



Agenda Item 06

**JOINT AUDIT COMMITTEE
29 September 2022**

RISK MANAGEMENT UPDATE

1. PURPOSE OF REPORT

- 1.1. To provide members of the committee with oversight of the risk registers for the Chief Constable and the Police and Crime Commissioner. The report also provides an update on developments in the organisational risk processes of the force.

2. BACKGROUND

- 2.1. Since the last Committee, the new Strategy, Delivery & Assurance department has gone live which sees more dedicated resource allocated to risk identification, management and mitigation.
- 2.2. This additional resource will lead to more detailed reporting and management of risk in both force and departmental governance boards.
- 2.3. As always, we continue to monitor the external environment to ensure we are able to capture any material risks that could impact the force's risk profile.

3. WEST MIDLANDS POLICE – RISK MANAGEMENT

- 3.1. As the Strategy, Delivery & Assurance department continues to embed risk management processes in WMP, a summary of our forward plan and activities undertaken over the last quarter are listed below:
- 3.2. Strategy, Delivery & Assurance department has developed an action plan to address the recommendations made in the Internal Audit report on the force's Risk Management approach, and work continues to ensure the recommendations are implemented within the agreed timescales.
- 3.3. The risk management policy document has been through the internal consultation process and a final version has been produced. We are awaiting a final check by the new Senior Risk Manager to ensure the policy encompasses future developments for the department.

- 3.4. The review to bring together capabilities from the Strategy and Direction and Business Transformation teams, including risk management, organisational learning and assurance is currently in the selection and appointments phase. A number of positions have been recruited into and either have the staff already in post or we are awaiting their scheduled start dates. The remaining vacant posts have been advertised and are currently in a selection process. We will continue to update JAC on the prioritisation and progress of relevant capability developments and improvement actions at future meetings.
- 3.5. Since the last committee, the force's corporate risk register has been reviewed to ensure there is the appropriate definition, mitigation, leadership and scrutiny for each risk.
- 3.6. Residual Risk Profiles have on the whole remained static with the residual risk scores remaining unchanged. We have seen an increase in Gross Risk Scores for one risk and reduction in another.

INCREASED RISK SCORING

- 3.7. **FINANCIAL MANAGEMENT (CRR/10)**
There is a risk that WMP's finances are not sustainable over the medium term and/or efficiency savings required may adversely impact the operational services. Whilst the police grant has increased for 22/23 to fund increase in officer numbers, there are still unfunded inflationary pressures. There is also a risk that as mandated/national initiatives develop (e.g. ESMCP, National Enabling Programme), the actual costs for delivery far exceed the estimated costs within the affordability envelope.
- 3.8. The risk has been escalated to critical status in the short term due to an increase in both the impact and probability scores (Evaluation (Gross Risk Score)). We are currently showing a very significant gap for both the current and next financial year at present. This is linked to pay awards and inflationary pressures.
- 3.9. We will aim to reduce the risk score as plans develop. The Director of Commercial Services has briefed Force Executive Team on current planning assumptions for the medium term and the funding gap currently identified. Initial conversations have been held around options for closing the gap and further work is ongoing. It will be a regular agenda item within FET whilst plans are worked through and finalised.

REDUCED RISK SCORES

- 3.10. **CORPORATE HEALTH SAFETY & WELLBEING**
There may be an increase in employee related mental health and wellbeing issues which impacts WMP's ability to deliver and recover operational services during the pandemic and post pandemic environment.
- 3.11. We have enhanced our approach to trauma risk identification and management (TRIM), with the introduction of the emergency services trauma intervention programme (ESTIP) on a pilot basis as well as efficient signposting to support, conversations being held regarding wellbeing and referrals to Occupational Health/TRiM process.
- 3.12. With regards to COVID, there are risk assessment processes and line management guidance in place to ensure the effective management of COVID within the workplace. PPE remains available for colleagues to utilise based on personal choice/responsibility, including the provision of lateral flow tests for symptomatic colleagues in operational roles.

NEW RISKS

- 3.13. There have been no new risks added to the Corporate Risk Register this quarter.

