

Agenda Item 06

JOINT AUDIT COMMITTEE

30th March 2017

HMIC UPDATE

1. PURPOSE OF REPORT

- 1.1 To provide members of the Committee with oversight of HMIC recommendations.

2. BACKGROUND

- 2.1 Work is underway in preparation for HMIC's Spring Inspection of the force under the PEEL process (Police Efficiency, Effectiveness Legitimacy & Leadership). This is HMIC's twice-yearly visit to all forces and West Midlands Police will be visited between 22 and 25 May.
- 2.2 The Spring Inspection will examine Efficiency and Legitimacy with an additional focus on how Leadership influences these areas.
- 2.3 HMIC will also be visiting the force in March and April to conduct an inspection of our Crime Data Integrity. This inspection will involve an audit of crime reports and fieldwork, with the findings being shared with the force during a debrief in the first week of May.
- 2.4 Work has continued on the new recommendations tracker and this has now been taken into use. It has so far proved to be more effective and easy to use than its predecessor. HMIC are developing a Recommendations Register that will detail all recommendations held by forces and will be accessible by police forces, PCC's and the public in different forms.
- 2.5 Inspections completed since the previous committee
- 2.6 HMIC have been active in the force since the committee last met. There have been the following inspections of West Midlands Police:
- Counter Terrorism Command & Control
- 2.7 Inspectors were in force between 13 and 15 December, and a hot debrief was conducted with the force at the conclusion of the inspection. Due to the sensitive nature of the subject matter, no report or recommendations will be published.

Custody

- 2.8 There has been an unannounced joint inspection of Custody within the force, led by Her Majesty's Inspectorate of Prisons, working with HMIC and the Care Quality Commission. Inspectors were in force between 6 and 9 February and a hot debrief was held on 10 February. A draft report is expected in force during April, with the final report being published in the summer.

Disclosure

- 2.9 West Midlands Police were selected for a joint inspection of disclosure in criminal cases by HMIC and the Crown Prosecution Service Inspectorate, which was carried out between 20 and 23 February. A report will be forthcoming in due course but the anticipated date of this is not known at the current time.

Modern Slavery & Human Trafficking

- 2.10 This inspection took place between 27 February and 1 March. A hot debrief took place on the afternoon of the final day. This inspection came from the then Home Secretary's commission to HMIC to inspect the response of all police forces to the Modern Slavery Act (2015). There will be a report forthcoming but the anticipated date for this is not yet known.
- 2.11 Inspection reports received since the previous committee
- 2.12 Since the last meeting of the committee, HMIC have published the report of their national inspection of Effectiveness as part of the PEEL process. This inspection took place in October 2016.
- 2.13 The force was one of 28 forces nationally who received an overall grading of 'good'. The force was inspected against four areas: crime prevention; investigation; vulnerability and serious & organised crime. These were graded 'good' individually, with the exception of vulnerability, which was assessed as 'requires improvement'.
- 2.14 There are 2 recommendations from this report for the force. These concern the force's approach to risk assessment in cases of domestic abuse, and also the force's handling of reports of missing children. These are detailed below:
- 2.15 The force's response to domestic abuse is a cause of concern to HMIC. The force policy which allows an officer discretion to complete a DASH risk assessment in some crimes and incidents does not provide confidence that risk is always assessed appropriately. This is an enduring cause of concern from HMIC's report on vulnerability in 2015 and is one of the recommendations from HMIC's report on its domestic abuse inspection in 2014 that still needs to be implemented. In cases where a DASH risk assessment is not completed the officer should record an assessment on the crime management system. HMIC found that officers are not consistently completing a DASH in circumstances where force policy requires that they should do so. This means that some victims of domestic abuse who may be at risk of harm are not being appropriately risk-assessed.
- 2.16 Recommendation
- To address this cause of concern, HMIC recommends the force should immediately take steps to ensure that:
- there is effective supervision of the initial risk assessment process, specifically in relation to the completion of DASH risk assessment in appropriate cases.
- 2.17 The force's response to missing and absent children is a cause of concern to HMIC. HMIC found that the assessment of risk for children who go missing from home was inappropriate in some cases. We found some instances where children were classed as 'absent' when they

should have been recorded as 'missing', and risk levels for missing children were sometimes incorrectly assessed at a lower grade. We also found incidents where the risk had not been identified, even where good information was available on the police database. In some cases there was information to indicate that children were at risk of sexual exploitation, but this did not influence the assigned risk and categorisation. Children were incorrectly graded at a lower level and could have been exposed to an increased risk of harm. This is an enduring cause of concern from HMIC's report on vulnerability in 2015.

2.18 Recommendations

To address this cause of concern the force should immediately review its approach to reports of missing children and take steps to ensure that:

- call takers understand and use the missing and absent category appropriately;
- call takers and frontline staff have the necessary knowledge to identify risk factors associated with child sexual exploitation and how to respond to such cases; and
- supervisors provide the correct oversight of missing person enquiries and direct appropriate and timely investigative and safeguarding action.

2.19 Outstanding recommendations currently assessed as Red

2.20 There are currently no recommendations graded as Red

2.21 Overview of the four reports for review

PEEL Efficiency

2.22 The last PEEL Efficiency report was published in November 2016. The force was inspected against the following questions:

2.23 How well does the force understand its current and likely future demand?

2.24 How well does the force use its resources to manage current demand?

2.25 How well is the force planning for demand in the future?

2.26 These contributed to answering the overall question, which was:

2.27 How efficient is the force at keeping people safe and reducing crime?

2.28 HMIC rated the force as 'outstanding' in relation to this report and there were no recommendations coming from it. Preparation is now underway for this year's Efficiency Inspection which will take place in May.

