes and failures of the Lincolnshire Police-G4S Strategic Partnership.**

## Introduction

The £229 million Lincolnshire Police-G4S Strategic Partnership, which ran from April 2012 to March 2022 and covered eighteen service areas, stands as a landmark project in UK policing history. Through its application of performance management and public-private outsourcing mechanisms to a complex frontline police function—999 emergency call handling in the force control room (FCR)—it represents one of the most extreme articulations of new public management (NPM) in the policing landscape. This article is the first to report on the 999 element of this contract (for research on other aspects of this contract, see White 2014, 2015, 2025). It explores the question: to what extent were police actors able to exercise discretion within the contract-based 999 performance management regime? To answer this question, it draws upon interviews with high-ranking Lincolnshire Police officers and staffers and senior G4S managers conducted between September 2022 and January 2023, together with publicly and non-publicly available performance data. It interprets these data through an expanded reading of de Maillard and Savage's (2018, 2022) theoretical work on police discretion and performance management. It advances the following headline findings. First, the local contract-based 999 performance management structure enabled a certain degree of police discretion, allowing police actors to both turn-up performance metrics to maximize G4S service delivery and turn-down these metrics to accommodate the complexity of public demand—this is termed 'contractual police discretion'. Second, this contract-based structure also constrained police discretion, preventing police actors from responding to public need when their proposed solution necessitated a redrawing of the contract—this is termed 'non-contractual police discretion'. Finally, to circumvent the constraints on non-contractual police discretion, police actors elected to play their one-time-only ultimate discretion card—to exit the contract thereby rendering these constraints an irrelevance.

With these findings, the article not only sheds light on the successes and failures of the Strategic Partnership but also makes (at least) two contributions to policing scholarship. To begin with, it contributes to the literatures on performance management and outsourcing, which until now have existed in silos. This lack of cross-engagement forms a conspicuous blindspot because public-private outsourcing arrangements are often animated by a supercharged performance management logic, allowing us to explore the dynamics and implications of these mechanisms in their rawest and most commercially oriented form. Through its particular focus on police discretion within this blindspot, the article also

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contributes to the sizeable literature on this phenomenon, which is still rooted in traditional police settings, only slowly coming to terms with the increasingly pluralized make-up of the multi-sectoral policing landscape, and until now has yet to engage at all with public-private outsourcing. This represents another notable absence because such outsourcing arrangements offer a window into the simultaneously empowering and disempowering role played by police-held contracts in the market for policing. By exploring what can be visualized as the overlap in a Venn diagram comprising the performance management, outsourcing, and discretion literatures, the article opens out considerable new terrain in policing scholarship. It proceeds over four sections. The next section reviews the extant literature on performance management and outsourcing. The following section sets out the theoretical approach towards police discretion, before turning to matters of case selection, data collection, and data analysis. The ensuing section presents the findings, advancing the new concepts of contractual and non-contractual police discretion. The final section reflects on the article's original contribution to scholarship, weighs up the advantages and disadvantages of public-private outsourcing, and offers policy recommendations.

## Performance management and outsourcing

The ascendance of NPM from the 1980s onwards is a global trend with national variations. The UK iteration is characterized by, among other things, the establishment of quasi-markets or competition mechanisms within and across public sector institutions in an attempt to enhance efficiency and accountability (Hood 1991). Performance management and public-private outsourcing constitute two such mechanisms. In basic terms, performance management entails measuring service delivery levels within an assessment framework (e.g. a league table and/or benchmarked target) and then rewarding strong performance and correcting weak performance. Public-private outsourcing involves inviting private sector companies to compete for a contract to deliver a service and/or capital infrastructure project over a specified period and then selecting the bid which represents the best value for money and/or greatest saving compared against an in-house model (for elaboration on these definitions see Ferlie et al. 2005). While performance management is deeply embedded across the UK policing landscape, outsourcing exists only in pockets. Reflecting these different levels of penetration, there is considerable policing scholarship on performance management, but little on outsourcing—and until now none on the overlap between the two in the UK or indeed any other country. This section reviews each of these literatures in turn.

The story of how performance management mechanisms were introduced into the policing landscape is a well-rehearsed one, but bears repeating in brief to provide context for later sections. During the 1980s, the Conservative Government's NPM reforms scarcely touched the police. In the early 1990s, however, animated by a growing sense that the police were under-delivering relative to investment, the Government initiated a series of reforms with regard to scope, organizational structure, pay, conditions of service, and performance management (de Maillard and Savage 2012). The resulting performance management regime has been described as 'top-down' in orientation and concerned with 'enhancing control and upwards accountability' (Collier 2006, 165). It was assembled by the Audit Commission, Home Office, Association of Chief Police Officers (ACPO), and Her Majesty's Inspectorate of Constabulary (HMIC) and implemented primarily though the Police and Magistrates' Courts Act 1994. It worked as follows: the Home Office set national objectives (e.g. responding promptly to calls from the public); it also provided, in collaboration with the aforementioned public bodies, a suite of quantitative performance indicators aligned with these objectives, most of which focused on delivery levels (e.g. speed of response), plus a handful on public satisfaction (e.g. percentage of people satisfied with response); the Audit Commission and HMIC measured the performance of each force against locally set targets (e.g. year-on-year improvement) and other forces in the form of league tables; the Home Office and HMIC worked with forces to address performance issues (for an illustration of these processes, see HMIC 1996).

