

HMICFRS: JASC Update Report January 2024

29/12/2023 – Inspector 1169 Pilkington

About HMICFRS:

The principal role of HMICFRS is to promote improvements in policing and fire & rescue services to ensure the public are protected from harm. This is achieved through inspecting, monitoring and reporting on the efficiency and effectiveness of the police and F&RSs with the aim of encouraging improvement.

In devising its policing inspection programme for the Home Secretary's approval, HMICFRS considers the risks to the public, service quality, public concerns, the operating environment, the effect which inspection may have on a force, and the benefits to the public of improvements which may follow inspection.

It is for chief constables (who have operational independence and autonomy within their respective forces), police and crime commissioners (with powers to set local priorities and budgets) and, in extreme cases, the Home Secretary (who has ultimate democratic responsibility for policing) to take action as a result of HMICFRS's recommendations contained within reports produced following inspection activity.

These reports may be force specific as a result of individual inspection activity such as the Police Effectiveness, Efficiency and Legitimacy (PEEL) programme and National Child Protection Inspections; or they can be national "thematic" inspections whereby inspection activity in a selection of forces will be used to address a theme in policing, but then with all forces subject to any subsequent recommendations. One of the most prominent thematic reports remains - "Vetting, Misconduct and Misogyny" with the associated recommendations and compliance now subject to enhanced scrutiny by NPCC and HMICFRS. National thematic reports on; leadership, race in policing, group based child sexual exploitation and victim's experiences of the criminal justice system" also feature within the last six months.

Where HMICFRS identify significant issues, this can result in the publication of a cause for concern with associated recommendations to address this. If a force receives a number of causes for concern or other pertinent enduring issues are identified, a force may be placed in "Engage"

meaning they are subject to enhanced scrutiny of their performance in certain areas, as has just happened with West Midlands Police. All causes for concern, recommendations and areas for improvement (AFIs) identified within reports are published on a National Monitoring Portal. Each force has access to this electronic database through which updates on progress can be submitted to HMICFRS for assessment with a view to demonstrating sufficient evidence to achieve completion and closure of these records.

The current West Mercia position in relation to open Causes of Concern, Recommendations and AFIs is as follows (correct 29/12/23):

Causes of Concern	6
Recommendations	94
AFIs	33

This can be compared to the national position and our most similar group (MSG) position. (MSGs are groups of police force areas that have been found to be the most similar to each other based on an analysis of demographic, social and economic characteristics which relate to crime – West Mercia is one of 8 forces in its MSG as below).

	D&C	Glouc	Norfolk	North York	Suffolk	Warks	West Mer	Wilts	Average
CoCs	3	9	3	3	1	6	6	6	5.4
Recs	53	122	93	80	129	69	94	140	97.5
AFIs	22	33	22	12	25	41	33	34	27.75

National averages:		MSG averages:	
Causes of Concern	3.6	Causes of Concern	5.4
Recommendations	90	Recommendations	97.5
AFIs	31	AFIs	27.75

- *As can be seen from the current figures, West Mercia have an average number of open causes of concern in relation to our MSG, but are higher than the national average. West Mercia's AFIs remain slightly higher compared to the national average, albeit focus has been on clearing outdated or recommendations that have been satisfied. This means we are in a stronger position than most forces nationally recommendations wise.*
- *Recommendations and AFIs are also now graded 1-4 by HMICFRS, with 4 being the most severe and often used for "engage" forces where there are serious issues. We have no level 4 recommendations or AFI's and roughly a 50% split between level 2 and 3 recommendations/AFIs. Level 2 can be signed off with appropriate oversight by the Chief Constable within forces. Level 3's can be recommended for closure, but ultimate sign off still rests with HMICFRS. Other forces nationally have a higher number of level 3 recommendations (around 65% of their totals). This is positive for West Mercia.*
- *The "Vetting, Misconduct and Misogyny thematic" has now had updates provided against all 43 recommendations, but given the volumes nationally, they are taking time to sign off which*

artificially inflates the volumes remaining open. We have assessed ourselves as compliant with all 43.

In addition to inspection activity HMICFRS also collect data from all forces to build an understanding of statistical analysis and forces who may be outliers at either end of the scale indicating potential failings or good practice. Access to the data collected and various analytical products is provided to forces via PEEL Digital Analysis Packs within Microsoft PowerBI.

