

Agenda Item 6

**JOINT AUDIT COMMITTEE**

**28 June 2018**

**HMICFRS UPDATE**

**1. PURPOSE OF REPORT**

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

**2. BACKGROUND**

Since the last Committee the force has submitted its Force Management Statement (FMS) in line with the new requirements under the Integrated PEEL Assessment (IPA). It is understood that HMICFRS will be reviewing all FMS over the summer with a view to feeding back to forces in terms of best practice in autumn 2018.

WMP have been notified that we will be inspected as part of the first tranche of IPA and the fieldwork will take place from 12<sup>th</sup> November for a maximum of two weeks. The aspects of IPA that will be inspected will be determined by HMICFRS using a risk model taking into account previous grading's, progress on recommendations and contextual information provided by the Force Liaison Lead. Key questions to be inspected should be communicated to the Force in August 2018.

For some time HMICFRS have been developing a recommendations register which has now been shared with forces to allow them to check factual accuracy and to test the system. It is currently anticipated that access will be broadened to include OPCCs, Home Office and College of Policing by August with a very limited public view being accessible by mid-September. To note, not all recommendations will be held on the register, recommendations

from joint inspections which are not HMICFRS led and those for national bodies such as the College of Policing or the National Police Chiefs Council (NPCC) will not appear.

Supported by the recommendations register, the new process of monitoring forces has yet to be confirmed although it is expected that this will be introduced shortly. It is anticipated that monitoring decisions will be taken three times a year, in line with the three tranches of inspection and that the recommendations register, along with the requirement to submit data twice a year will enable this.

### **Inspections completed since the last meeting**

HMICFRS conducted fieldwork for a thematic inspection of Fraud on the 1<sup>st</sup> and 2<sup>nd</sup> May 2018. WMP were selected to be one of eleven forces subject to fieldwork, along with a number of Regional Organised Crime Units (ROCU) and the National Crime Agency (NCA). The inspection is seeking to assess whether there is a suitable strategy in place for tackling fraud, whether organisational structures provide the necessary capability and capacity to prevent fraud and whether the police service across England and Wales provides a consistently high-quality response to fraud. It is anticipated that the report will be published in autumn.

In preparation for the IPA in November HMICFRS were in force to conduct crime file and grievance file reviews. The new risk based approach to IPA requires a number of insight visits that are currently being arranged including neighbourhood policing, Serious Organised Crime and Force Contact.

### **Inspection reports received since the last meeting**

#### **PEEL Police Effectiveness 2017 – a National overview**

This was published on 22<sup>nd</sup> March 2018. The report contained three all force's recommendations and a recommendation for the College of Policing.

The three recommendations for force's to progress are:

**By October 2018, all forces should review their own approach to neighbourhood policing to check whether the service they provide to local communities meets these guidelines. As soon as possible, they should make any changes they need to implement the guidelines.**

This recommendation is owned by ACC Local Policing with CI Jason Anderson is the tactical lead. The review of neighbourhood policing is due to report back to Local Policing Governance Board in September with a view to developing an action plan if necessary by October 2018.

**By September 2018, all forces with a shortage in qualified detectives and/or other investigators should develop an action plan. The plan should set out in detail what the force will do to address the shortage in the short, medium and long term. It should be**

**in line with the national plan to develop investigative capacity and capability that all chief constables in England and Wales have agreed.**

**This plan should draw on the information in the force management statement about:**

- **the investigative demand the force expects to face in the next four years; and**
- **how the force will change and improve the condition, capacity, capability, serviceability, performance and security of supply of its workforce and other assets to cope with that demand.**

**To make sure the plans are consistent, the National Police Chiefs' Council lead on investigative resilience has agreed to provide advice on the areas each plan should cover by April 2018.**

This recommendation is owned by the ACC Crime with DCS Mark Payne as tactical lead and is managed through the Detective Strategy Board. The force already has a plan in place to address detective resilience through the detective academy and work is well progressed in this area.