CRITICAL RISK(S) UPDATE

- 3.14. One critical risk remains on the corporate risk register, the residual risk score for has remained unchanged over the last quarter.
- 3.15. **PROBATION DATA SHARING & DISCLOSURE (CRR20)**
There is a risk that the Force does not have the appropriate oversight and a centralised process to deal with and record the information requests made by the Parole Board.
- 3.16. Information Management (IM) have designed and introduced a process to professionally share intelligence with our partners.
- 3.17. Nationally, a representative from IM has been involved in consultation with NPCC to develop a Memorandum of Understanding (MOU) to define the specific reasons and means of sharing personal data between the Parole Board and Police Forces of England & Wales. This is in the final stages of consultation before a six-month trial, at which point this risk should start to reduce. Once the MOU is released it will be published to the force, and embedded into practice which should reduce the risk to an acceptable level.
- 3.18. An audit by the WMOPCC is due to be completed imminently of our processes and disclosures. We will follow any advice or recommendations made as a result of the review. Implementation of the recommendations will likely reduce the level of risk.
- 3.19. Control and review of this risk will be monitored closely and if the MOU and audit do not have the desired impact or are not timely, alternative mitigations will be considered.

RISK(S) UPDATE

- 3.20. Update information is provided for the risks listed below:
- 3.21. **JTAI CONNECT (CRR23)**
From the Joint Targeted Area Inspection (JTAI) report published in February, inspectors raised a concern in relation to the data held within the Connect system. This was specifically in relation to multiple and/or incomplete records held against the same person. There is a risk that incomplete records within Connect could lead to at risk individuals not being linked and identified in a timely manner against individuals who could pose a risk to them.
- 3.22. This risk is monitored on a monthly basis with visibility and scrutiny at various governance forums.
- 3.23. A number of mitigations have been implemented summarised below, a copy of the full update report is available:
- Additional posts have been created in the Records Management Team, responsible for merging of duplicate records and related data quality issues.
 - Using further automated merging of duplicate records with CONNECT, reducing the volumes requiring manual intervention by the Records Management team.
 - Utilising two document proforma's within PPU, which automatically collate previous crime and intelligence history for the people and locations involved in safeguarding decisions.
 - An internal data quality communication campaign titled 'Think before you link' to encourage all CONNECT users to consider the implications of poor linking and the need to link children has begun.

- 3.24. The two proposed technical changes to the system have not yet been implemented. Both changes have been costed by NEC, approved by WMP and budget allocated (total £120,000). The next step is to enter into contract with NEC and agree a delivery timeframe:
- A new mandatory child safeguarding question set during domestic and child abuse investigation recording.
 - Undertake a bulk match & merge (de-duplication) process of ~200,000 duplicates identified via the WMP Data Lab.
- 3.25. Three further challenges to the remediation plan have emerged:
- New linking tool included in the updated version of CONNECT CGL2 – the version implementation timeline has now moved from spring'23 to June'23 at the earliest
 - Further Back Record Conversion (BRC2) work has added an additional ~100,000 duplicate Person records. More BRC activity is planned which may increase the number of duplicates further.
 - The uplift in posts of the Records Management team has coincided with several existing staff retiring and one long term sickness absence. It is anticipated that the team will be up to full strength and capability by December 2022.
- 3.26. CYBERSECURITY (CRR13)
Failure of the Force's IT&D systems (due to cyber-attack, hardware failure, loss of IT systems via IT services provider or other data security breaches) will lead to severe disruption to service delivery and response.
- 3.27. Mitigating actions remain largely unchanged this quarter, however, the risk remains constant and consistent.
- 3.28. For the period of operation for the CWG, IT&D engaged the National Monitoring Centre (NMC) operated by PDS (Police Digital Service) to provide Enhanced Monitoring. This Enhanced Monitoring was provided and allowed for some real-world operational test of our Cyber Response.
- 3.29. The events in Ukraine have heightened the possibility of malicious attacks on the force's IT systems, as cyber-attacks remain a critical component of the Russian campaign. IT&D follow recommendations received by the NMC (National Monitoring Centre) operated by PDS (Police Digital Service) to ensure any emerging threats or intelligence is noted and action completed accordingly (often involved blocking malicious IP addresses on our firewall security perimeter). Along with the blocking non-UK inbound internet traffic (in-place since Jan 22') this has provided a solid security foundation for WMP.
- 3.30. The positive/proactive position IT&D/WMP is currently operating for Cyber is good, albeit there are no specific actions that will remove/fully mitigate this risk it will remain a continual risk.
- 3.31. CORE SKILLS RESILIENCE & TRAINING (CRR/18)
There has been a decline in the percentage numbers and resilience of Police Officers trained in core skills. This affects areas such as Personal Safety Training, Driver Training, Public Order Skills and Taser. There has also been an increased number of course cancellations and failed attendances at courses.
- 3.32. Work to mitigate risk continues and this is scrutinised weekly (via SPOCs) and monthly (via DCC Performance Panel).
- 3.33. As a result of the additional scrutiny in place and ownership from other departments, attendance levels have slightly improved and continue to show a positive trajectory. Meetings with Strategy Direction & Assurance have taken place to progress Qlik Data availability to support this continued improvement.