On coming to power in 1997, the New Labour Government for the most part embraced this regime, making only incremental changes along the way. The most notable ones include: enhancing the inspection and reporting capabilities of the Audit Commission and HMIC through the Local Government Act 1999 and the managerial oversight of the Home Office through the Police Reform Act 2002 (Loveday 2006; Perkins and Davies 2024); subsequently decreasing the overall number of indicators but increasing the proportion of public satisfaction metrics within the remaining suite through the Policing Performance Assessment Framework (Neyroud 2008); and reducing the number of nationally mandated objectives, indicators, and measures while simultaneously facilitating more locally determined, neighbourhood-oriented ones from 2008 until the end of their term in 2010 (Golding and Savage 2012; Perkins and Davies 2024). The subsequent Conservative-led Coalition Government picked up this emergent localism agenda and amplified it through the Police Reform and Social Responsibility Act 2011, which shifted most performance management responsibilities to the new locally elected Police and Crime Commissioners (PCCs). This was not a 'relaxation' of performance management, rather a 'redrawing' from the national to the local (de Maillard and Savage 2018, p.328). However, despite the often vehement repudiation of centralism which accompanied this reform (May 2010), the centre did not completely disappear. Since 2010, the Home Office and HMIC have continued to monitor, compare, and inspect forces in line with 'value for money' indicators and, turning the clock back three decades, in 2022 the Home Office began publishing monthly league tables based on six service delivery performance indicators, some of which are accompanied by national targets (see police.uk).

Reflecting on these developments, de Maillard and Savage (2012, p.372) argue that 'Britain has developed the most elaborate framework of police performance management in Europe and one of the most elaborate frameworks of managerialism in the policing world'. It is thus unsurprising that the

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last two decades have seen a steady flow of policing scholarship on the dynamics of this regime. Key focal points in this scholarship include: the policy-making process (Collier 2006; Neyroud 2008); political relations and tensions between government institutions (the centre) and territorial forces and their communities (the local) (McLaughlin 2008; Perkins and Davies 2024); unintended consequences in the form of perverse incentive structures and unethical gaming (Loveday 2006; Patrick 2011); the idiosyncrasies of specific domains, such as domestic violence (Stanko 2008) and organized crime (Mackenzie and Hamilton-Smith 2011); comparisons with regimes in other countries (de Maillard and Savage 2012; de Maillard 2018); and, most importantly for present purposes, the extent to which this top-down performance management regime allows for the exercise of police discretion (Golding and Savage 2012; de Maillard and Savage 2018, 2022), about which more in the next section. While this scholarship has deepened our understanding of performance management in the UK policing landscape, gaps inevitably remain. The specific one concerning us here is the absence of analysis on how performance management takes shape within the context of public-private outsourcing arrangements in which the services being measured are delivered not by the police but rather a private sector company under contract with the police. This does not mean, however, that there is no scholarship whatsoever on public-private outsourcing—there is.

The story of how public-private outsourcing materialized across the UK policing landscape is a less-told one and, given that this phenomenon has emerged in pockets rather than as a product of a top-down nation-wide initiative, our knowledge remains patchy. Nevertheless, with regard to the delivery of frontline services specific to the police—as opposed to the delivery of generic backroom services such as payroll or capital infrastructure projects—it is possible to identify three distinct phases. First, in an effort to transfer more police officers to the streets and give police staff more career progression opportunities, the New Labour Government in the early-to-mid 2000s championed the use of civilians from the public and (crucially) private sector as custody detention officers through the Police Reform Act 2002 and 2004 *Building Communities, Beating Crime* White Paper (Skinns 2011; Hamerton and Hobbs 2023). This prompted a series of public-private custody outsourcing initiatives in Cheshire, Gloucestershire, Lancashire, Norfolk, South Wales, Staffordshire, and Sussex Police, most of which were delivered by G4S (Button et al. 2007; Gill 2015). Second, in response to sweeping post-financial crisis police budget cuts over 2010–5, numerous forces began to explore much larger multi-service area public-private outsourcing arrangements to make rapid financial savings. However, due to the combination of the G4S 2012 Olympics security debacle and the resulting politicization of police 'privatization' during the PCC elections later that year, only one such contract was signed—the Lincolnshire Police-G4S Strategic Partnership (White 2014, 2015). Third, with Lincolnshire Police's decision to end this contract in 2022 and to then re-outsource just one service area (custody) to Mitie, the public-private outsourcing topography has returned to something like its mid-2000s configuration, with a few forces running small-scale outsourcing projects (usually featuring custody) (White 2025).

Likely because of its rather piecemeal character, public-private outsourcing in the UK has generated less policing scholarship compared to performance management. Yet it still covers an array of issues including: the political conditions, stresses, and conflicts surrounding these developments (White 2015; Topping 2022); senior police officer perceptions of opportunities and challenges (Gill 2015; White 2025); the balance between public good and market logics in frontline service delivery (White 2014); comparisons between in-house and outsourced custody suites in relation to detainee experiences, partnership working, accountability, and workforce conditions (Skinns 2009, 2011; Dehaghani and White 2020); comparisons with outsourcing initiatives in other countries (Ayling and Grabosky 2006); and performance with regard to service levels, financial savings, and the realization of police officer time (Heath et al. 2009; Mawby et al. 2009)—though, importantly, performance here is measured according to criteria set by academic researchers rather than the *in situ* performance management regime. In fact, performance management is analysed not once in this scholarship, despite the fact that public-private outsourcing arrangements are almost always centred around finely tuned performance management regimes. Nor, significantly, is police discretion mentioned, even though the character of police agency transmutes within the context of such contract-based structures. This is the gap—which can be thought of as the overlap in a Venn diagram comprising the performance management, outsourcing and discretion literatures—attended to in this article. Before turning to the case study, however, it is necessary to discuss theory and method.