**By September 2018, all forces should review how they are implementing changes to pre-charge police bail, working with the National Police Chiefs' Council lead.**

**The review should include an assessment of how far vulnerable people are being affected by these changes.**

**As soon as possible, forces should then put into effect any necessary changes to make sure they are using bail effectively, and in particular that vulnerable victims get the protection that bail conditions can give them.**

This recommendation is owned by the ACC Crime with Supt Paul Minor as tactical lead. West Midlands Police was part of the pilot of changes to pre-charge bail which allowed for a good understanding of the impact that the changes would have. An implementation plan was put in place in 2015 and the use of bail is regularly scrutinised through Crime Governance Board.

### **Out-of-court disposal work in Youth Offending Teams**

This report was published in May. This was a joint inspection lead by HM Inspectorate of Probation. The report contained five recommendations for Chief Constables as follows:

**Make sure that the requirements of youth conditional cautions are meaningful to children, and describe the desired outcomes and how these will be achieved.**

**Make sure that all victims have a fully informed and effective opportunity to have their views heard, and to receive an appropriate restorative intervention.**

**Make sure that children understand the implications of receiving an out-of-court disposal before they are asked to accept it.**

**Make sure that referrals to YOTs are sufficiently timely to meet the needs of victims for speedy justice and achieve the objectives of out-of-court disposals; and make the YOT aware of all community resolutions given by the police.**

**Make sure that they have clear and consistently applied policies for the gathering of fingerprints and other biometric information in youth caution and conditional caution cases.**

Although these are new recommendations, work already undertaken by the force on the use of out of court disposals goes some way in addressing them. These recommendations are currently being reviewed by the FET lead and tactical lead to ensure all aspects are addressed.

### **State of Policing Report**

On 12<sup>th</sup> June HMICFRS published the State of Policing report for 2018. It provides an overview of all of the inspections that have taken place. There are no recommendations within the report.

### **Outstanding recommendations currently graded Red**

There are no recommendations currently graded as red.

### **Overview of reports for review**

#### **PEEL Effectiveness 2015 & 2016**

Peel Effectiveness concentrates on five key questions. It looks at how well the force prevents crime, investigates crime, and manages vulnerability, deals with serious and organised crime and how the force manages its specialist capabilities. Four of the areas are graded, the specialist capabilities is ungraded and an overall grade is given.

Key question	2015	2016
Preventing crime and tackling anti-social behaviour	Good	Good
Investigating crime and reducing re-offending	Good	Good
Protecting vulnerable people	Requires Improvement	Requires Improvement
Tackling serious and organised crime	Good	Good
Specialist capabilities	Ungraded	Ungraded
Overall Grading	Good	Good

## **Preventing crime and tackling anti-social behaviour (ASB)**

In both reports HMICFRS found WMP to be good in this area. In 2015 they highlighted an area for improvement (AFI) relating to understanding 'what works' in relation to preventing crime and tackling ASB and in 2016 they highlighted a further AFI in relation to having a structured consistent approach to problem solving.

In terms of understanding 'what works' the force have invested in a dedicated Inspector and Academic Researcher working within Intelligence. Their role is to manage the research portfolio of WMP along with understanding what research is taking place elsewhere and what areas of proven effective practice could be replicated in WMP.

Regarding problem solving within neighbourhoods the force has invested and continues to invest in additional training for officers and staff. Training as been delivered on adverse childhood experiences, ASB, partnership working and referrals, and offender management. More recently Mutual Gain have delivered training to develop community engagement and enhance our ability to garner the support of the community in helping to solve problems and build social capital within neighbourhoods. It forms part of the objectives for Local Commanders to engage in long-term problem solving and is detailed within their local plans and will be monitored through Local Policing Governance Board and their Quarterly Performance Reviews.

## **Investigating crime and reducing re-offending**

Again in both reports WMP were found to be good in this area. In 2015 HMICFRS highlighted an AFI relating to ensuring that all available evidence is collected at scenes. This was built into the service catalogue of Force Response, Contact and Investigations within the WMP2020 model. This has set the expectation around primary investigation and this is monitored through regular meetings between the key departments to understand and address any issues that may be highlighted.

