

Agenda Item 06

JOINT AUDIT COMMITTEE

24 June 2021

HMICFRS UPDATE

1. **PURPOSE OF REPORT**

To provide members of the Committee with oversight of HMICFRS Inspection activity and recommendations.

2. **BACKGROUND**

The PEEL inspection programme is an assessment of the police effectiveness, efficiency and legitimacy (PEEL) of police forces in England and Wales. In 2018, HMICFRS developed its approach to PEEL with the introduction of the Integrated PEEL Assessment (IPA) programme. This brought together the three PEEL pillars (effectiveness, efficiency and legitimacy) into a single inspection. HMICFRS plans to continue the evolution of PEEL in 2020/21 towards an intelligence led continuous assessment model. This means making greater use of the breadth of evidence HMICFRS already collects on a force throughout the year to come to an assessment of performance.

Evidence sources that now contribute to the assessment include:

- Force Management Statements
- Findings from Thematic and Joint Inspections
- Crime Data Integrity Inspections
- Progress against causes of concern and areas for improvement
- Routine data collections
- Force liaison lead knowledge

The Inspections are intended to contribute to improvements in policing, highlight problems at an early stage to reduce risk of failure and improve effective democratic accountability.

The PEEL assessment framework is structured to focus on three principal areas:

1. An operational assessment – how well services are provided?
2. An organisational assessment – how well the police force is run?
3. A service user assessment – the outcome from the perspective of those receiving the services.

The structure is summarised below:

Area	Components
Organisational assessment	<ul style="list-style-type: none"> • Strategic planning, organisational management and value for money • Workforce
Operational assessment	<ul style="list-style-type: none"> • Preventing and deterring crime and anti-social behaviour • Responding to the public • Investigating crime • Protecting vulnerable people • Managing offenders and suspects • Serious and organised crime • Strategic Policing Requirement and specialist capabilities
Service user assessment	<ul style="list-style-type: none"> • Victim service assessment (including crime data integrity) • Procedural justice/public treatment assessment

Judgement Criteria

HMICFRS identifies the characteristics of good performance for each core question to assess whether a force is performing well. The characteristics of 'good' are based on recognised good practice, research evidence, and advice from senior leaders and practitioners. In 2015, HMICFRS introduced markers called 'causes of concern' and 'areas for improvement', which provide better information for forces on which areas they should focus on in order to improve. Their published definitions are as follows:

Area for Improvement: If HMICFRS's inspection identifies an aspect of a force's practice, policy or performance that falls short of the expected standard, it will be reported as one or more area(s) for improvement

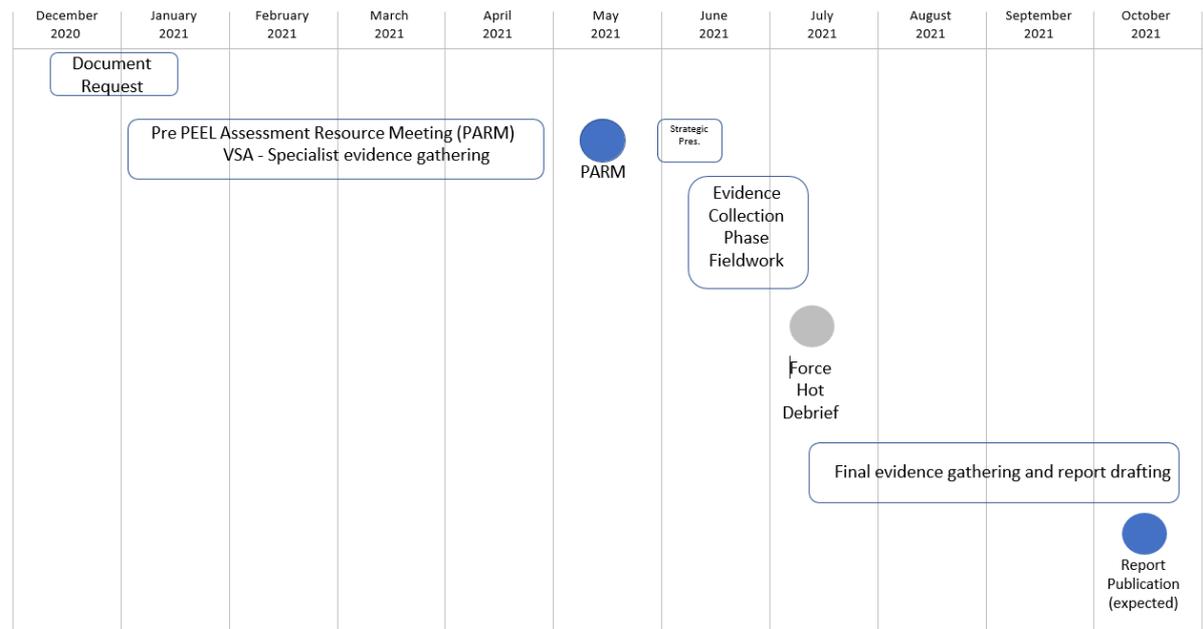
Cause of Concern: If HMICFRS's inspection identifies a serious, critical or systemic shortcoming in practice, policy or performance, it will be reported as a cause of concern.