## Theory and method

While any questions concerning performance management within the context of public-private outsourcing break into new terrain given the lack of research in this area, this article poses a specific question on the balance between performance management and the exercise of police discretion. This is not only because the relationship between legal and administrative structures and police discretion represents one of the perennial debates in police scholarship more generally (see Goldstein 1960; Bittner 1967; Davis 1969) and a central thread of the performance management scholarship more specifically (see above) but also because it was the topic about which interviewees in the present study were perhaps most animated. At this juncture, then, it is instructive to cut a little deeper into this subfield to map out a theoretical framework for later empirical sections, with a particular emphasis on the work of de Maillard and Savage (2018, 2022). It is often observed how performance management in the UK policing landscape has been implemented from the top down, variously starting with the Home Secretary and/or PCC, before 'appearing as orders' further down the rank hierarchy (Hunton et al. 2009, p.195). This gives the impression that there is no space for police actors to exercise discretion within this regime—that their decision-making processes are tightly bound by objectives, indicators, targets, and so on. Through their

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ground-level, qualitative research on performance management in two English police forces, however, de Maillard and Savage (2018, 2022) uncover a different picture. They identify the exercise of police discretion within these structural constraints and trace its effects outwards into the surrounding institutional ecosystem, while simultaneously developing a series of theoretical propositions for interpreting this process, three of which are pertinent to the present study.

The first proposition is that police discretion is shaped by a distinctive structure-agency dialectic in which top-down performance management mechanisms constitute the structure and the autonomous decision-making capacity of police actors in relation to these mechanisms represents the agency (de Maillard and Savage 2018, p.329). This structure-agency relationship is not 'zero-sum' in which more structure equates to less agency and vice versa (de Maillard and Savage 2022, p.146). Rather police actors 'filter' performance management mechanisms into practice as orders flow down the rank hierarchy (de Maillard and Savage 2022, p.153). The second proposition is that police actor worldviews matter. In this respect, de Maillard and Savage (2022, p.319–320) single out two ideal types: 'believers' who 'see virtue' in performance management logic and 'sceptics' who are 'guarded' about this logic. While 'believers' are more likely to 'filter' performance management mechanisms in something resembling their intended form, 'sceptics' are more likely to reinterpret these mechanisms into compromises—though in reality worldviews are rarely this crystalized. The third proposition is that police discretion brings into effect different kinds of performance management regime. Again, de Maillard and Savage (2018, p.315–316) put forward two ideal types: 'traditional regimes' which 'prioritize quantitative performance indicators' and 'hitting targets' and 'advanced regimes' which see targets as 'means' not 'ends' and focus on 'solving the problems which differential performance levels expose' in a 'flexible' manner over the 'long term'. Once more, though, in practice, there is 'constant flux' and 'coexistence' between the two (de Maillard and Savage 2018, p.328). This article uses these propositions developed within traditional police settings to explore a contract-based performance management regime, in the process advancing two new concepts: contractual and non-contractual police discretion.

With these propositions in hand, it is time to discuss methods, turning first to case selection. As noted above, outsourcing has only ever existed in pockets across the UK policing landscape, meaning opportunities for empirical investigation are limited. Of those on offer, the Lincolnshire Police-G4S Strategic Partnership stands as by far the largest and most ambitious example and thus the prime case. It ran from April 2012 to March 2022 and comprised eighteen services areas, three of which are frontline functions specific to the police: operating custody suites and 'street-to-suite' transport services, staffing police station front counters, and handling 101 non-emergency and 999 emergency calls in the FCR. In this subset, 999 emergency call handling represents the richest area for investigation. Since the advent of police telephony (1937 in the UK), this function has come to serve as the 'boundary through which certain events selectively pass and become as it were encoded as "police relevant"' (Manning 1982, p.231). Furthermore, this boundary has become increasingly important against the backdrop of the post-2008 financial crisis politics of austerity, which have stripped back public welfare provision and channelled an ever more diverse array of calls for help into the FCR (Lumsden and Black 2018). Indeed, despite the widening selection of digital pathways through which the public can contact the police, the volume of 999 calls has been rising by 5 per cent per annum since 2014, now numbering over 10 million each year (National Police Chiefs' Council [NPCC] 2023, p.8). As such, the 999 function allows for the study of performance management, public-private outsourcing, and discretion at the heart of the police institution. As a final point, there is also a dearth policing scholarship on the FCR, chiefly because it is so hard to access, usually being housed behind locked doors in police force headquarters. Recent decades have seen just two studies in the UK (Stafford 2016; Lumsden and Black 2018; Black and Lumsden 2020), neither of which examine the subject matter under investigation here. This case therefore attends to a further gap in the literature.