In 2016 HMICFRS highlighted an AFI relating to the management of registered sex offenders (RSOs). The AFI consisted of three areas, the first being to improve the approach to reducing the risk posed by RSOs, the second being to review the workloads of sex offender managers and the third being to ensure that sex offender manager supervisors have sufficient capacity to review risk assessments in a timely manner. In response to the AFI the force refocused attention on case management ratios for registered sex offenders (RSOs) through its restructure within Integrated Offender Management, incorporating Sex Offender Managers into locally accountable and delivered Local Offender Management Units (LOMUs) on each of its NPUs. Each LOMU has identified the challenges from high RSO case management and in turn have locally determined that any developing vacancies in LOMU strength are not abstracted from their SOMs numbers.

Secondly, WMP has fully embraced opportunities to reduce active management numbers, through appropriately considered s.91 applications and reactive management in line with national protocols. WMP have since employed police staff reactive management offender managers to oversee the monitoring of lower tier risk RSOs away from community SOMs.

LOMUs have also incorporated the investigations for order and registration non-compliance away from SOMs to others (incl. non SOM offender managers). This mature approach aims

to keep SOMs focusing on managing risk through case intervention and proactive visit regimes, rather than custody handling for technical breaches that almost exclusively result in minor disposals and cautions.

Finally, a central 'in custody' SOMs team (managed within Central IOM) supports LOMUs in the management of RSOs in the secure estate. This enables LOMU based SOMs to focus on the management of RSOs within communities.

### **Protecting vulnerable people**

This is the area which in both reports the Force was graded as requires improvement. In both reports the causes for concern were in two areas. The first was domestic abuse and the supervision of the DASH risk assessment form and the second was the force response to absent and missing children.

The cause for concern and subsequent recommendations relating to domestic abuse and the supervision of the DASH form stemmed from a historic decision to give officers a small amount of discretion in completing the DASH risk assessment. The policy only gave discretion to officers in very particular circumstances and the concern raised by HMICFRS was that there was not adequate supervision of that process.

At this time the force was also participating in a pilot with the College of Policing of a new DASH form and therefore did not want to make significant changes to the DASH policy until the outcome of the pilot was known. The Force executive did however as for additional audit work to be undertaken regarding DASH compliance. In July 2017 the Force executive made the decision that all DA incidents will be subject to the DASH risk assessment and a task and finish group was established to understand how this could be implemented with the least amount of disruption.

In October 2017 the completion of the DASH assessment became mandatory at all DA incidents and a mobility app followed shortly after in November to allow officers to complete the assessment via their mobile devices. Since that time compliance is being monitored and issues such as the injured party refusing to answer the questions have been worked through with further guidance being issued to officers. PPU are working closely with Force Response SLT to ensure that any issues are identified and addressed swiftly.

In relation to the enduring cause for concern and subsequent recommendation relating to absent and missing children, specifically the understanding of call takers to appropriately categorise and identify the risk, and provision of appropriate oversight by supervisors the force has implemented a number of changes.

A 'Missing' page on MiPatch has evolved from the academic research completed with Birmingham and Liverpool Universities to focus all WMP staff on reducing the risk of threat and demand.

The evaluation from Universities informed the Force Executive Team decision to roll out a dedicated Locate team to 3 geographical hubs. This was completed on 3rd July 2017 and now sits under Force CID for consistency and professionalism.

A process is in place within WMP that shows the journey of a missing person with task descriptors to show who has ownership at different stages. Locate have ownership once the

missing person is on the COMPACT system and appropriate Sgt to Sgt handover has been completed. Sergeants now manage the cases and set investigative strategies with faster handovers to Locate to reduce the risk of harm.

MiPatch shows the journey of WMP to reduce absent records in line with the national picture. Call handlers are now asking the 12 questions at the front end to allocate resource to missing enquiries instead of delays with response supervisors making this decision.