HMICFRS has adopted a five-tier structure for judgments, the definitions for each of the grades are as follows:

Grade	Definition
Outstanding	The force has substantially exceeded the characteristics of good performance
Good	The force has demonstrated substantially all the characteristics of good performance
Fair	We have identified an appreciable number of areas where the force should make improvements
Requires improvement	We have identified a sufficiently substantial number of areas where the force needs to make improvements
Inadequate	We have causes for concern and have made recommendations to the force to address them

3. West Midlands Police PEEL 2021 Update

The timeline for the current West Midlands Police PEEL Inspection is as follows:



Victim Service Assessment (VSA) Specialist Evidence Gathering (January – April 2021)

The Victim Service Assessment (VSA) is part of Service User Assessment and is focused on the experience of the service provided a Force to victims of crime. The VSA was completed between January and April 2021. The question the VSA focuses on is 'How good is the force's service for victims of crime?', It considers the following areas of:

1. Call handling standards
2. Response to victims
3. Crime allocation arrangements
4. Investigation standards

5. Suitability of the outcome of its investigations

Strategic Briefing (June 2021)

Following the VSA, and prior to the Fieldwork Inspection Phase, the Chief Constable and Deputy Chief Constable deliver a Strategic Briefing to the HMICFRS Lead Inspector. The briefing covers the whole health of the Force including resources and the environmental context in which the Force operates. The briefing is the Forces opportunity to showcase good work that has taken place but also identify areas where further improvement work is required, and describe the next steps for improving in those areas.

The Chief Constable and Deputy Chief Constable delivered the Strategic Briefing on 7th June 2021.

Evidence Collection Phase: Fieldwork (June – July 2021)

HMICFRS has confirmed that the PEEL Inspection Fieldwork will take place between the 14th June and 10th July. Covid-19 restrictions have been taken into consideration along with National guidance. The fieldwork will be conducted both in person and through interviews using online platforms.

The final Inspection Report is due to be published in October 2021.

4. Thematic Inspections

A National Thematic Inspection is an in-depth examination of a specific policing matter. These matters are usually identified through HMICFRS monitoring processes or as a result of a commission from the Home Secretary. Thematic Inspections tend to identify areas of strong or weak practice in specific forces, but result in recommendations that are relevant to the police service as a whole. Fieldwork for the National Thematic Inspections usually take place in about six forces, but it can involve all 43 forces in England and Wales.

Since the last JAC report was produced there have been three National Thematic Inspections of West Midlands Police: Mental Health, Armed Policing and Counter Corruption and Vetting.

- **Mental Health Thematic Inspection: Completed 26th April 2021.**

This Inspection considered both work within the Force and work with partners to ensure the Forces provision for Mental Health was appropriate. Areas considered in the Inspection included:

- The effectiveness of the force at identifying managing and recording the vulnerability and risk associated with suspects with mental health conditions.
- The presence of effective strategies and strong leadership at Local and National levels to support officers in identifying and reflecting the mental health issues of suspects throughout investigations.
- The referral process to partner agencies, and information sharing protocols with partner agencies, to ensure they were appropriate, timely, and accurate.

- The outcomes for suspects with mental health conditions.

During the Inspection a number of investigations were reviewed to ensure that they were effective, and that decisions at key investigative stages appropriately reflected mental health considerations.

- **Armed Policing Thematic Inspection: Completed 8th March 2021.**

This Inspection considered the following areas:

- How good was the Force at meeting the requirements of the Strategic Policing Requirement (SPR)?
- How good was the Force at protecting communities against armed threats?

Within this Inspection themes such as evaluation of risk, collaborative resourcing and capability and capacity were considered. Also assessed were arrangements for partnership working to ensure the appropriate response to Civil Contingencies in conjunction with joint planning and training.