Crime (PEEL)

2.29 This report was published on 27 November 2014 and there were 2 recommendations for the force.

2.30 West Midlands Police should review the provision of information to partners regarding anti-social behaviour and whether their approach should be more proactive. Dependent upon the findings of the review, by March 2015 the force should commence the implementation of a plan to improve the sharing of information.

2.31 Following the restructuring of WMP Force Intelligence through the WMP2020 programme, a team was established within the Strategy and Direction Unit with responsibility for partnership arrangements and data sharing. Two Partnership Intelligence Liaison Officers were established within this team specifically to manage the relationships and requisite data sharing arrangements that enable improved partnership working.

- 2.32 The team are also in the process of establishing an ethics committee with independent advisors so that complex data sharing arrangements can be considered before any commitments to data sharing are finalised. The intention was to adopt an approach of 'just because we can, doesn't mean we should,' when it comes to ethical data sharing.
- 2.33 HMIC made comment on this area of business during the 2016 Effectiveness inspection as follows:
- 2.34 "HMIC found that the force is consistently working in collaboration with local public service organisations. A broad range of arrangements for working with other public and private sector organisations is in place throughout the force area. The force routinely shares data and other information with other public services and this supports joint prioritisation. For example a two-way flow of information with a range of organisations supports the troubled families programme. Data sharing is enhanced through shared arrangements for agreeing priorities, plans and decisions, such as those in place for the business district in Wolverhampton."
- 2.35 West Midlands were graded as good in this area with no further recommendations.
- 2.36 West Midlands Police should review the resourcing and process for prioritising the examination of telecommunication and computer equipment seized as part of criminal investigations. Dependent upon the findings of the review, by March 2015 the force should commence the implementation of a plan to improve the prioritisation and timeliness of these examinations.
- 2.37 Again, HMIC looked again at this area of business during other inspections, namely the National Child Protection Inspection Revisit in 2015 and PEEL Effectiveness 2016 and this cause for concern had been eradicated:-
- 2.38 "The force encourages officers to consider the recovery of digital evidence as part of investigative strategies. During our 2015 child protection re-inspection of West Midlands Police, HMIC recommended that the force takes steps to eradicate the backlog which was present at that time in the high-tech crime unit (HTCU).
- 2.39 This recommendation is being progressed by the head of forensics and is governed through the force's vulnerability improvement board. To help with effective management of demand, the force grades and prioritises HTCU submissions using a threat, harm and risk matrix. This prioritisation procedure is supported by early discussions with investigating officers, and in some cases, e-forensic officers accompany investigation teams to crime scenes and on the execution of warrants. This enables an early triage process to take place, and e-forensic officers can give advice about appropriate seizures and examinations of digital equipment.
- 2.40 Priority cases, such as those where live abuse of adults or children is suspected are immediately escalated and allocated to an officer to be examined on that day. The force is working hard to manage the increasing demand for examination of computers and has eradicated the backlog we found in 2015. At the time of our inspection, we found that the force had only 47 computers awaiting examination. Although the force aims for a maximum turnaround time of 150 days to produce evidential reports in these cases, it is consistently achieving a much faster turnaround than this. Most computers are being examined within 65 days.
- 2.41 To improve further its management of this caseload, the force has temporarily outsourced some cases at a cost of £44k and is trying to fill several vacancies which exist in the HTCU. Turnaround times of 35 days for examination of mobile phones have been achieved through recent temporary outsourcing, costing £14k. In less complex cases, investigators can request simple downloads from devices such as mobile phones by completing a simple submission

document. The force has 30 trained digital media examiners and turnaround time for these less complex examinations is within four weeks.

- 2.42 The force acknowledges that it does not currently have sufficient cyber-investigation capacity. As well as seeking to fill immediate vacancies, the force is planning for increases as part of its 2020 change programme. However the force is working effectively to manage the increased demand for HTCU examinations and it is giving effective and timely support to investigations.”

Core Business

- 2.43 This was a national inspection into crime prevention, police attendance and the use of police time that was carried out by HMIC, the report being published in September 2014. There were 39 recommendations made to all police forces that have been recorded on our tracker. There are no recommendations that refer only to WMP.
- 2.44 For West Midlands Police, 33 of these are currently graded green and 6 are amber, all of which have an allocated owner. This was a wide-ranging inspection and many of the recommendations are being addressed by WMP through the WMP 2020 project with its fundamental focus on how the force conducts its business.

Undercover Policing

- 2.45 This national report was published in October 2014 and there are 23 recommendations relating to all forces recorded on the tracker. There are no recommendations that relate only to WMP.
- 2.46 Of these, 22 are green and one is amber. The amber recommendation is:
- 2.47 “Chief constables and the heads of law enforcement agencies should enforce a consistent and fair reintegration strategy to enable undercover officers to return to other policing or agency duties.”
- 2.48 The response from the WMP Lead is that a confirmed tenure policy has been ratified by the National Undercover Working Group. This recommendation is awaiting that confirmation so a national SOP can be produced. Due consideration and a risk assessment informs where a UCO should be reintegrated; to where and how. WMP has a local SOP that covers this.

3. RECOMMENDATIONS

- 3.1 The Committee to note the contents of the report.

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BACKGROUND DOCUMENTS

HMIC report and Recommendations tracker