

STRATEGIC POLICING AND CRIME BOARD

Tuesday 28th November 2023 1000 – 1300 hrs

Attendees:

Adam Davies	:	Councillor, Brierley Hill Ward
Amandeep Sanghera	:	Superintendent, Professional Standards
		Department
Andrea Gabbitas	:	Head of Business Services
Bhupinder Gakhal	:	Board Member
Catherine Hannon	:	Board Member
Charmaine Burton	:	Board Member
Ernie Hendricks	:	Complaints Reviews Manager
Jane Heppel	:	Chief Finance Officer
Jonathan Jardine	:	Chief Executive
Mike O'Hara	:	Assistant Chief Constable
Peter Gillet	:	Director of Commercial Services
Sarah Burton	:	Chief Superintendent, Operations
Scott Green	:	Deputy Chief Constable
Simon Foster	:	Police and Crime Commissioner
Tom McNeil	:	Assistant Police and Crime Commissioner

Wayne Little	:	Councillor, Brierley Hill Ward
Zain Javed	:	Environment and Sustainability Manager

Plus, one webcaster, one notetaker and six observers

Apologies:

Craig Guildford	:	Chief Constable

- 1. The meeting was recorded on Teams, and a recording of the entire discussion can be viewed here:
 - https://www.youtube.com/watch?v=fWq6lcn L5k
- 2. The reports referred to throughout this meeting can be viewed here:

 https://www.westmidlands-pcc.gov.uk/strategic-policing-and-crime-board/agendas-minutes-reports/
- 3. Actions arising from the discussion during the meeting are highlighted in bold text.

103/2 **Apologies and PCC Update** 3 Verbal The PCC mentioned the following points: The Chief Constable is attending a Professional Standards conference in Manchester. On 23 November 2023, HMICFRS formally announced its decision to move the Force into enhanced monitoring, in connection with 4 areas of concern. The PCC and Chief Constable disagree with this decision. The PCC has asked the Force to be out of enhanced monitoring by 31st March 2024; the Chief Constable will be held to account with an effective action plan. The government have been repeatedly warned that their cuts to policing have caused immense damage to the Force. The announcement by HMICFRS is further evidence to damage caused by the government. The data on which the enhanced level of monitoring is based is 8-11 months old and predates the new policing model. Therefore, it is a decision on what was, rather than what is. On 6 November 2023, the PCC wrote to the Mayor and Home Secretary to highlight the government's appalling record on crime, criminal justice and community safety and how this has impacted the Force. The people do not need a representative of this government taking charge of policing in the West Midlands. The Mayor should have the courage to hold PCC elections on the 2nd May 2024, as opposed to simply appointing one of his friends to the role.

- On 10 November 2023 the anti-slavery day conference was held. In the West Midlands, a number of interventions are being commissioned and supported to tackle modern slavery and human slavery. The PCC is committed to ending the scourge of modern slavery.
- On 22 November 2023, a generation of 16 Youth Commissioners were elected to serve for a 2-year term of office. They will be representing young people across the West Midlands and advising the PCC on matters of importance to them. They will also be given an insight into policing, criminal justice and public safety.

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Notes of the Last Meeting

The notes of the Board meeting held on 24 October 2023 were accepted as an accurate record of the meeting.

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Petition – Save Brierley Hill Police Station

The petition was presented by Cllr Adam Davies and Cllr Wayne Little and the following points were discussed:

- Tough choices need to be made between maintaining and prioritising police officer and staff numbers, or police buildings. Over 600 stations have closed across the country.
- The Force's budget remains under severe pressure and will have to make cuts of a further £22m in the next financial year.
- The decision to dispose of Brierley Hill police station was made in November 2021, to be replaced by a Dudley Police HQ. This remains in place as of the Estates strategy review in October 2023.
- The Force have now completed purchase of the building that will be the location of the new Dudley Police HQ.
- The decision remains that Brierley Hill police station will be disposed of with a projected delivery date of not before 2025.
- Brierley Hill police station will not be disposed of until the neighbourhood policing team has been co-located or relocated locally. However, this will not be a public contact office.

West Midlands Police representatives made the following comments:

- The Chief Constable's launched a new operating model in April 2023.
 This is very much a local policing-based model.
- The new Dudley HQ site will provide modern, fit for purpose facilities for officers to better support communities.
- A high police presence will be retained in Brierley Hill. A policing base will also be secured in Stourbridge town and Lye.
- While there is a decrease in footfall across public contact officers, the Force are still committed to a physical site where people can access the services they need. The public contact office will remain open from 8am-10pm.