**Table 1** Interviewee roles.

| | Second wave (September 2022–January 2023) | |
|---|---|---|
| **Organization** | **Role** | **Notation** |
| Lincolnshire Police | Chief constable | W2/LP/CC |
| | Senior police officer × 4 | W2/LP/SPO/1-4 |
| | Senior police staff × 6 | W2/LP/SPS/1-6 |
| | Frontline police staff × 2 | W2/LP/FPS/1-2 |
| G4S | Senior manager × 2 | W2/G4S/SM/1-2 |
| | Frontline staff × 2 | W2/G4S/FS/1-2 |

In terms of data collection, the article draws upon original qualitative data generated through semi-structured interviews with high-ranking Lincolnshire Police officers and staff —'management cops' in the parlance of Reuss-Ianni (1983)—and senior G4S managers. It also includes quantitative data extracted from publicly and non-publicly available sources. Interviews were conducted in two waves—fifteen between September 2013 and January 2014 and thirteen between September 2022 and January 2023—although the present study refers only to those in the second wave.[1] Table 1 lists the roles performed by these interviewees.[2] Roles are described in general terms to protect anonymity at the level of the individual, exempting the Chief Constable who waived this right.[3] Participants were selected through purposive sampling, with experience of working in or with the FCR a key criterion. While the sample size is relatively

[1]White (2025) uses both waves to explore the longer term rise and fall of the Strategic Partnership, with a specific focus on shifting articulations of police culture and the politics of austerity.

[2]There are slightly more roles than interviewees as some participants talked about their experiences from the perspective of two different roles.

[3]It would be preferable to anonymize the police force and company under examination. Unfortunately, however, this is not possible given the unique nature of the Strategic Partnership.

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small ($n = 13$), it is in proportion to the highly localized setting of the fieldwork. Following procedures agreed with the University of Sheffield ethics committee, I organized, conducted, audio-recorded, and transcribed verbatim all interviews myself, maintaining informed consent throughout. Interviews were conducted in person (nine), online (three), and by phone (one). Transcripts were initially coded for common themes. In relation to the FCR, the relationship between the local contract-based 999 performance management regime and police discretion stood out above all others. Through an iterative process of relating this initial coding to the above scholarship, a subsequent set of codes on this specific topic was generated. The resulting interview data were then contextualized with descriptive quantitative data from publicly available official sources (primarily HMIC and police.uk) and non-publicly available sources supplied by interviewees. While this approach has produced a robust set of findings, it is important to add a caveat. Not only were participants undoubtedly self-editing their experiences during interviews, but my analysis of the interview data necessarily included decisions which sieved these experiences even further (for instance, which theoretical propositions to use). What follows therefore is *an* interpretation of the 999 emergency call performance regime, not *the* definitive account.

## Contractual and non-contractual police discretion

The findings are presented in three parts. The first part sketches out the structure of the contract-based 999 performance management regime. The second part explores structurally enabled police agency within this regime, giving rise to the new concept of contractual police discretion. The third part examines structurally constrained police agency within this regime, leading to the new concept of non-contractual police discretion. These three parts together also tell the story of this regime, highlighting its key moments, successes, failures, and complexities.

### Structure: contract in context

In the aftermath of the 2008 financial crisis and public bailouts of key financial institutions, the Conservative-led Coalition came to power in May 2010 with a mandate to significantly decrease public spending. Soon afterwards, the Home Office announced an unprecedented 20 per cent cut in the central police budget over 2010/2011–2014/15, with two thirds of the reduction falling in the first two years (HMIC 2011a, p.10), prompting all police forces to explore fast-acting cost-saving solutions. Coming into this period of severe austerity, Lincolnshire Police—a relatively small force in organizational terms covering a large rural area on the eastern seaboard of England—was already extremely lean, running the lowest annual expenditure and lowest total workforce numbers per head of population in any force (HMIC 2013a, p.36 and p.153), making the task of removing £19.8 million per year from its £120 million annual budget a particularly challenging one (HMIC 2013b, p.3). In December 2010, the force and its Local Police Authority (LPA) accordingly set about preparing a business case for a major public-private outsourcing project as a way of realizing the required savings and over the subsequent year negotiated what became the Strategic Partnership with G4S (White 2014, p.1010). It was during this time that the 999 performance regime was put together and written into a 10-year contract, with the LPA serving as the contract holder. Importantly, though, this process did not unfold in a policy vacuum. As a senior police officer observes: 'for the FCR there are national performance indicators, like the 9s, answering them within a particular time, and that's set for every force. They were there before G4S, they were there during and they're there now' (W2/LP/SPO/3). Before profiling the local contract-based 999 performance regime, then, it is necessary to sketch out the national 999 performance regime in which it was assembled.

When the Home Office first enumerated its national policing objectives in the mid-1990s, objective 5 read 'to respond promptly to emergency calls from the public' and was linked to performance indicator 5i) 'the percentage of calls answered within the local target time' (HMIC 1996, p.72). The resulting target times varied from 5 to 20 seconds, with most forces in England and Wales (36/43) opting for somewhere in the 10–15 seconds range (HMIC 1996, p.72). HMIC then compared the year-on-year percentage of calls answered inside each force's target time, revealing performance issues for correction. This system continued more or less unchanged until 2005 when ACPO issued the first ever 'national call handling standard': to answer 90 per cent of 999 calls within 10 seconds (ACPO 2005). Yet, somewhat paradoxically given this new nation-wide initiative, the Home Office simultaneously deprioritized 'responding promptly to emergency calls from the public' in the Police Performance Assessment Framework rolled out that same year and HMIC paid this objective little attention over the next three years (HMIC 2007). In 2009, however, the Home Office re-elevated its status, casting ACPO's national call handling standard as one of the 10 mandatory 'policing pledges' against which each force in England and Wales was to be assessed for the remainder of New Labour's time in office (HMIC 2009). In the 2009/10 HMIC reporting period, Lincolnshire Police answered 91 per cent of 999 calls within 10 seconds, marginally exceeding this target and positioning it in the middle of its four 'most-similar' forces (Dyfed-Powys, Norfolk, North Wales and Suffolk) in the corresponding performance league table (HMIC 2011b, p.44).