- 3.34. Major Force Deployments of CWG and Operation Pelkin will inevitably have a negative impact due to trainers and students being redeployed however, careful planning and measures have been put in place to minimise the impact as much as possible.
- 3.35. Progress is slower than required. This risk will subject of a deep dive and recommendations will be made that a force wide action plan will be created to speed up compliance for mandatory training.
- 3.36. Results of the deep dive will be reported on in the next Joint Audit Committee.
- 3.37. ORGANISATIONAL LEARNING (CRR17)
There is a risk that WMP lacks the oversight required to analyse strategic, cross cutting and/ or operational organisational learning to ensure risks and opportunities are managed and evaluated in showing learning and ideas have a route to action including integration into operational practice.
- 3.38. We have continued to recruit into the new departmental structure and have appointed an Organisational Learning Manager who will commence post September 2022 and an Organisational Learning Support Officer already in post.
- 3.39. Work on an organisational learning package by a Business Analyst has begun, (copy is available) which will provide an as is and to be position as well as design an organisational learning framework.
- 3.40. The new assurance framework is beginning to be developed which will incorporate the organisational learning (OL) process and framework. We will also be looking to create a new system to capture, share and track organisational learning in force.
- 3.41. It is still envisaged that the Committee will see a reduction in the risk profile by the end of the calendar year.
- 3.42. OPERATIONAL TRAINING AND EMBEDDED LEARNING (CRR/03)
There is a risk that Operational Officers fail to adopt the national Joint Operating Principles introduced to WMP in December 2020 in a timely manner. Insufficient access to training venues and JESIP trainers amongst the tri-service and could lead to a delay in re-accreditation of the JESIP Commanders and upskilling new staff.
- 3.43. A total 2791 staff and officers have been trained in the Operation PLATO classroom input as of 07/04/2022. Additional Inputs are planned up to and after the commonwealth games. A train the trainer programme is underway but support is still required from the ORU to manage quality and training records. The speed of delivery has slowed with the ORU requirement to support other exercises and Major Incident Topics. Work is ongoing with L&D to formally accredit the ORU PLATO classroom training product so it can be placed on officer and staff training records. Compliance is monitored through the Non-Specialist Responder Working Group.
- 3.44. ORU are currently performing all of the JESIP course delivery, management and accreditation since December 2021 due to a loss of trainers in L&D. Delivery of command courses is currently undertaken by two roles in the ORU in addition to their FTE which is currently not sustainable. Funding and roles are required for additional trainers to meet the expected demand for 2022/3/4.
- 3.45. It is possible that the demand list for formal JESIP command training will expand following the publication of the Manchester Arena Inquiry. The system that the force has in place will need to be able to accommodate this.

CLOSED RISK(S)

- 3.46. **CONNECT LEGACY/BRC DATA/DATA MIGRATION (CRR/04)**
Data migration into CONNECT could lead to loss of relevant information transferring over from legacy systems into CONNECT. Data loss/gaps could lead to the Force being unable to accurately access historic audit data.
- 3.47. The BRC data load and the manual migration of a small number of records are now complete. Risk has been closed on the CRR.