- **Counter Corruption and Vetting Thematic Inspection: Completed w/c 7th June 2021.**

This Inspection considered the following areas:

- How good the Force was at building, developing and looking after its workforce and encouraging an ethical, lawful and inclusive workplace?

Within this Inspection themes such as the ethical culture of the workforce and extent to which the public are treated fairly was considered. Also how effectively the force manages the vetting of its workforce effectively and understands and acts on the threat and risk posed by police corruption.

The findings of these three Inspections will be published later this year.

5. Published Inspection Reports

Since the last JAC Report the following three National Thematic Inspection reports have been published by HMICFRS. West Midlands Police contributed to these Inspections via data submissions but were not Inspected as a noted force.

Where recommendations have been made, these have been incorporated into the recommendations register and shared with Portfolio Leads for ownership and management through the existing governance structures. Recommendations are regularly reviewed in conjunction with the HMICFRS Liaison to ensure progress has been made where and learning recommendations embedded.

Policing COVID - The police response to the coronavirus pandemic during 2020.

This report was published on 25th May 2021. The Inspection Report offered a snapshot in to policing in the pandemic between March and November 2020 and reflected on the positive work carried out under extreme circumstances while officers and staff faced significant difficulties.

Five recommendations were made as a result of this Inspection:

- I. Managing Registered Sex Offenders - Forces must immediately make sure that officers understand and correctly implement the guidance for managing registered sex offenders during the pandemic.
- II. Legislation and Guidance - Forces must immediately make sure they can manage their responses to changes in coronavirus-related legislation. They must ensure frontline officers and staff are clear about the difference between legislation and guidance.
- III. Test Track and Trace - Forces must immediately put in place a policy to make sure that they follow the guidance and self-isolation directions when members of the workforce come into contact with someone with coronavirus symptoms.
- IV. Custody Records - Forces must immediately make sure that they clearly and consistently record on custody records information about how/when/if detainees are informed of the temporary changes to how they can exercise their rights to legal advice and representation. The record must make clear how any consents are obtained about the way in which legal advice and representation are provided.
- V. Overall Scale and Impact - Forces must assess the sustainability of any temporary measures introduced during the pandemic that change the way they work. They must understand positive, negative and unintended consequences of the scale and impact of the changes before determining if any of these new ways of working should continue.

Policing Custody in the Pandemic - The police response to the coronavirus pandemic during 2020.

This report detailed findings on how custody services operated in a COVID-19 environment and how Police Forces responded whilst establishing improvements forces in the wider Criminal Justice System. Recommendations from this Inspection included:

- I. Forces should collect significant information at the right level and detail about the continuing effects of the pandemic (costs, new/additional demand, absence, annual leave, custody and detainees etc.) to resource accordingly.
- II. Forces must track the numbers of detainees with, or suspected of having, COVID-19. Record and monitor the length of time detainees remain in police custody, and any additional detention times due to waits for virtual remand hearings.
- III. The police service should evaluate the advantages and disadvantages of using virtual remand hearings. It should use this information to help the wider Criminal Justice System learn from its experience and develop better working arrangements that meet the needs of justice and make best use of public money.

- IV. The NPCC, working with the National Health Service (NHS), should consider how to minimise the risks of spreading the virus in the community when releasing detainees with, or suspected of having, COVID-19 and what arrangements can help achieve this.

Report on Hestia's super-complaint on the police response to victims of modern slavery

This report examined the police response to modern slavery and reported that there had been some good progress, in some forces and by specialist units. However, there was still too much inconsistency throughout forces, and more needed to be done to recognise and support victims of slavery, and to ensure that these crimes are investigated effectively.

The Inspection report made recommendations to the Home Office, Chief Constables and Police Crime Commissioners for joint working to understand the support needs of victims of modern slavery crimes.

Recommendations for the Police from this Inspection Report included:

- I. Recognition that victims of modern slavery should not be treated as criminals in situations where they have been forced to commit an offence by their exploiters.
- II. Understanding the National Referral Mechanism and the duty to notify requirement. Also, ensuring staff know how to make good-quality referrals.
- III. Appropriate training to ensure staff and officers know how to take immediate steps to make victims feel safe (including facilitating access to a place of safety, if necessary).

This report is submitted for the information of the Committee. The Committee are asked to note the contents of the report.

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BACKGROUND DOCUMENTS