JOINT AUDIT COMMITTEE
15 December 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 continued to establish and develop force risk identification, management and mitigation processes.

2.2. The review and development of this area of work 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 development of the risk management documentation has been temporarily paused whilst we establish the risk management process and framework within Strategy Delivery & Assurance. The process must consider the various functions of the new department and how they interact with/feed into one another throughout the risk lifecycle. We are also ensuring that

risks are appropriately aligned, managed and escalated/de-escalated through the force's governance structure in this process.

3.4.　The new Strategy, Delivery & Assurance department is now established with the majority of positions recruited into and with staff in post, the risk portfolio welcomed the start of the Senior Assurance & Risk Manager in October. We are still awaiting some scheduled start dates for external candidates and are carrying a small number of vacancies in the department. 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.

4. NEW CORPORATE RISKS

4.1. CRR/26 - OPERATIONS RESILIENCE UNIT (ORU) RESOURCING　　**CRITICAL**

Due to the proportion of vacancies within the department and industry standard wage for resilience officer or resilience manager police staff roles not being matched.
There is a risk of severe limitations to:
- *WMP's ability to meet statutory obligations under the Strategic Police and Crime Plan, CONTEST, Civil Contingencies Act 2004 and National Guidance.*
- *Manchester Arena Inquiry recommendations are key delivery and current capacity does not allow for these to be actioned in a timely way.*
- *A lack of robust planning updates and proactive approach to learning lessons from testing & exercising.*
- *Some ORU functions have single staffing therefore creating a single point of failure and no resilience e.g. Testing & Exercising Manager; CBRN officer.*
- *Transient workforce resulting in a lack of experience, mature knowledge of portfolios and understanding of the wider WMP response to incidents.*

Escalation to corporate governance level recommended by Assistant Chief Constable (Operations) during the November Operations Governance Board. Escalation was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

The grading given is based on the gross risk score and is likely to reduce once the risk and possible mitigation is reviewed by the Force Risk Manager and the business lead. This meeting is schedule for December and will then be tracked through the monthly Ops Governance Board.

4.2. CRR/03 – OPERATIONAL TRAINING AND EMBEDDED LEARNING　　**MEDIUM**

This risk has been separated into two individual corporate risks to better reflect the risk profiles:
CRR/03 – Operation Plato Embedded Learning
CRR/24 – JESIP Command Training

The mitigating work around CRR/03 has led to a reduction in risk scores from High (red) to Medium (amber).

CRR/24 has been taken off the corporate risk register and has been de-escalated to portfolio governance level (refer to Section 9.5 of this report).

4.3. CRR/25 – OFFICER BRIEFING FUNCTIONALITY IN CONNECT	HIGH

Briefing system within CONNECT since go live does not meet the business requirement and is unworkable with over 150+ individual entries - this cannot be objectively viewed in timescale for a briefing for staff. The number of interventions and Civil Orders recorded on Connect (Person Card) continue to increase. Progress is being made to store orders but we are not able to brief officers of persons with orders living on the local area and therefore enforcement is not where it should be. Tasking from LTDB is reliant upon local briefings rather than corporate system. There is a risk that via CONNECT we are unable to effectively brief our officers for their tours of duty, therefore, we are unable to supply them with the required knowledge and updates.

Escalation to corporate governance level recommended by Assistant Chief Constable (Local Policing) during the November Local Policing Governance Board. Escalation was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

The grading given is based on the gross risk score and is likely to reduce once the risk and possible mitigation is reviewed by the Force Risk Manager and the business lead. This meeting is scheduled for December and will then be tracked through the Security Governance Board.

4.4. CRR/27 – OVERTIME APP	HIGH

The Overtime App is not an end to end process and still requires manual checking and data input to the payroll system. Correctly coded OT entered by officers within the App should have been costed to other cost codes, yet has defaulted to home budgets/cost codes or the manual input is not being entered with the cost code correctly. There is a risk that OT is not being allocated to the correct cost code (either through user error, manual input error or automatic default by App to home cost code). Officers can submit OT claims and be paid for the same OT multiple times.