Cllr Davies and Cllr Little made the following comments:

- There is no reason that a police station HQ in Brierley Hill would cost more than one at the edge of the borough.
- A second station is not being asked for. It is being requested that the new HQ currently being constructed is instead located at Brierley Hill.
- The public facing office will be right on the edge of the borough, which is harder for residents to travel to, unlike Brierley Hill due to its central location.
- The decision regarding the new Dudley HQ was made under the previous policing model. Under the new policing model, the new station will only be serving Dudley, as opposed to both Sandwell and Dudley.

The PCC made the following comments:

- The current Brierley Hill police HQ is in poor condition, some of the worst conditions observed by the PCC, and is subject to a backlog maintenance of £1.5m.
- There are limitations of being able to adapt the building for open plan organisation and it being within a conservation area.
- Brierley Hill police station will not be going anywhere until a suitable location is identified with the neighbourhood policing team.
- Would be happy to work with Councillor Davies and Councillor Little in identifying a suitable alternative base in Brierley Hill.

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Questions from Members of the Board

- Can the Chief Constable please share any information with the Board if any arrests have taken place across the West Midlands by anyone openly supporting the terrorist group, Hamas? (Asked by Bhupinder Gakhal)
- Nobody has been arrested for openly supporting Hamas within the West Midlands.
- Operation Biotas is the Force response to the policing of protest activity on both sides. Role is to maintain police impartially and police protests fairly. The Chief Constable emphasises to the Force the need for impartiality.
- There is a bespoke operation running and a silver command operating at C3. Members of IAGs are sitting within the Silver Group.
- There are actions that an individual could conduct, particularly with regards to chanting, which could be regarded as an offence when considering context and intention.
- In recent protests, commanders on the ground took the decision to film by evidence gathering teams, to view evidence and act retrospectively.
- Important for the Force to try and be as consistent as it can within this issue. National guidance has been issued by the Met and CPS.
- 2) Can the Chief Constable please tell the board what checks are being made to ensure that all victims of crime are provided with regular updates from the investigating officers? Does the Chief Constable think texting victims of crime is a good way of communication?

(Asked by Bhupinder Gakhal)

- Victims Services assessment took place between January and March, and is one of the concerns of HMICFRS.
- The level of contact with victims was not where the Force wanted to be.
- This assessment was made prior to the changes in the operating model.
- Operation Vanguard is being led under ACC Bell, designed to improve the totality and quality of all other investigations. A dashboard has been developed to review compliance with the Victims Code of Practice. For instance, regarding right 6, there should be updates delivered in the form of a personal contact plan.
- The method of communication is automated either by texting, email or letter. This has been developed by the task and finish group which included victim representation. Barnardos have also been involved to ensure messages are trauma informed.
- Victims are entitled to choose the way they are updated.

For people who are not tech savvy, will a phone call be conducted? Or, will a personal visit be conducted?

- There are currently over 8000 police officers, we are not stretched for resources
- Individual victims of crime are entitled to decide the way in which they are updated.

	Police and Crime Plan			
107/2	Firearms Operations Unit	Written		
3	The report was presented by Assistant Chief Constable Mike O'Hara and the following points were discussed:			
	Is the work being done seen to be woke, or interfering with the proper job of policing?			
	The view is to provide the best level of service to every member of the public.			
	It is clear that nationally and academically, there is a challenge to standards of professional behaviour.			
	Is there any resistance? Or, is this seen as common sense?			
	There has been limited resistance, however wherever resistance has been present it has been robustly dealt with.			
	The work of firearms can be so stressful and intense, resultantly there is a sense of camaraderie which forms. This was never an excuse, but can provide			

some context for certain behaviours. How seriously are we engaging with these kinds of dynamics? How are we confident that it will work?

- Need to be cautious at labelling police culture as ultimately negative.
 Instead, it flexible, robust and team orientated.
- This is not a binary issue, this is a societal and cultural challenge in policing nationally; this has been identified by a number of sources including an independent cultural audit.

Please provide one example of a tangible activity being done to give confidence change is happening?