The latest round of data taken from Autumn 2023 data return has just been returned to HMICFRS and will be available in the Spring of 2024. There was a noticeable increase in the amount of preventative orders applied for over previous returns in West Mercia.

West Mercia Response:

The West Mercia structure for responding to HMICFRS reports and recommendations has changed slightly with the introduction of MS Viva Goals. This means all recommendations will be assessed, tracked and assigned direct owners from January 2024, to minimise reporting methods and maximise interlinked tracking. This will enable a single version of the truth, increase transparency, and ensure accurate reporting to HMIC around areas such as VSA compliance (see below).

Recommendations/ AFI's are reviewed by the FLO as and when updates are provided to assess the efficacy of the measures introduced or changes made in light of the recommendations.

When deemed appropriate and with the advice of the HMIC force lead liaison officer, the updates are then added to the national portal for HMIC scrutiny and sign off. A more streamlined approach has been adopted, meaning the updates produced for SIB (service improvement board) are added directly to the portal from Viva goals to ensure a complete record of action and appropriate scrutiny.

Aspirationally, we wish to give HMICFRS direct read only access to our Viva platform to ensure transparency and ease of update (the current process necessitate a great deal of copying information from one platform to another, and could be much more efficient).

Current Activity:

PEEL 2021/22 – The force response to this report (16 AFI's, 2 recommendations) has been in place for some time. HMICFRS have signed off 2 AFI's (relating to Stop Search and Use of Force), with a further 2 having evidence of all steps met, pending sign off.

Custody – A re inspection of the custody action plan took place in Spring 2023. Whilst progress was judged as "adequate" against the plan by HMICFRS, there was a strong desire to see qualitative results of audit alongside quantitative. Where updates exist, this evidence has been submitted to HMICFRS to consider sign off. It is not expected we will be re inspected until 2025.

Vetting, Misconduct and Misogyny thematic- is covered as above with self assessed compliance in each area (now being verified by HMICFRS specialist inspectors).

The West Mercia specific Serious Organised Crime (SOC) inspection took place in June 2023, however the draft report has still not been provided by HMICFRS, with no apparent date set. Whilst full results are not known, it is expected there will be numerous areas for improvement. A SOC improvement plan has been formulated and has monthly scrutiny through improvement board meetings at Ch. Supt. level.

The HMICFRS Victim Services Assessment (VSA) inspection took place in July to sample 100 investigations (January-March 2023) from point of initial contact through to outcome code. The full results were given to the force in late October. We had an existing cause of concerns from the last HMICFRS inspection in terms of supervisory oversight. In most areas there was improvement, especially so in terms of victim contact and victim's code of practice compliance, however disappointingly, there was a decline in overall supervision and direction of investigations (67 % from 76%, good would look like 95% or above). Given this was a key point raised by HMICFRS during the last PEEL inspection, we will retain the cause of concern around investigative supervision and oversight. HMICFRS caution that this will require considerable improvement before consideration of discharging the cause of concern. This area is receiving considerable scrutiny from DCC Cooper with some bespoke support being provided by HMICFRS to improve

Forward planning- the force expects to receive confirmation of the full HMICFRS PEEL inspection in around June 2024, meaning final inspection will take place in November/ December 2024. Previously inspected forces suggest HMICFRS will instigate the continuous evidence gathering phase from April 2024, with activity intensifying during the summer period of 2024. This will likely necessitate consideration of additional resource to facilitate/ plan and monitor towards final evidence gathering period in November/ December 2024. Preparation activity for this PEEL cycle has commenced, with CC Murray requesting additional activity at Gold level in respect of firearms licensing and child protection which will run as thematic inspections concurrently with PEEL.

Super Complaints:

- A "Super-complaint into the police response to stalking" was released for force self-assessment (West Mercia responded by the deadline of 8th September 2023). 6 forces are being inspected in person (Warwickshire and Staffs. included) and we anticipate initial results in early 2024.
- The "Section 60 Stop and Search" super complaint was published on the 15th of December. There are 4 recommendations directly relevant to forces, with forces expected to provide responses via NPCC in January 2024, but with deadlines not until Autumn 2024.