Escalation to corporate governance level recommended by Assistant Chief Constable (Local Policing) during the November Coventry Quarterly Performance Review (QPR). Escalation was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

The grading given is based on the gross risk score and is likely to reduce once the risk and possible mitigation is reviewed by the Force Risk Manager and the business lead. This meeting is scheduled for December and will then be tracked through the POD Governance Board.

5. REDUCED CORPORATE RISK SCORES

5.1. CRR/03 – OP PLATO EMBEDDED LEARNING	AMBER

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. A new challenge with this risk is the lack of ownership locally now that ORU have rolled out the training to keep this an annual refresher on CPD days within departments.

The risk scores can be downgraded from high to amber due to:
- Train the trainer being implemented
- NSR monitoring the NCALT uptake
- Classroom inputs being done within this space
- Regional reviews suggest training is delivered differently (managed via Major Incident Readiness Board (MIRB)),

- Organisational Development & Learning supporting the packages and train the trainer quality (being implemented), NCALT and classroom training

6. CORPORATE CRITICAL RISK(S) UPDATE

6.1. One critical risk has been added on to the corporate risk register this quarter as per section 4 of this report.

6.2. The previously recorded critical risk CRR/20 PROBATION DATA SHARING & DISCLOSURE, following the report from Joint Internal Audit, this risk has been de-escalated from the corporate risk register to departmental governance level. The update is within section 9 of this report.

7. CORPORATE RISK(S) UPDATE

Updated information has been provided for the risks listed below. The residual risk scores of the below risks have all remained static since the last update to JAC:

7.1. CRR/10 - FINANCIAL MANAGEMENT   **HIGH**

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.

The financial challenges faced by the force have been shared and discussed at the September Senior FET meetings (most recent in October) and the PCC.

As part of the budget setting exercise, work continues to identify savings to manage the gap between funding and expenditure forecasts for 23/24.

7.2. CRR/23 - JTAI CONNECT   **HIGH**

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 a risk of individuals not being linked and identified in a timely manner against individuals who could pose a risk to them.

This risk is monitored on a monthly basis with visibility and scrutiny at various governance forums.

We continue to work with the Connect team who provide a monthly update to the Solihull JTAI board on progress on reducing the duplicate records.

Work has continued to progress for a new question set within Connect to be included to link children to reports more effectively.

7.3. CRR/13 - CYBERSECURITY   **HIGH**

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.

Mitigating actions remain largely unchanged this quarter and the risk remains constant and consistent.

WMP IT & Digital department continue to work closely with the National Management Centre to monitor and mitigate where needed against any potential threat

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.

7.4. CRR/18 – CORE SKILLS RESILIENCE & TRAINING	HIGH

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.

Weekly data continues to be sent to Department and NPU SPOCs both course attendance data looking back and forward-facing data.

The DCC's Blog and Performance Panel focus has supported reducing non-attendance and late withdrawals.

The Learning Development Planner needs to be moved to a new server as is does not link with Qlik. Therefore, there will be a delay to the provision of Qlik data.

Taser Gold Group is ongoing and continues to address issues and risks, including provision of training.

Recruitment has commenced into Tactical, Physical and Driving School to fill vacancies as well as agreeing an uplift of 5 PCs for Tactical Training.

Pelkin and Commonwealth Games had an impact on ability of Learning & Development to deliver core skills courses. There is a focus on delivery prior to Silent Night impact being felt.

8. CLOSED CORPORATE RISK(S)

8.1. CRR/15 – S22 GOVERNANCE	HIGH

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.

ROCU – WMPCC has written to regional PCCs outlining the position and the funding formula will not be changed.

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.

8.2. CRR/02 – SERIOUS VIOLENCE IN UNDER 25s	HIGH

Interventions to address multiple risk factors/indicators are not impactful or effective. The increase in volume of serious youth crime and serious violence (gun and knife crime) in the under 25s could

lead to the cumulative risk around community safety. There could be a perceived failure that the Force is not responding adequately to prevent and respond to crime involving young people. With restrictions lifting, it is expected that there will be an increase in serious violence across the region.

At the September Local Policing Governance Board, the Local Policing Assistance Chief Constable determined that enough mitigation work had been completed in order to close this risk off the Corporate Risk Register.

Grip funding grant been agreed with Home Office circa £3m p/a for 3 years (match funding requirement). A number of posts are now being actively recruited into.