- Historically, Inspectors in the firearms units were Authorised Firearms
 Officers (AFOs). Trialled bringing in non-AFO leaders within the
 department; this has highlighted key gaps that can be built on.
- Performance data for AFOs 12 months ago indicated some of the negative culture described.
- Under Chief Superintendent Burton's leadership, AFOs are present in communities conducting general policing jobs, away from their core role when not required.
- The role first and foremost is that they are Constables to serve the public.
- Maintaining boundaries in the environment is crucial, with a focus on leadership. Aware that staff go to the most traumatic incidents that the Force attends. They are also cognisant of the affect this has on communities.
- Firearms officers are present in community events, youth groups and in cadet units.
- Conducting warrants and arrest before serious incidents occur, reduces exposure to traumatic incidents.

What feedback mechanisms for female officers and staff working the Firearms Operations Unit (FOU) are in place to monitor what's being done is effective? How do you know negative behaviours haven't seeped out into other parts of the organisation?

- Operation Alma includes a comprehensive action plan which holds the department to account in making change and assessing feedback.
- There are forums and opportunities where staff can confidentially provide feedback.
- The Force asked staff if they've got the right equipment; they usually say yes, however staff may not recognise that there is an issue, such as with the quality of uniforms.
- There is a People Advocate's Board and a Female Officer's Group in place. Engagement with staff associations and networks is also present.
- The choice around uniformed equipment nationally and internationally is not there. Some manufacturers will only produce same-sex sets equipment. This is being addressed.
- Visibility of leadership and staff feedback in FOU is crucially important.
- Positive feedback from communities and influence they have from young people has inspired officers.
- The Force will be looking closely into workforce health checks, attendance data and Professional Standards Department (PSD) data.

 Support from Assistant Director of Diversity and Inclusion and his Team has been robust.

Have you seen any changes in the wider organisation as a result of this work?

- The Force's approach to the cultural audit is being shared with the NPCC and other firearms units nationally. ROCU and Dogs Unit are using the same methodology with a view to make cultural changes moving forward.
- Decrease in complaints, improved performance and decrease in sickness are indicators of positive change.
- More people are applying to be AFOs.

In reference to P. 29, conscious that the Force covers a particularly large area. In reference to Wolverhampton, where is the engagement taking place? Large events in Wolverhampton would be great to attend.

- We are attending events in Wolverhampton, but we can always do more.
- Force to brief Bhupinder Gakhal on community engagement events taking place in Wolverhampton in relation to FOU.

What examples in areas of assignment, training and courses, allocation of overtime, and selection for promotion, have changed? P. 70 discusses the rotas being set by sergeants in the FOU and the risks/ approach to rotas and partnering, how is the risk being addressed? If there is an individual who meets the requirements to become an AFO, is there going to be the right kit available? While noting the inclusion of non-AFOs as frontline leaders, there will still be individuals inside the unit who are promoted to sergeant and inspector roles. What training will be in place for these people to help them adequately adjust? How is integration into local policing being maintained?

- Within the action plan the Force are cognisant of a number of cultural change model approaches, with particular regard given to Lewin's Force Field Analysis in relation to pushback on equilibrium.
- There is a lot of academic research on policing and militaristic cultures. The goal is to amalgamate them together into one action plan.
- In relation to promotion opportunity, equity, core processes have been taken out of the jurisdiction of FOU and moved to the Operations Executive Team.
- With regards to P.70, it is important that postings are visible and are planned. Also, that the same individuals are not always buddied up with each other.
- Spreadsheet and Excel rotas are somewhat less visible to the organisation.
- Historically, specialists who understood the particular area would obtain the necessary equipment themselves.
- They will instead need to obtain equipment through centralised corporate processes.
- With regards to officers who remain within the FOU throughout their career, they may not pickup leadership skills which other officers would through rotation.
- Re local policing, performance monitoring comes into play. There are a number of individuals within the FOU who do overtime on local

policing. Fairness of opportunity and transparency in decision making are two of the key roles for leading FOU resources.

Table 26 considers BAME, could this be broken down to specifically identify ethnicities? How are you promoting, recruiting and reassuring women, internally and externally?

- Force to provide BAME breakdown detailed in Table 26 to Charmaine Burton.
- Chief Supt. Burton inspires female members of the public and officers to join the Force and FOU. Events are held with cadets to inform them about the FOU.
- The barriers to entry are understood, for instance fitness. Details and reassurances on the fitness test are provided to help dispel any anxiety. Working with health and fitness advisers give staff the opportunity to experience the fitness test.
- Briefing with Teams internally are held to encourage questions and provide answers.
- Lots of people on flexible working, male and female.
- Try and understand barriers to entry shared by women in policing. The Force are happy to support them as much as possible in relation to this.

Were you put in post as a woman to address the criticisms from the media that women are not in this space?