Guided by this context, Lincolnshire Police, the LPA, and G4S constructed a local contract-based 999 performance regime which was compatible with the national 999 performance regime at the time. For instance, the objective and indicator pairing in the local regime was the same as that in the national regime, while the target was an ambitious but achievable version of ACPO's national call handling standard—'to answer 92 per cent of emergency calls within 10 seconds' (W2/LP/SPS/1). The one difference was the local accountability process, which reflected the distinctive contractual relationship between Lincolnshire Police, the LPA, and G4S. It comprised quantitative and qualitative components. On quantitative side, if the G4S 999 service level dropped below a 92 per cent monthly average, Lincolnshire Police and the LPA could apply a financial penalty; if the

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G4S 999 service level fell below a 90 per cent monthly average, Lincolnshire Police and the LPA could enact a significantly larger financial penalty; and, finally, for each consecutive month G4S performed below these targets, Lincolnshire Police and the LPA could add penalty multipliers. On the qualitative side, on each occasion G4S missed a monthly target, the company could submit an explanatory 'penalty report' to the Strategic Partnership Performance Board, where Lincolnshire Police and the LPA could rule on whether any mitigating circumstances were in play and, by extension, if the relevant penalty should be actioned (W2/LP/SPS/1). 'Of all the G4S contract areas', one senior police officer recalls, 'the FCR was probably the heaviest in terms of performance management and had some very strict KPIs to work to' (W2/LP/SPO/1).

When the contract went live on 1 April 2012, the FCR saw three main changes: the formal transfer of call handlers and dispatchers from Lincolnshire Police to G4S through a process called 'TUPE'[4] (the few FCR roles which required warranted powers remained in the hands of police officers); the implementation of a new line management structure which connected these frontline workers to the G4S corporate hierarchy; and the launch of the contract-based 999 performance management regime. Not long afterwards, however, the national context surrounding this regime underwent a significant transformation. Through the provisions of the Police Reform and Social Responsibility Act 2011, the first PCC elections took place in November 2012. Across the country, extensive performance management oversight powers were duly transferred from the Conservative Government to the newly elected PCCs who, so the localism-infused reasoning goes, were better positioned to develop force-level performance management regimes which reflect local priorities. However, in the eighteen services areas covered by the Strategic Partnership—including the 999 function—the newly elected Lincolnshire Police PCC held no such authority. The PCC simply replaced the LPA as the owner of a contract-based performance regime which was effectively locked in place until March 2022. Notwithstanding the Home Office's continuing interest in 'value for money' indicators (which included force expenditure per 999 call) and the later publication of monthly service delivery league tables (which include performance against the ACPO national call handling standard)—about which more on both in the next section—this was the structure of the local contract-based 999 performance management regime for the subsequent decade. The next two sections lift the lid on this regime, exploring the ground-level constitution of and interaction between its various moving parts, with an emphasis on the extent to which police actors were able to exercise discretion within this performance management structure.

[4]TUPE is the common abbreviation for the Transfer of Undertakings (Protection of Employment) Regulations 2006, which protect the rights of employees when their employer changes through, for instance, the sale or outsourcing of assets.

## Structurally enabled agency: contractual police discretion

During the lifespan of the Strategic Partnership, G4S hit the target of 'answering 92 per cent of emergency calls within 10 seconds' in 89 out of 120 months and missed it in the remaining 31 months (W2/LP/SPS/1). On each of these 31 occasions, the company had the opportunity to submit a penalty report to contextualize the failure in question, allowing the Performance Board to rule on whether to action the corresponding penalty. Strikingly, the Board elected to mete out this financial punishment in just one instance (W2/LP/SPS/1).[5] As a senior police staffer explains: 'if a standard wasn't met, we were less likely to seek to penalise, provided we'd gone through that process and nothing was taking us by surprise' (W2/LP/SPS/5). This disposition gives rise to perhaps the most interesting and important examples of police discretion within the contract-based 999 performance regime and therefore represents the focus on this section. Furthermore, and somewhat paradoxically, this disposition appears to have been informed by, on one side, a 'believer' worldview relating to the ability of metrics to deliver impressive 999 performance within a national context and, on the other side, a 'sceptic' worldview regarding the inability of these metrics to capture the complexity of public demand.

To begin with, the 89/120 month hit rate meant the force was, according to one senior police staffer, 'definitely better than average' in a national context (W2/LP/SPS/1) and, in the slightly more effusive words of one senior G4S manager, 'one of the smallest forces with one of the best answer rates' (W2/G4S/SM/1). For most of the Strategic Partnership, it is not actually possible to pinpoint exactly the force's relative standing on this indicator due to the absence of available national-level data. This is because from November 2012 onwards, performance management objective setting was left to individual PCCs and not all chose to make the 999 function a priority area (Black and Lumsden 2020, p.67). In 2022, however, the Home Office once more began systematically compiling nation-wide league tables on six performance indicators, one of which revolves around the national call handling standard (see police.uk). These league tables reveal that, in each of the last 5 months of the Strategic Partnership, Lincolnshire Police ranked between first and fifth out of the 43 territorial forces in England and Wales, even though in four of these months G4S fell short of the 92 per cent mark (see Fig. 1). Although this is a partial picture, it confirms the impression of top national performance on this indicator, regardless of contract-based miss rates.

Furthermore, Home Office 'value for money' indicators demonstrate that these 999 answering rates were accomplished at well below national average costs (see Fig. 2). This suggests that G4S were delivering these rates in a highly efficient manner, allowing Lincolnshire Police to reduce expenditure and the company to extract its anticipated 5 per cent profit margin, and seemingly making good on the NPM claim that market competition trumps state bureaucracy. This is only half true, however. As one senior police staffer

[5]I was not privy to the content of any penalty reports.