Using grip funds we are enhancing our analytical capacity to include:
- Higher Analyst drawing Serious Youth Violence (SYV) themes and opportunities from across violence portfolios - pending recruitment
- Enhanced regional analytical support to include tracking our Targeted Guardian Patrols - Pending Recruitment
- Dashboard development
- Data scientist time to support Randomised patrol methodology
- Specialist knife crime analyst to support a CAPTIVA Knife crime meeting – tracking knife assaults, intelligence and interventions
- Operational Hotspot Activity - Geofencing / crime mapping capability has been confirmed with a resolution of some Connect data issues. The Data Lab are refreshing our hotspots overlayed with OCG activity and predictive knife crime data. These will be far more localised and defined locations.

We will also:
- Expand taskforce through 2023 uplift
- refresh NPU Serious Youth Violence Plans to include Public Health and Multi Agency SARA approach
- Launch internal comms programme including Target Guardian Patrols to frontline staff and Rimush community engagement principles to commence after the CWG
- Investment in investigations resources (Police Staff Investigators to enhance out of court disposals and outcomes)
- Scope a wider roll out of the Round Midnight Virtual Reality Schools program with County Lines lead

8.3. CRR/21 – CANNABIS DISPOSAL STORAGE CAPACITY	LOW

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.

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

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.

This process improvement has meant that no further investment has been required in additional or expanded storage facilities at NPU locations

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.

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.

8.4. CRR/12 – MUTUAL AID CWG RESOURCING	**AMBER**

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.

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.

Mutual Aid was agreed not to be deployed to and WMP BaU operations or incidents.

The final report from CWG debriefing identifying any key learning and recommendations will be available in January and subsequently will be taken to the relevant governance boards for discussion.

8.5. CRR/22 – NON-COMPLIANCE WITH CPIA BIOMETRIC DATA RETENTION LEGISLATION	**AMBER**

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.

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.

The group will work to implement Biometric Commissioner's recommendations made as a result of findings from a recent national report.

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.

9. CORPORATE RISK(S) DE-ESCALATED TO DEPARTMENTAL GOVERNANCE

9.1. CRR/20 - PROBATION DATA SHARING & DISCLOSURE	**AMBER**

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.

Following the report from Joint Internal Audit in relation to this risk, an overall opinion rating of 'reasonable' has been issued, meaning:

There is a good framework of control in place and the majority of controls are being consistently applied to ensure risks are effectively managed. Some action may be required to improve controls.

The mitigations that are in place, that have been assured by internal audit, mean that the score associated with this risk can be reduced to medium (amber).

This risk will be de-escalated from the corporate risk register and tracked monthly through the Security Governance Board with an escalation to SIMB if necessary. The recommendation to de-escalate this risk to departmental governance level was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

9.2. <u>CRR/17 – ORGANISATIONAL LEARNING</u>	HIGH

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.

The Organisational Learning Team is now embedded into the new Strategy, Delivery and Assurance structure, sitting within the Assurance Team. Work continues to progress following the work commissioned from the Business Analyst (September 2022).

A roadmap has been developed outlining key delivery dates. All work will look to evolve the structure for Organisational Learning; this will include the governance framework to support driving, managing and evaluating change adopted on the back of any learning recommendations Force-wide.

Organisational learning will continue to feed into the overarching Risk and Learning Board, chaired by DCC Jardine, and any relevant submissions into the Joint Audit Committee.

Due to the establishment of the team, a delivery plan and governance board it is felt that this risk can be de-escalated from the corporate risk register. The recommendation to de-escalate this risk to departmental governance level was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

9.3. <u>CRR/16 - POLICE CADET LEADERS – SAFEGUARDING</u>	AMBER

There is a risk that WMP Police Cadets policies, procedures and process fail to comply with the National Safety and Safeguarding guidelines (UKYSSF).

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. The recommendation to de-escalate this risk to departmental governance level was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

9.4. <u>CRR/11 – SAFEGUARDING LOCAL POLICING</u>	AMBER

The risk is really broad and comes in 2 parts:

There is a risk that the Force fails follow safeguarding processes to protect the needs of the most vulnerable members of our community.
From audit and scrutiny work conducted over the last 6-8 months we are reassured that safeguarding processes are being followed and that any statutory referrals are being made appropriately. Other vulnerability concerns and signposting referrals are being made into local partnership teams via the portal.