- Some of the press tension over the past 12 months has been hugely damaging to the FOU.
- Need to up the ante around the comms and engagement piece to provide additional reassurance.
- There is a concern around a lack of flexibility and fitness levels.
- Chief Supt. Burton is in post because; she is an exemplary leader in a
 difficult environment; she has perspective as a woman in policing; there
 are only handful of specialist firearms command qualified officers, Chief
 Supt. Burton is one of them.

The Commissioner stated the primary purpose of the paper was to provide assurance that the FOU is acting in accordance with the law and not engaging in unlawful discrimination. The paper also provides an insight into the immensely challenging circumstances in which FOU officers operate in. However, it is essential that the department is operating in accordance with the law. It is also necessary to maintain the trust and confidence of the public.

108/2 3

Environmental Strategy

The report was presented by Zain Javed and the following points were discussed:

Given it will take some time to reduce emissions, which are the two biggest actions that will make a serious dent in this?

 Two substantial changes which can be made include examining the estate and electric vehicle fleet.

If out in public meetings, how can I reassure the public?

- With regards to the estate, there are a number of measures which can be implemented, such as delighting, networking solutions and solar panels.
- Important to ensure that we can deliver and understand the baseline.
- There are a number of pieces of work culminating, receiving additional information in early 2024. Once baselines are established, this can be relayed to the Board.
- When the estates strategy was presented to the Board in October 2023, the delivery of the estates strategy was a key contributor to this. The Force are able to bring a further update to this in the new year.

Are funds from central government being equally distributed across the country?

 The Force is unable to comment on how fairly funds are distributed from central government.

P. 11 discusses investors in the environment. What would the Force need to do to achieve a Gold, as opposed to a Sliver?

- There are some inaccuracies in the reporting, will need to work with investors in the environment, get to silver and then examine what next steps have been required.
- Meetings with national police services as well as fire services are in place and have similar problems.

How can we assure that the Force have vehicles which match the performance of vehicles that criminals are using?

• There will be a need for a variety of response vehicles. The national fleet manages a group in terms of recommendations for police forces.

Are we optimistic that we will obtain bronze within this financial year?

• The Force are optimistic that this will be achieved.

What will the Environmental Initiatives Fund be funding?

 Waste disposal recycling items such as PPE, looking at community gardens and timer lights to reduce energy consumption.

Is there an example of a way in which investment in these initiatives has saved some money for West Midlands Police?

- Work done with the installation of solar has already demonstrated immediate savings for the Force.
- Additional savings will be indicated in future reports.

109/2 3

Increased confidence in WMP: Complaints and Misconduct

The report was presented by Deputy Chief Constable Scott Green and the following points were discussed:

- P. 21 sets out a number of changes to the 2020 Regulations. To what extent are those proposed changes informed by data and are evidenced led? While those changes will increase the confidence of Chief Constables, will it improve the confidence of the general public? Would Chief Constables be subject to political pressure, whereas LQCs would not? Are there concerns by the Police Federation relating to fairness and procedural propriety?
 - Since the change to the current regulations, less police officers have been dismissed for gross misconduct.
 - There is currently no appeal mechanism for Chief Constables if they disagree with a decision, other than judicial review.
 - Unsure what the reaction of the public will be, it is fair and proper for the public to question whether an officer should be sacked for misconduct.
 - The Police Federation do not support these changes.

P. 77 refers to student officers, could an indication be given as to what kinds of things lead to student officers' resignation?

- For student officers committing misconduct or gross misconduct, Regulation 13 can be pursued.
- Were they outside of probation, they would have been subject to misconduct procedures.
- In most circumstances, they have all resigned before the Regulation 13 process was initiated.

Is there anything regarding student officers' conduct that could have been identified during the recruitment process or at an earlier stage in their training?

- The Force always ask PSD whether something was known under a previous vetting decision.
- Retrospectively, it sometimes appears that a person should not have been put through vetting.
- For every case, the Force examine the individual's vetting record.

How can we be assured that the whistleblowing process is effective and staff have confidence in this process?

- The Metropolitan Police are piloting a national public whistleblowing line. Currently, the reporting line for the Force is internal. Crimestoppers have been commissioned by the NPCC to develop a national integrity reporting line.
- Work is being done in PSD, such as the prevention and intervention Team who rotate around the Force, encouraging staff to report wrongdoing.
- Confidence in the organisation is growing.

Have you considered an independent review of West Midlands Police to see if processes are fit for purpose?

