

<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel (JASP)</b>
<b>Date of Meeting:</b>	<b>24<sup>th</sup> July 2018</b>
<b>Report of:</b>	<b>Amanda Froggatt, Strategic Support Officer</b>
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<b>Agenda Item:</b>	<b>10</b>

## **Audit and Inspection Update**

### **1. Purpose of the Report**

- 1.1 To provide the Joint Audit and Scrutiny Panel (JASP) with an update on progress against recommendations arising from audits and inspections which have taken place during Quarter 1, 2018/19.
- 1.2 To inform the Board of the schedule of planned audits and inspections.
- 1.3 To provide further information on the area identified for further scrutiny as requested at the last JASP. (Appendix 2 – Stolen Freedom; the Policing Response to Modern Slavery and Human Trafficking).

### **2. Recommendations**

- 2.1 That the Panel notes the status of audits and inspections carried out over the last quarter.
- 2.2 That the Panel review Appendix 1 and if required request further detail which will be reported at the next meeting.

### **3. Reasons for Recommendations**

- 3.1 To enable the Panel to fulfil its scrutiny obligations with regard to Nottinghamshire Police and its response to audits and inspections.
- 3.2 To provide the Panel with greater scrutiny opportunities and to reach more informed decisions.
- 3.3 To provide the Panel with the opportunity to shape the focus and data inputs for future HMICFRS inspections.

## 4. Summary of Key Points

### Audit and Inspection Action Updates

- 4.1 The actions referred to in this report are the result of recommendations made by Nottinghamshire Police's internal auditors and external inspectorates, including HMICFRS.
- 4.2 There are currently 0 actions which have exceeded its target date. There are 116 actions showing as 'at risk' of being off target i.e. they will exceed their target date in the next month.
- 4.3 There were 67 actions closed during this quarter.
- 4.4 Recent and forthcoming Inspections.

### Recent Inspection Activity

Date of Inspection	Inspection Area	Date Report Received	Final Grading	Status
June 2017	PEEL: Effectiveness – Re-visit	December 2017	N/A	Report received, actions being monitored on 4Action
September 2017	PEEL: Effectiveness	December 2017	GOOD	Report received, actions being monitored on 4Action
December 2017	Review of Recommendations	N/A	N/A	N/A
March 2018	Hate Crime Thematic Inspection	N/A	N/A	Inspection undertaken
March 2018	Review of Recommendations	N/A	N/A	N/A
April 2018	Unannounced Crime Data Integrity Inspection – Review of Recording of Crime	N/A	N/A	Inspection undertaken
May 2018	Unannounced Crime Data Integrity Inspection – Reality Testing	N/A	N/A	Inspection undertaken
June 2018	Crime File Review	N/A	N/A	Will be part of judgement for Integrated PEEL Inspection
June 2018	Review of Recommendations	N/A	N/A	N/A

## Forthcoming HMICFRS Inspections

Date of Inspection	Inspection Area	Status
3 <sup>rd</sup> July	Neighbourhood Visits	N/A
18 <sup>th</sup> /19 <sup>th</sup> July	Serious and Organised Crime	N/A
W/C 10 <sup>th</sup> September	Integrated PEEL Inspection	N/A

## Publications

Date of Publication	Inspection Area	Status
June 2018	State of Policing	N/A

## 4.5 Recent and Forthcoming Audits

### Recent Audit Activity

Date of Audit	Auditable Area	Date Report Received	Final Grading	Status
October 2017	Core Financials	January 2018	Satisfactory Assurance	Actions being monitored on 4Action
October 2017	Collaborative Audit of Counter Fraud	January 2018	No grading	Actions being monitored on 4Action
May 2018	Implementation of Duty Management System – Follow Up	May 2018	Satisfactory Assurance	Out for management comment
June 2018	Contract Management of MFSS	-	-	Awaiting report

## Forthcoming Audits

Date of Audit	Auditable Area	Status
July 2018	Safety Camera Project	-
July 2018	Risk Management	-
July 2018	Data Quality	-

## Overview of all ongoing actions from Audits & Inspections

Appendix 1 provides an overview of all ongoing actions from Audits and Inspections. The panel are recommended to scrutinise this information and to feedback on any further information or updates in any particular areas. This information will then be brought back to the next Audit and Scrutiny Panel for discussion.

## Area Identified for further scrutiny – Stolen Freedom; the Policing Response to Modern Slavery and Human Trafficking

### 5. Financial Implications and Budget Provision

5.1 If financial implications arise from recommendations raised from audits, inspections and reviews, these implications are considered accordingly. Where an action cannot be delivered within budget provision, approval will be sought through the appropriate means.

### 6. Human Resources Implications

6.1 There are no direct HR implications as a result of this report. HR implications resulting from specific actions will be managed on a case by case basis.

### 7. Equality Implications

7.1 There are no direct HR implications as a result of this report. HR implications resulting from specific actions will be managed on a case by case basis.