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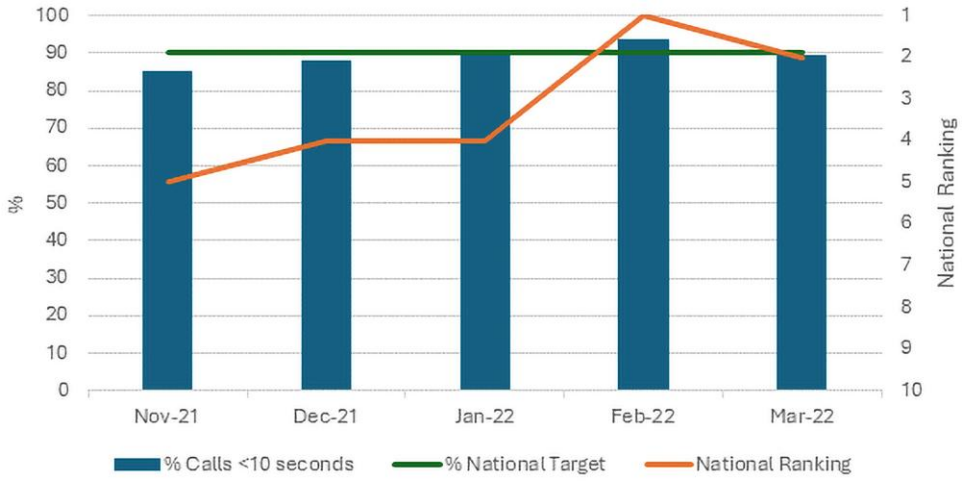


**Figure 1** 999 emergency call answering performance in the Strategic Partnership. *Own interpretation of police.uk performance data.*

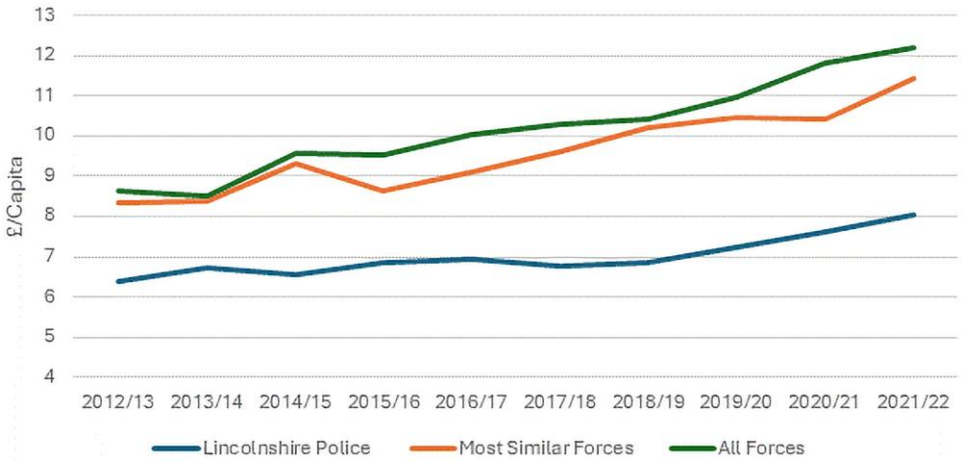


**Figure 2** Central Communications Unit (CCU) expenditure per capita (HMIC uses the CCU as a proxy for the 999 function. Data exclude the Metropolitan Police and City of London Police.). *Own interpretation of HMIC Value for Money Dashboard data.*

elucidates: 'the slice of the pie relating to the FCR wasn't right. From day one almost they [G4S] had to invest more people in the FCR than they were getting paid for by the force … But they recognised it as a critical area of business that couldn't fail so they invested' (W2/LP/SPS/4). One G4S manager relates this unforeseen resource allocation directly to the 999 call answering target: 'Not meeting the 999 KPI G4S could haemorrhage up to quarter of a million per month on penalties, to meet 92 per cent of 999s in 10 seconds. We had to overinvest to meet that' (W2/G4S/SM/1). In effect, then, Lincolnshire Police were using the 'heavy' contract-based 999 performance regime to squeeze comparatively high service delivery levels out of G4S at a discounted price. This approach, which chimes with a believer worldview in the virtues of performance metrics, constitutes one of the factors behind the tolerant attitudes of the Performance Board when it came to issuing financial penalties—they were already financially benefitting from this arrangement.

At the same time, however, the Performance Board displayed healthy scepticism about the ability of these metrics to capture the complexity of public demand. This is evident in the way interviewees talk about the more person-oriented performance management of the 999 call handlers. One senior police staffer, for instance, comments how: 'when somebody was in trouble in Lincolnshire, the first person they would talk to is somebody from G4S every time. I always used to say to them [G4S call handlers], you are our first line of public safety. It's not someone from Lincs Police, it's you guys' (W2/LP/SPS/5). One G4S manager contextualizes this thin-blue-line occupational mindset within the performance regime accountability process: 'I always told my people, never mind the KPIs [key performance indicators], provide a good service, and if we do that the KPIs will look after themselves. And if they don't, we'll have mitigation because we're trying to do the right thing' (W2/G4S/SM/1). Perhaps the most extreme example of 'public safety' serving as 'mitigation for doing the right thing' manifested during the early weeks of the COVID-19 pandemic. Against the backdrop of this national crisis, one senior police staffer recollects how:

> The force said we're going to supress all KPI measures because at the moment it's all bets off. We don't know what

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> impact this is going to have on demand, on resourcing, jobs. G4S still reported in the same way from a performance perspective, but the fine element was turned off for a period of time'. (We/LP/SPS/3)

It seems, in other words, as though the Performance Board were acutely aware of the potential for misalignment between the open-ended nature of public exigencies and the tightly defined system of performance metrics and the prioritization of the former over the latter featured prominently in their calculations over whether to impose financial penalties on G4S for missed targets.