Locate are developing an intervention and prevention plan to ensure safe and well checks and return to home interviews fill in the intelligence gap. Single Enterprise Views will sit on CORVUS (WMP tasking and briefing system) with Locate/Public Protection Unit/Offender Management and Neighbourhood Policing Unit ownership with trigger plans set for frequent or vulnerable missing persons (following problematic pathways) sat at the front end of the process.

A regional policy to include better shared risk assessments at point of call and greater case file management by partners to reduce the risk of harm is being developed with relevant external partners. These include social care (Children's services) and commissioned services who deal with return to home interviews. This will link in with Locate's intervention and prevention offer to ensure multi agency data sharing feeds into a proportionate trigger plan to reduce the risk of harm of missing children.

CSE training has also been delivered to all front line staff to improve awareness.

Whilst this was highlighted in both the 2015 and 2016 reports HMICFRS have recognised the work that has been undertaken and although this has also been picked up in the 2017 report it is now an AFI as opposed to a cause for concern.

In 2016 a further AFI was highlighted regarding the quality of investigations relating to vulnerable people, the workload of specialist investigators and the supervision of these investigations. The force has recognised the issues highlighted and this is factored into the 'New Ways of Investigating' change programme. It also features in the Detective Academy to ensure that specialist investigators and supervisors have the correct skills. Since this AFI was highlighted feedback from HMICFRS is that the quality of specialist investigations is good and workloads appear more manageable. The AFI did not feature in the 2017 report.

### **Tackling serious and organised crime (SOC)**

Both reports highlighted that WMP are graded as good in this area. In 2015 HMICFRS highlighted an AFI relating to the completion of a SOC profile, increasing the knowledge of neighbourhood officers of SOC, utilising the full range of intelligence available and understanding the impact of disruptions. In 2016 this AFI evolved into an AFI relating to the timely mapping of organised crime groups (OCGs) and the use of 4P plans.

In response to both AFIs the force now has a force wide SOC profile supported by local SOC profiles for each of the NPUs drawing on police and partnership data, including HMRC and private industry to ensure a full picture. Mapping of OCGs has been applied more rigorously and as a result more OCGs have been identified. Lead responsible Officers based on NPUs have 4P plans in place for all OCGs in their area with the exception of Birmingham due to the number of OCGs being managed. However Birmingham does have an overarching 4P

plan to deal with all SOC activity. Scrutiny of all of these plans is managed centrally through monthly one-to-one meeting with the chair of the LRO subgroup of the SOC Board. Through the 4P plans the impact of disruption activity is monitored and understood and effective practice is shared between all LROs at the subgroup meeting. In the 2017 inspection the Force maintained its good grading in this area.

### **Specialist Capabilities**

As previously stated this section of the report is ungraded however it is important to note that the narrative provided in this section in both reports was positive.

### **Online and on the edge: real risks in a virtual world**

This is a national thematic report that was published in 2015 relating to online child sexual exploitation. The report made 12 recommendations for forces and 1 to a national body. The recommendations were largely for forces to review their structures, processes and resources to ensure that they are fit for purpose. The recommendations contained within the report are as follows:

**We recommend that, within six months, forces ensure relevant officers have access to social media applications to facilitate initial enquiries about a child's online activity as a means of supporting and prioritising the early stages of investigations.**

**We recommend, that within nine months, forces review the management of online child exploitation investigations with a view to identifying wider safeguarding opportunities, and implementing any changes of practice that are necessary.**

**We recommend, that within nine months, forces review the management and supervision of online child sexual exploitation investigations to ensure that time delays are reduced and that safeguarding measures are identified, prioritised and dealt with in a timely fashion, and in the best interests of the child.**

**We recommend that, within three months, forces review tenure policies and succession planning in order to maintain and improve staff well-being.**

**We recommend that, within six months, chief constables ensure that those staff involved in online child sexual exploitation investigations have a positive working environment and are properly supported through effective supervisory support and welfare management**