RISK(S) DUE FOR CLOSURE

- 3.48. **POLICE CADET LEADERS – SAFEGUARDING (CRR/16)**
There is a risk that WMP Police Cadets policies, procedures and process fail to comply with the National Safety and Safeguarding guidelines (UKYSSF).
- 3.49. We are working with national VPC to establish the safer spaces framework. Compliance has increased to 95% completing mandatory safeguarding training. Safer Recruitment process remains at 100% compliant. We are consistently reviewing policies in relation to safety and safeguarding.
- 3.50. The risk will be taken to Cadet Governance Board (22nd September) and CiP Thematic Board (17th October) to seek approval to close the risk from the CRR and manage at Portfolio Level.
- 3.51. **MUTUAL AID – CWG 2022 RESOURCING (CRR12)**
There is a risk that significant resources abstractions (police officers and staff) will be required from operational business and duties during the operational period of the Commonwealth Games.
- 3.52. Commonwealth Games have now concluded, officer and staff abstraction will no longer be required and can return to BAU. Military deployment worked well and Contingency Venue Assistance Force enacted to mitigate Private Contractor Security shortfall.
- 3.53. Mutual Aid was agreed not to be deployed to and WMP BaU operations or incidents.
- 3.54. A formal debrief is scheduled September-October to identify key learning.
- 3.55. **CANNABIS DISPOSAL STORAGE CAPACITY (CRR21)**
There is a risk that WMP is unable to seize and recover cannabis found appropriately. Inappropriate audit process raises the risk of being unable to provide an accurate record of what has been seized and stored.
- 3.56. Extensive work has been completed between Shared Services, Corporate Asset Management and Operations Cannabis Disposal Team (CDT) to implement:
- A clearer communication structure,
 - A prioritised, planned and regular collection cycle
 - An upgrade in disposal capacity at Smethwick
- 3.57. There has been a marked and sustained improvement in collections from local NPU-based stores and essentially ensures that cannabis is collected and moved to the central disposal store within 24hrs of a NPU store nearing capacity. It has also reduced the risk of theft of seized cannabis and reduced complaints/health and safety incident reports.
- 3.58. This process improvement has meant that no further investment has been required in additional or expanded storage facilities at NPU locations

- 3.59. We have conducted a thorough review of DP processes, individual bags of cannabis handled by CDT can now be recorded and tracked on the DP system and confirmed as disposed of, removing any risk of cannabis going missing or unaccounted for in the collection process.
- 3.60. Following the Gold group meeting on 18/08/22, it was agreed by all stakeholders to reduce residual risk scores to 'Green' status. It has been recommended to remove this risk from the CRR and monitor at portfolio level.
- 3.61. S22 GOVERNANCE (CRR15)
ROCU - There is a risk that if the current model was altered and assets seized were distributed across the region e.g. as per the current funding formula WMP OPCC would stand to lose 47% of current ARIS funding
CT - There is a risk that WMP will see their budget reduced by more than the actual cost of Special Branch.
- 3.62. ROCU – WMPCC has written to regional PCCs outlining the position and the funding formula will not be changed.
- 3.63. CT - The decision was taken by Ministers to approve Option 2. All funding and the MoU has now been approved which has no impact on the current CTU funding. Regionally we have a finance group that will review expenditure across the whole region to ensure we are in line with the budget.
- 3.64. NON-COMPLIANCE WITH CPIA BIOMETRIC DATA RETENTION LEGISLATION (CRR22)
There is a risk that WMP may not be fully compliant with the CPIA legislation. There is a risk that a new audit by the Biometric Commissioners Office could highlight weaknesses in WMP's management of the retention and disposal of biometric data.
- 3.65. A working group has been set up and the terms of reference is being finalised. The group aims to bring together key stakeholders to develop a procedure to ensure a compliant and ethical biometric data storage process.
- 3.66. The group will work to implement Biometric Commissioner's recommendations made as a result of findings from a recent national report.
- 3.67. Following discussions at the June Crime Governance Board (CGB) last quarter, it was highlighted that due to the mitigating actions now in place, this risk can now be managed at Portfolio level. Risk will be put for closure during Quarter 3.

4. POLICE AND CRIME COMMISSIONER – RISK MANAGEMENT

Methodology

- 4.1 The Committee is aware the PCC's risk register is based on the risks associated with the functions of the PCC and the risks of delivering the police and crime plan which are topical risks.

Risks – the Functions of the PCC

- 4.2 The table below details the risks to the West Midlands Police and Crime Commissioner relating to the functions of the PCC.