Taking a step back, police actors were seemingly able to filter the contract-based performance management structure into a distinctive set of everyday practices, drawing upon a combination of believer and sceptic worldviews, and giving rise to a complex performance management regime comprising both 'traditional' characteristics (applying metrics on their own terms) and 'advanced' characteristics (contextualizing metrics to facilitate flexible problem-solving). This structurally enabled agency is here termed 'contractual police discretion'. The emphasis here on the role of contract is important, not just for capturing the economic character of the above dynamics, but also because it facilitates comparison with the binary formulation of 'non-contractual police discretion'—a much harder-to-negotiate proposition which is examined in the next section.

## Structurally constrained agency: non-contractual police discretion

Lincolnshire Police officer and staffer attempts to shape the contract-based 999 performance management regime in line with their worldviews were not confined to the Performance Board. Of particular interest here are those occasions when they sought to implement changes which required a renegotiation of the contract. These are important because they bring into frame different dimensions of police discretion, specifically its constraints and ultimate reach. The following example concerning an initiative to better cope with public demand on the 999 function illustrates the constraints. To quote one senior police officer at length:

> You get a lot of calls into the FCR saying 'oh, such and such has disrespected me'. All the kind of low-level stuff. So what I decided was, when we get that call in, if we let the caller know who their local PCSO [police community support officer] is, next time they call in they won't go to the control room, they'll go direct to the PCSO. We sat down and worked out it would probably take 10 seconds to say 'oh and your local beat manager is, here's his number, next time you want to call in with something that isn't an emergency, call him'. That's an investment to save. I'm saying if over a period of time we invest 10 seconds over a certain number of calls, you can save those calls coming in next time, which will make you more efficient and easier to achieve your target. Does that make sense? So I'm thinking I'm making you a big saver here. But I couldn't land it because I was told [by G4S] that 'we can't afford to spend 10 more seconds on a telephone call'. That to me makes no sense. If I'm in charge of the control room, I say, 'I'm doing that because I think that's a great idea'. But in this circumstance, because the call takers were managed by a third party [G4S], under different pressures, they [G4S] took the position that we can't afford to take that risk. Because it would add 10 seconds to every call there's a risk we [G4S] might miss our targets. That's a really simple example where money comes before the needs of the community. (W2/LP/SPO/2)

Breaking this example down, the officer is displaying a sceptical worldview in recognizing that while it is possible to process 'low-level' 999 calls in accordance with contractually agreed performance management procedures and targets, doing so simply perpetuates an underlying issue relating to mounting public demand on 999 call handling capacity. The officer sought to address this problem with a proposal (sharing the local PCSO's telephone number) which might compromise G4S's contract-based performance targets in the short term but would in theory facilitate a superior long-term outcome (reduced demand on the 999 function by redirecting future 'low-level' calls to the relevant PCSO)—an approach reflective of a more advanced performance management regime. However, G4S used its authority over the call takers to block the proposal precisely because of the 'risk' to these targets—an approach more in line with a traditional performance management regime where hitting targets is regarded as an end in itself and which the officer in question dismissed as 'money coming before the needs of the community'. This is just one instance in which police actors proposed changes in the FCR but, in the words of one senior police staffer, 'were told by G4S that "it's not in the contract, we're hitting the performance, we're delivering what we all signed up to"' (W2/LP/SPS/1). In these examples, the contract-based 999 performance management structure is constraining police attempts to exercise what is here termed non-contractual police discretion.

However, police actors seeking to exercise non-contractual discretion were by no means powerless in the face of these structural constraints. They had (at least) two options. The first option was to alter the terms of the contract—to make non-contractual police discretion contractual. With regard to the above proposal and those in a similar vein, this was the route offered by G4S, as one senior police officer describes: 'with G4S it became increasingly like … in all our performance indicators we're doing what you asked us to do, and we're not changing from that unless you go through the change process' (W2/LP/SPO/1). The same officer continues: 'From a commercial point of view, I can understand why, because what are they in business for? Lincolnshire Police exist to serve our public. G4S exist to, if you boil it down, they're a commercial company, they're there to make money' (W2/LP/SPO/1). However, the cost-conscious force was generally reluctant to proceed with such non-essential 'change processes' in the FCR, as one senior G4S manager remarks, 'the force didn't want to get into a conversation about uplifted call-taker numbers, for instance, because that would've come at quite a big cost' (W2/G4S/SM/2). For the most part, the force re-opened the contract only in response to top-down national initiatives such as the introduction of the 'Threat, Harm, Risk,

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Investigation, Vulnerable, Engagement' (THRIVE) call handling risk assessment model or essential operational adjustments such as those brought about by COVID-19 pandemic (W2/LP/SPS/3). Making non-contractual police discretion contractual was an option but a difficult one to realize other than in exceptional circumstances.