### 8. Risk Management

8.1 Some current actions involve the completion of formal reviews of specific business areas. It is possible that some or all of these reviews will identify and evaluate significant risks, which will then be incorporated into the Force's risk management process.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 Any policy implications will be subject to current policy development process.

## **10. Changes in Legislation or other Legal Considerations**

10.1 There are no direct legal implications as a result of this report.

## **11. Details of outcome of consultation**

11.1 Following receipt of a final audit or inspection report a member of the Governance and Planning team consults with the appropriate Lead Officer and other stakeholders to plan appropriate actions in response to each relevant recommendation, or to agree a suitable closing comment where no action is deemed necessary.

11.2 All planned actions are added to the action planning system, 4Action, for management and review until completion.

## **12. Appendices**

12.1 Appendix 1: Overview of all ongoing actions from Audits and Inspections

12.2 Appendix 2 – Stolen Freedom; the Policing Response to Modern Slavery and Human Trafficking



## Appendix 1 - Overview of all ongoing actions from Audits and Inspections: June 2018

Audit/Inspection	Source Title	Date	Number of Actions	Number Open	Number Closed	Number on Target	Number At Risk	Number Overdue
Audit-Mazars	Procurement January 2016	January 2016	10	0	10	0	0	0
Audit-Mazars	Implementation of DMS June 2016	June 2016	6	3	3	2	1	0
Audit-Mazars	Data Protection Act Compliance Oct 2016	October 2016	14	2	12	0	2	0
Audit-Mazars	Procurement Follow up Nov 2016	November 2016	9	4	5	0	4	0
Audit-Mazars	Core Financials Systems Assurance Dec 2016	December 2016	9	1	8	0	1	0
Audit-Mazars	HR Recruitment and Selection	January 2017	4	3	1	2	1	0
Audit-Mazars	Data Quality 2016/17	May 2017	4	2	2	2	0	0
Audit-Mazars	Risk Management	May 2017	7	7	0	0	7	0
Audit-Mazars	Estates Management	August 2017	3	0	3	0	0	0
Audit-Mazars	Fleet Management	August 2017	6	4	2	1	3	0
Audit-Mazars	Workforce Planning	September 2017	8	2	6	0	2	0
Audit-Mazars	Social Value Impact	July 2016	4	2	2	0	2	0
Audit-Mazars	Seized & Found Property	May 2017	11	10	1	0	10	0
Audit-Mazars	Counter Fraud Proactive Report/Counter Fraud Policy Review	January 2018	25	24	1	0	24	0

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Audit-Mazars	Procurement Follow up Sept 2017	September 2017	3	1	2	1	0	0
Audit-Mazars	Core Financials Follow up July 2016	October 2016	12	1	11	1	0	0
Audit-Mazars	EMCHRS Learning & Development Collaboration	August 2017	5	1	4	0	1	0
Audit-Mazars	Joint Code of Corporate Governance	November 2015	2	1	1	0	1	0
Audit-Mazars	Safety Camera Partnership	September 2017	2	2	0	0	2	0
Audit-Mazars	Commissioning - Community Safety	May 2016	5	4	1	0	4	0
Inspection-HMIC	Nottinghamshire Police's approach to tackling Domestic Abuse (local report)	March 2014	13	1	12	0	1	0
Inspection-HMIC	Welfare of Vulnerable People in Custody	March 2015	8	1	7	0	1	0
Inspection-HMIC	Efficiency Nov 2016 'Hot De Brief' actions	November 2016	31	4	27	0	4	0
Inspection-HMIC	Legitimacy 2016	December 2016	10	1	9	1	0	0
Inspection-HMIC	Effectiveness 2016	March 2017	9	8	1	0	8	0
Inspection-HMIC	Efficiency, Legitimacy and Leadership Hot Debrief 2017	May 2017	9	4	5	0	4	0
Inspection-HMIC	Making it Fair: Disclosure of unused material in volume Crown Court Cases	July 2017	6	4	2	1	3	0
Inspection-HMIC	National Child Protection 2015	August 2015	8	1	7	0	1	0
Inspection-HMIC	Stolen freedom: the policing response to modern slavery and human trafficking	October 2017	7	4	3	0	4	0



## Appendix 1 - Overview of all ongoing actions from Audits and Inspections: June 2018

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Inspection-HMIC	Planes, Drones & Helicopters	November 2017	19	0	19	0	0	0
Inspection-HMIC	PEEL Effectiveness 2017	September 2017	23	23	0	0	23	0
Inspection-HMIC	Living in fear - the Police and CPS response to harassment & stalking	July 2017	4	0	4	0	0	0
IPCC	Use of Force Report	September 2016	15	2	13	0	2	0
IPCO	IPCO Inspection	December 2017	2	1	1	1	0	0
KPMG	Statement of Accounts	September 2017	5	0	5	0	0	0



## Appendix 2

### Stolen Freedom – the Policing Response to Modern Slavery and Human Trafficking

In 2017 HMICFRS undertook to examine how police in England and Wales were tackling modern slavery and human trafficking crimes, including using their powers and provisions set out in the Modern Slavery Act 2015. Having interviewed national leads from different agencies, examined a wide range of documentation and data, and assessed operational practice in police forces, regional organised crime units (ROCU) and within the National Crime Agency (NCA), the outcome was the publication of 'Stolen Freedom – the Policing Response to Modern Slavery and Human Trafficking', and a series of recommendations outlined below.

