

Agenda Item 06

JOINT AUDIT COMMITTEE

25 March 2021

HMICFRS UPDATE

1. PURPOSE OF REPORT

To provide members of the Committee with oversight of the HMICFRS inspection reports since the last meeting and forthcoming inspections within West Midlands Police.

2. BACKGROUND

PEEL stands for the police effectiveness, efficiency and legitimacy programme. The effectiveness of a force is assessed in relation to how it carries out its responsibilities including cutting crime, protecting the vulnerable, tackling anti-social behaviours and dealing with emergencies and other calls for service. Force efficiency is assessed in relation to how it provides value for money whilst legitimacy is assessed in relation to whether the force operates fairly, ethically and within the law. In addition to PEEL inspections, HMICFRS also undertakes more detailed inspections of specific subjects or services known as thematic inspections.

Inspections completed since the last meeting

Due to Covid-19 restrictions, inspections are currently conducted remotely. In view of this, interviews are undertaken via online platforms. A 'whole force' approach has been adopted to prepare the requisite data for HMICFRS and there has been significant engagement with the HMICFRS Inspectors. Inspections aim to provide constructive understanding of the force and recognition of innovative best practice.

Since the last report there have been three inspections that have taken place under the PEEL timetable. HMICFRS will highlight good practice, identify areas for improvement and make national recommendations when they report on the full inspection later in the year.

1. PEEL Inspection of West Midlands Armed Policing was conducted during the week commencing 8 March 2021. HMICFRS assessed the portfolio and sought to identify how good the force is at protecting communities against armed threats with attention to areas including:

- How the force has consistent, rigorous and reliable systems in place to evaluate operational performance and make operational improvements.
- Whether operational plans help the force to respond effectively to threats requiring an armed response.
- How the force works productively with neighbouring forces to share resources, build the capacity and reduce the cost of armed policing.

2. PEEL Inspection of West Midlands Police Serious & Organised Crime was conducted during the week commencing 8 March 2021. This sought to identify how good the force is at disrupting serious and organised crime.

The assessment included:

- How well the force uses all available intelligence to identify, understand and prioritise serious and organised crime and inform effective decision making.
- How the force prevents people from engaging or re-engaging in organised crime.

3. PEEL Inspection of West Midlands Police Management of Serious Offenders and Violent Offenders. The inspection held from the week commencing 25 February 2021 reviewed and assessed the management of offenders and suspects through a series of questions including:

- How effective is the force in apprehending and managing suspects and offenders to protect the public from harm?
- Does the force understand its demand levels and have the resources it needs to manage suspects and offenders effectively?

HMICFRS are being provided further documentation to complete this inspection.

Inspection reports published since the last meeting

The following inspection reports have been published by HMICFRS since the last committee meeting:

1. National Inspection of Disproportionate use of police powers – A spotlight on stop and search and the use of force was published on 26 February 2021.

The report considered:

- How well forces equip their officers and staff to interact effectively and fairly with the public, and how well forces learn from reviewing the body-worn video footage of those interactions.
- Disproportionality in the way force is used on people.
- Disproportionality in the way stop and search powers are exercised.

The national findings concluded that eight national recommendations be implemented throughout forces. HMICFRS challenged police forces to analyse their data and either explain, with evidence, the reasons for disproportionality in stop and search and use of force, or take clear action to address it. The report called upon police leaders to consider whether focusing stop and search on tackling drug possession is an effective use of these powers. The recommendations have been recorded in the Security portfolio held by ACC Matt Ward for review and action.

West Midlands Police was noted for innovative practice, its use of body worn video debriefing, involvement of community members in training and awareness sessions and surveying participants in stop and searches to promote in force learning.

2. Thematic Inspection Policing Protests – Getting the balance right? An inspection of how effectively the police deal with protests.

The report was published on 11 March 2021 and considered:

- Protests as an important part of our vibrant and tolerant democracy.
- The right to gather and express views under human rights law.
- The questions for the police and wider society to consider about how much disruption is tolerable, and how to deal with protesters who break the law.
- How to achieve a fair balance between individual rights and the general interests of the community.

The report findings concluded that nationally, there were areas for improvement and recommendations of which five were directed to forces. The themes requiring further force consideration included clarity of governance structures, use of facial recognition technology, command allocation and rationale, improved community impact assessments, improved use of intelligence and debriefing.

These are accompanied by five initial proposed changes to legislation to support forces. The changes proposed:

- To widen the powers of the police in regards to assemblies.
- To match existing powers on processions.
- To lower the fault element for offences breaching the conditions with a procession or assembly.
- To replace the common law offence of public nuisance with a new statutory offence.
- To widen the range of circumstances in which police can impose conditions on protests.

The recommendations and areas for improvement have been added to the WMP recommendations action tracker held by ACC Chris Todd who will allocate and monitor progress through the relevant portfolio leads.

West Midlands Police was identified for good practice in its communications strategy, staff association involvement to enhance the force understanding of the impact of the police response to protest, including the potential long-term impact on community cohesion. Also, the use of a social media app to link members of key individual networks with the relevant Bronze commander during a protest to help the force understand the impact of police decisions.

3. **The Annual Value for Money Dashboard** was published on 12 March 2021. The publication and accompanying web tool provides comparative data on a wide range of policing activities for each police force in England and Wales. Value for money profiles can help forces make better decisions by identifying areas where improvements can be made in cost and performance. The publication contains:

- How much forces spend on different policing activities;
- How crime levels compare across forces, as well as what outcomes forces achieve; and
- Workforce costs, broken down by role, rank and gender.

HMICFRS has confirmed that the West Midlands Police PEEL inspection will take place between the 14 June and 10 July 2021. The PEEL inspection is the HMICFRS programme which draws together evidence from its annual all-force inspections and is conducted approximately every two years. The evidence is used to assess the effectiveness, efficiency and legitimacy of the police. These assessments were introduced so that the public will be able to judge the performance of their force and policing as a whole.

Information on the inspection reports can be found on the HMICFRS Website:

<https://www.justiceinspectorates.gov.uk/hmicfrs/>

The Committee is asked to note the contents of the report.

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BACKGROUND DOCUMENTS