There is also a risk that the Force fails to fully understand the safeguarding needs and experiences of citizens - young and old due to increased demand pressures and the challenging range of commissioned and partner-driven arrangements operating across the region.

By way of context, there are between 2000-2500 referrals submitted per month to NPU partnership teams. Less than half are justified and of good quality. Work has commenced with IT&D and partnership teams to design a new Forms platform/system.

The system will include:
- A series of front-end questions that will filter out many of the unnecessary referrals
- The ability to record and retain all information and can be searched/audited at any future point in time via Business Insights.

This system will:
- Reduce the number of referrals per month for all NPU's, whilst still fulfilling our statutory obligations.
- Simplify the referral pathway into either a crime investigation or 'Forms' referral. The latter will include the recording of statutory referrals and people who we are signposting to a partner agency.
- Provide efficiency savings, the submitting officer will, in most circumstances, complete the partnership referral form only for the NPU vulnerability officer to review and click one button to send or reject it. Currently, vulnerability officers complete the partnership referral form by manually repeating the information provided by the submitting officer

Due to the mitigation work completed and the work already completed towards a new referral system, the recommendation to de-escalate this risk to departmental governance level was agreed by the Deputy Chief Constable at the November Risk & Organisational Learning Board.

9.5. <u>CRR/24 – JESIP COMMAND TRAINING</u>	**HIGH**

Limited roll out of the JESIP re-accreditation courses. This has been caused by 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.

Operations senior leadership team and Organisational Development Learning are discussing the training requirements. The Operations Resilience Unit are meeting with the regional JESIP leads to identify regional JESIP demand including WMP demand for the next 3 years. It will identify how many courses are required and therefore how may trainers will be needed to meet our demand.

JESIP NCALTS are now withdrawn and the JESIP internet page is the hub of products. This is separate to continual professional development (CPD) from the Commander's course.

Between 01/09/2021 and 26/07/2022 we have trained an additional 259 commanders on the JESIP course.

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.

Significant number trained and work underway to identify training demand for the next 3 years. Recommend to review risk scores with risk owner and manage locally through Operations for an ongoing plan around refresher training. Should the risk score increase, then this risk can be considered for escalation back to the corporate register.

10. POLICE AND CRIME COMMISSIONER – RISK MANAGEMENT

Methodology

10.1   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

10.2   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

10.3   The topical risks relating to the delivery of police and crime plan have been determined through the monitoring of the delivery against the police and crime 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 areas of the plan that currently classified as red are detailed below.

Area	Detail
RASSO improved outcomes in the criminal justice system	Significant challenges in WMP mean performance in this area is still below the national average.
West Midlands Police - reduced theft of vehicles	Theft of motor vehicles has seen a significant increase compared to 2019/20.

Disproportionality in policing - workforce	Achieving a target of 1,000 officers extra from under represented groups by 2025 is being progressed but below target. Also, progression of under represented groups in the workforce.
Disproportionality in policing - stop & search	Black and Asian people are still significantly more likely to be stopped than white people.
Stop and search - positive outcome	Performance target relating to stop and search.
Accessing police services	Answering and responding to calls for service for WMP remains a concern.
Resources	Long term funding, introduction of green agenda, funding crime prevention activities.

OPCC Risk Register

10.4   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.

		VERY HIGH (V)	5	10	15	20	25
		HIGH (H)	4	8	12	16	20
Impact		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

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

Commentary on Risks

10.6   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.

10.7   The performance report to the Strategic Policing and Crime Board in October 2022 is included as an appendix to this report. 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.

10.8 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. This is reflected in commentary on the topical risks.

10.9 The level of risk associated with the level of resources to support police and crime prevention continues to be the highest risk for the PCC. It continues to be scored high due to the level of demand across WMP and the PCC's overall funding position. Significant cost inflation has resulted in the financial position of the PCC to worsen during this financial year. Inflation has impacted on the cost of 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, including the development of the budget for 2023/24 and mitigating overspends in the current financial year.

11.RECOMMENDATION

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

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