PCC Function	WMPCC Risks
Secure an efficient and effective police force for their area	Arrangements in place do not secure an efficient and effective police force for the West Midlands
Appoint the Chief Constable, hold them to account for running the force, and if necessary dismiss them	The PCC does not hold West Midlands Police to account effectively
Set the police and crime objectives for their area through a police and crime plan	The priorities and actions of the Police and Crime Plan are not delivered
Set the force budget and determine the precept	The resources of the PCC are not sufficient to deliver the police and crime plan and for West Midlands Police to operate
Contribute to the national and international policing capabilities set out by the Home Secretary	West Midlands Police does not contribute to national and international policing capabilities
Bring together community safety and criminal justice partners, to make sure local priorities are joined up	Lack of effective partnerships

Topical Risks

- 4.3 The topical risks relating to the delivery of police and crime plan have been determined through the construction of the OPCC delivery plan. The delivery plan details all the actions required to deliver the PCC's police and crime plan that was finalised in October 2021. The current number of actions in the delivery plan is 322 and the Senior Management Team with the OPCC have RAG rated each action. The number of actions that fall within each RAG classification at September 2022 are detailed in the table below with a definition of the RAG rating. Since June 2022 there has been movement in the RAG status of actions with a reduction in actions with a status of RED, increase in amber and a slight decrease in greens.

Delivery Plan RAG Classification – Sept 2022

RAG Status of Action	Definition	Number June	Number September
Green	On target to be delivered	194	193
Amber	Activities underway additional line manager support required	102	111
Red	Significantly behind on delivery targets and/or additional support required from the Senior Management Team	26	18

- 4.4 The topical risks included in the risk register are the themes from all those actions that are currently classified as red in the delivery plan.

OPCC Risk Register

- 4.5 The risk register included in the attached appendix details the risks of the OPCC based on the above methodology. The scoring of risks is based on the Impact and Likelihood as set out in the table below.

Impact	VERY HIGH (V)	5	10	15	20	25
	HIGH (H)	4	8	12	16	20
	MEDIUM (M)	3	6	9	12	15
	LOW (L)	2	4	6	8	10
	NEGLIGIBLE	1	2	3	4	5
	IMPACT / LIKELIHOOD	VERY RARE	UNLIKELY	POSSIBLE	LIKELY	VERY LIKELY
Likelihood						

- 4.6 It is important to note that the topical risks from the police and crime plan have not been scored.

Commentary on Risks

- 4.7 Each section of the police and crime plan is supported by a number of measures that will be monitored through the Commissioner's term in office. This will be through regular performance reporting to the Strategic, Policing and Crime Board and other governance arrangements. These include PCC and Chief Constable meetings where performance of the Force is discussed on monthly basis. Where there are performance concerns there are deep dives to understand the issues. Recently deep dives have included areas such as the performance of Force Contact, vehicle offences, theft and crime levels across other crime types.
- 4.8 The next performance report to the Strategic Policing and Crime Board will be in October 2022 and will be included in the papers for this committee in December 2022. The committee is aware the performance report provides an overview of performance against the National Crime and Policing Measures in a format used as West Midlands Police's (WMP) official statement on performance and activities undertaken. This statement is published along with a statement from the Police and Crime Commissioner as well as a Police and Crime Plan Key Performance Indicator (KPI) scorecard for measures where data is available.
- 4.9 A reason for the mitigated scores in the PCC's risk register being relatively high is the current position of West Midlands Police in terms of performance measures that are in the police and crime plan.
- 4.10 The level of risk associated with the level of resources to support police and crime prevention has seen an increase this reporting being. It is scored high due to the level of demand across WMP and the PCC's overall funding position. The reason for the increase in the risk score is due to significant cost inflation that is impacting on WMP's budget. This is across pay, energy, fuel and general inflation. This has created financial pressure in the current financial year and in future years. Work is being undertaken to manage the financial position of the PCC this includes work to develop the budget for 2023/24.
- 4.11 In terms of the topical risks, as detailed already, these reflect the position with the progress in implementing the actions from the police and crime plan.

5. RECOMMENDATION

5.1 The Committee to note the contents of the report and appendices.

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BACKGROUND DOCUMENTS

Risk Appendix 1 – Force Risk Register

Risk Appendix 2 – PCC Risk Register