The second option was to withdraw from the contract altogether—to render the structural constraints surrounding non-contractual police discretion an irrelevance. Unlike the first, this option could only be pursued at a particular point in time (the 10-year contract renewal) and could not be isolated to the 999 performance regime (it was contract-wide or nothing). Yet, despite these hurdles, this was the path eventually taken. On 10 November 2020, the PCC announced via press release that the Strategic Partnership would be terminated on 31 March 2022 (the earliest opportunity), for the overriding reason that doing so would allow the force to be more 'fleet of foot in how we deploy staff and develop services' within the context of rapid societal transformation.[6] While re-outsourcing specific services areas from 1 April 2022 onwards remained a possibility, and was indeed the fate of custody provision, the 999 function was brought back in-house. One senior police officer explains the logic at play:

> The rationale for the FCR ultimately was, it's our contact management centre, it's the first place the public have contact with us usually, we've tried the route of allowing someone else to do it on our behalf, and we keep on going back to wanting more or wanting change and finding it difficult to do so, so instead of moaning and groaning about it, let's take it back. So now we can change things without going through change programmes, we don't have to look at contracts so much, we can just do the changes we need to … It fundamentally comes down to control. If we haven't got the control to do what we want, when we want, we're always going to be working with one hand tied behind our back. We felt with the FCR that was a very strong argument for bringing it back in. (W2/LP/SPO/1)

By removing the structural constraints surrounding non-contractual police discretion, police actors have essentially modified (or renationalized) their institutional environment such that they are now able to 'just do changes' without the need 'to look at contracts'. Within the context of police outsourcing in a free market economy, this is the ultimate act of police discretion—the right to exit the contract. Post-contract, then, police actors have regained what they regard as 'control' over the FCR and the 999 function—although the situation is perhaps better described as reclaiming the right to exercise a 'standard' amount discretion within a PCC-determined local 999 performance regime which is in turn embedded within a national 999 performance regime. Constraints still exist, just no longer contractual ones.

[6]At the time of writing, the Lincolnshire Police and Crime Commissioner press release archive only goes back to January 2021, so there is no longer an available link to the full statement. That said, the quoted sections of the statement are still available through online media archives (see, for example, Jacques (2020)).

## Conclusion

This study on the exercise of discretion among 'management cops' within a contract-based 999 performance management regime offers many new contributions to extant scholarship on performance management, outsourcing, and discretion. To begin with, there is an air of familiarity to the exercise of this discretion, not only through the influence of objectives and indicators derived from the prevailing national 999 performance regime but also in the endeavours of police actors to filter these artefacts through a mixture of believer and sceptic worldviews into a hybrid traditional-advanced regime. There are, in other words, notable commonalities between police discretion in outsourced and non-outsourced performance regimes. This makes sense given that outsourced regimes still feature police actors delivering police functions—outsourcing does not change this fundamental publicness. At the same time, however, there are novel aspects to the exercise of this discretion, especially regarding how police agency is structurally enabled and constrained by the contract. On one side, the distinctive performance management accountability processes served as potent contractual tools through which police actors were able to turn performance metrics up and down according to the matter in hand (e.g. facilitating service delivery or accommodating public need). This dynamic leads to the new concept of contractual police discretion. On the other side, the less flexible elements of the contract such as staffing numbers written into the service delivery model had the effect of constraining police agency, leaving police actors with little option other than to renegotiate the contours of the contract or withdraw from the contract altogether if they wished to alter the constitution of these elements—the path eventually taken. This dynamic leads to the new concept of non-contractual discretion. There are, then, significant differences between police discretion in outsourced and non-outsourced performance regimes. Again, this makes sense given that public-private outsourcing brings market actors and structures into the equation—it injects privateness into the heart of the police service delivery. As is so often the case in the increasingly pluralized multi-sectoral policing landscape, publicness and privateness blur into one another. It is also crucial to emphasize that while the case study giving rise to these observations is an extreme one—representing one of the most far-reaching articulations of NPM in the UK policing landscape—the concepts of contractual and non-contractual police discretion are not tethered to this empirical setting. They are generalizable by design and can be employed to map out new terrain in policing scholarship on performance management, outsourcing, and discretion and cognate subfields in relation to the UK and beyond.

Finally, the analysis also offers new insights in terms of the successes and failures of the Strategic Partnership. In the first instance, performance data illustrates how outsourcing the 999 function can realize savings without compromising service delivery levels. Given the dire financial situation facing Lincolnshire Police as it entered into the Strategic Partnership, this upside should not be understated. It is important to note, however, that these savings did not necessarily originate from the superior business acumen of the private sector (as NPM ideology might have it) so much as a service

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delivery model skewed in favour of Lincolnshire Police. Indeed, when G4S submitted its ultimately rejected bid for a 5-year extension to the original contract, FCR running costs were much greater. As such, it is unlikely that this favourable settlement would be replicated in the future now the market understands its financial implications. Another positive was the flexible accountability process written into the contract which allowed the Performance Board to turn performance metrics up and down according to situational requirements. Given the complex and open-ended nature of frontline policing, such adaptability was clearly central to the balance and sustainability of the performance management regime over the 10-year period. Yet once again it is essential to add a caveat—the contract was still not flexible enough for the police actors in the study, many of whom viewed it as an obstacle to meeting public need in a fast changing world. Indeed, this perceived rigidity was the official reason behind the decision to end the Strategic Partnership in the FCR and the majority of other service areas at the earliest opportunity. In sum, then, public-private outsourcing represents something of a trade-off—while a well-negotiated contract may be able to realize savings without compromising service delivery levels, it will likely result in a loss of police discretion, which in an organization characterized by its ability to deal with undefined and unpredictable public exigencies with immediate effect is a high price to pay … perhaps too high.

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None declared.

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