**We recommend that, within nine months, forces ensure that those who are involved in, and supervise, online child sexual exploitation investigations are able to access relevant information as and when required, maximising the use of current and planned IT systems.**

**We recommend, that within three months, forces ensure that decisions to use out of court disposals in relation to online child sexual exploitation are systematically scrutinised with a view to improving practice and minimising the opportunities for the inappropriate administration of alternatives to criminal proceedings at court.**



**We recommend, that within six months, forces review existing processes for categorising risk in order to ensure that risks to children are being assessed effectively and appropriate measures taken to prevent and reduce offending.**

**We recommend, that within six months, forces review their approach to online child sexual exploitation with a view to:**

**ensuring problem profiles use an evidence-based methodology to establish the nature and scale of offending;**

**making better use of research to improve understanding of risks and to identify desirable outcomes for children.**

**We recommend, that within six months, forces review their methods for allocating online child sexual exploitation investigations, taking account of the seriousness and complexity of each case and the skills and the experience of the investigating staff.**

**We recommend, that within 12 months, forces, working with the national policing lead, consider ways to ensure that a good practice regime is introduced, supervised and monitored in forces so that children are protected.**

**We recommend, that within six months, forces consider and implement ways to improve communications with children by making better use of social media channels, so that children are better able to protect themselves online.**

In response to the recommendations work was undertaken to review the Force's capability to manage this threat. In 2016 the review showed that West Midlands Police has a specialist Online Child Sexual Exploitation Team (OCSET) that sit within the Force Public Protection Unit (PPU), who currently deal with all Online CSE referrals. Within the team are two dedicated intelligence officers, both of whom are open source trained and routinely interrogate social media as part of both the initial risk assessment and on-going investigation. This includes perpetrators and any potential victim(s) that are identified. In addition to this, the PPU has also recruited dedicated Digital Media Investigator's that sit within the wider Child Abuse Investigation Teams (CAIT) who are also open source trained.

All of the Detective Sergeants within the OCSET teams are child abuse trained and are proficient in safeguarding legislation. All of the trained Detective Constables are scheduled to attend a SCAIDP course, but in house safeguarding training has been delivered by the DS's and covers LADO (Local Authority Dedicated Officers) and POT (Position of Trust) processes. The OCSET team have a very strong relationship with the Local Authority Designated Officers.

All referrals that are received are subject to a KIRAT risk assessment (including high risk cases generated by the CPSys system) and this is an on-going process throughout the life of an investigation. All high risk referrals are prioritised by the OCSET team. Any safeguarding issues that are identified are immediately referred into the relevant Local Authority Multi Agency Safeguarding Hub (MASH) and where necessary safeguarding concerns always take primacy over any criminal investigation. All perpetrator bail is reviewed by a supervisor – the first review is completed by a DS and the second and any subsequent reviews are completed by the OCSET DI. This review not only focuses on the proportionality of re-bailing but also revisits any safeguarding measures that are on-going or identified at that point.

There are two co-located dedicated e-forensic investigator's that regularly attend target addresses and complete a triage of digital devices at the scene. This is done to maximise

investigative opportunities and to reduce the amount of digital devices that are seized and submitted for subsequent e-forensic examinations. Streamlined Forensic Reports (SFR'S) are now routinely produced at an early stage in an investigation again reducing the longevity of an investigation.

West Midlands Police have increased the OCSET establishment to meet an increasing demand and to respond to CPSys referrals. All staff have now been provided with personal issue laptops and there has also been a growth in the OCSET workspace. OCSET staff are now subject to clinical supervision. There is a dedicated CAID room within the OCSET estate and the CPSys system is now live.

Any consideration for an out of court disposal must be reviewed and signed off by the Detective Inspector and this is mainly considered where the perpetrator is a child and there is a minimal number of low level images recovered. Any out of court disposal in these circumstances will be considered in conjunction with appropriate referrals to teams such as the Sexually Harmful Behaviour Team.

### **3. RECOMMENDATIONS**

The Committee to note the contents of the report.

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<b>BACKGROUND DOCUMENTS</b>
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