 This is something that's not been considered. PSD is already one of the most scrutinized areas of the Force, it is subject to review by IOPC, OPCC and possesses its own IAG. Without an independent check, how are you confident that other events are not discovered?

- The Force has a culture at the moment of people who will step forward and challenge behaviours, resultantly from the police uplift programme.
- See countless examples of this through PSD. This shows a healthy culture of people being prepared to call out behaviour.

Don't accept that just because stats show X number of bad officers, this means the rest are completely fine. If I'm in a community meeting where victims concerns are not being properly heard by WMP, crystal clarity explanation on why that's not needed may be required?

 The Force will not be issuing an independent review of the whole organisation, primarily because the Force is in engage status with HMICFRS and this consumes the majority of resources. Confident that there is already satisfactory internal and external scrutiny on the Force.

Police action following contact is the most significant proportion of allegations continuously. How can we be sure that learning is being shared and acted upon?

- Learning is fed directly to that officer/ supervisor.
- Regular forum with standards managers. This is a bi monthly meeting where they can identify themes to take back to their respective areas.
- There are also the new Standards Ambassadors, who are regularly engaged with.
- Team talk and the intranet is utilized.
- Significant number of the complaints are where the public do not believe there has been sufficient contact after the initial response.
- The Force may have nothing substantial to say, but the updates have not been timely enough.

110/2 | Complaint Reviews

3

The report was presented by Andrea Gabbitas and the following points were discussed:

How is the complainant communicated with during the review?

- Conversations have been had with colleagues regarding how the timeliness can be reduced to around 10 days.
- Telephone conversations have been had with the complainants, should they request one.
- Reviews are complex and detailed which means it can sometimes take some time to complete.

One good example of the way the complaints process has been improved as a result of dip sampling or recommendations?

- There were some concerns raised about the detail of complaint outcome letters.
- The OPCC is now seeing that detail being included, with consistency across the Service Recovery Team.

- Pleased to see Operation Vanguard in place relating to investigations.
- Consideration must be given as to how to better handle neighbourhood disputes.

The PCC added that it has never been more important, as a consequence of high-profile national events, to ensure that the public have confidence in PSD and the complaint reviews process. PCC maintains oversight and scrutiny of these matters and has quarterly meeting with the IOPC Regional Director.

Regular Items

111/2 3

Performance Update

The report was presented by Deputy Chief Constable Scott Green and the following points were discussed:

P. 35 do we know what our figures are compared to other forces across the UK?

- The Force remain an outlier in terms of the levels of vehicle crime.
- Trends for vehicle crime vary depending on geographical areas within the Force. This highlights the value of a local policing model.
- In Birmingham, there has been a large fall in theft from vehicles, which mainly constitutes theft of car parts.
- In Dudley the Force observe high levels of theft of vehicles, predominantly driven by car key burglaries, meaning it is a more aggravated offence.

P.36 discusses the exploitation of vulnerable individuals. What does this look like? How are the police and other agencies looking to help these individuals?

- Due to the cost of vehicles and the shortage of new vehicles, there is a higher percentage of second-hand vehicles on the road.
- Sometimes exploited people are present in chop shops to strip down vehicles. Predominantly, young people are exploited to strip vehicles. Although, they may not think they're being exploited.
- Those stealing vehicles are usually not exploited young people.

How do you interpret the data in this report in the context of engage?

- The Force have been engaged for 4 causes of concern.
- Looking at the data set HMICFRS have used, it is still accurate and relevant.
- Positive outcome rates are not where the Force would like them to be. However, robbery detection rate is now 12% which is the highest in its similar group, and burglary which is 10%. Overall crime reduction is forecast to be 10% by the end of March 2024.
- Appear to be reducing crime more than most other Forces in the country.

112/2

Deputy Chief Constable Update

	 The Force continue to be involved heavily in policing and protest activity, namely in Operation Biotas. It is a challenge for the whole police service. Observed an increase in other protest activity, such as Extinction Rebellion. High demand is also associated with the busy football calendar. The Force have an increase in seasonal changes in crime, such as with burglary. There has been a recent homicide where two twelve-year olds have been charged which will progress its way through the court. Brought one of the country's leading academics, training neighbourhood officers and key partners on problem solving and working with communities. In January, the Chief Constable will attend the Police Performance Oversight Group. Internally, improvement that the Force has seen since April. 	Verbal Update
113/2 3	a. SPCB workplan for noting b. SPCB Actions and Further Lines of Inquiry There are currently no agreed actions outstanding.	Written Report
114/2	Date of the next meeting: 19 th December 2023	For Noting