This is Nottinghamshire Police's response to all the recommendations. In December 2017, HMICFRS visited the force and examined the force's approach to tackling slavery. HMICFRS agreed to close down six of the recommendations, noting the force was still progressing the recommendation relating to compliance with the National Referral Mechanism (NRM) process.

### Recommendations

**Within twelve months, forces should review their leadership and governance arrangements for modern slavery and human trafficking, to ensure that:**

- **senior leaders prioritise the response to modern slavery and human trafficking;**
- **every incident of modern slavery identified to police is allocated appropriate resources with the skills, experience and capacity to investigate it effectively;**
- **forces develop effective partnership arrangements to co-ordinate activity in order to share information and safeguard victims; and**
- **performance and quality assurance measures are in place to allow senior leaders to assess the nature and quality of the service provided to victims**

The force's strategic lead is ACC Protective Services and the Superintendent (Director of Intelligence) is the tactical lead, who report into a regional strategic governance group headed up by DCC EMSOU. This group sets the regional strategy and 4 x P's plans that are adopted and managed by the 5 forces.

The force also reports into the Nottinghamshire Anti-Slavery Partnership who also have a strategy and, in turn, are accountable for delivery through the Safer Nottinghamshire Board.

The Modern Slavery (MS)/ Foreign National Offender (FNO) team comprise of a Police Sergeant and 4 officers who are experienced in dealing and developing intelligence and investigations of modern slavery. Members of the team have also attended the National Modern Slavery Advisor course and regularly provide direct advice and guidance to support front line officers. There is also an analyst that supports the Modern Slavery team on an ad-hoc basis.

All intelligence is allocated, reviewed and developed by the Modern Slavery team. The use of static surveillance has increased due to the nature of the jobs which is supported by the Intelligence Development Unit. Intelligence that develops into investigation stage is

submitted to 'Tasking' for appropriate resources to be allocated. The team also receives referrals from other agencies (National Referral Mechanism (NRM)) and Modern Slavery Helpline.

The majority of MS (Modern Slavery) investigations are triaged by the MS team. NRM forms are quality assured by the team and there is on-going training provided to all Custody staff from Detention Officer to Inspector to ensure Association Criminal Records Office (ACRO) checks are completed and Potential Victims are Trafficking (PVOT) are identified at an early stage.

The MS team have also completed a 'First Responder's Guide to MS' which has been circulated to all frontline officers and guidance has previously been published. A refresh of the Intranet is also underway.

All Police submitted NRM's with a footprint in Nottinghamshire are copied back into the International Liaison inbox from the National Crime Agency (NCA), the same applies for NRM's from other agencies if they are first responder. These NRM's are then forwarded to the team and crimed accordingly, triaged by the Detective Chief Inspector within Intelligence (DCI).

Future changes in NRM shouldn't have any major impact on this process, but will assure we are well trained by the regional SPOC (Harry Dick) once these changes are implemented. It will also ensure we are consistent with other forces too.

The vulnerability to crime statistics was in the criming of MS/1 referrals (MS/1 forms are referrals from Police/Agencies where the victim doesn't want any support or doesn't want their details recording formally). These were being sent to a different email address in Nottinghamshire Police, but these are now all sent into the International Liaison inbox too, and follow the same triage/scrutiny as the NRM forms.

NRM changes around length of time support is offered etc. are yet to be communicated widely, or finalised, but we will ensure we have a thorough understanding of this, and then ensure relevant points are communicated to all staff.

Contact details, support numbers, and NRM processes as well as crime recording requirements are all mentioned in the recently published and distributed Modern Slavery First Responder Guide.

There were due to be an additional 6 members of staff to join the team (mixture of Police Constables (PC's) and Detective Constables (DC's)) and the MS team would transfer under the management of the Public Protection department. Due to other force resourcing requests, the target date for this is now the end of 2018. Detective Superintendent Fuller will remain as the Force Tactical lead when it transfers to Public Protection.

All modern slavery investigations are now triaged by the team who will either have ownership of the investigation or provide tactical support to the front line officers attending the early stages of investigations. All NRM forms are quality assured by the team and training for frontline officers, Custody and Detention Officers is on-going.

Partnership arrangements remain strong and good practice has been shared from Regional, National meetings and conferences that managers and practitioners have attended.

**Within six months, forces should have in place active information-sharing agreements with other agencies to facilitate speedy exchange of intelligence and in order to safeguard victims better and to identify suspects as early as possible**

The force has active information sharing agreements with Trading Standards, Local Authority, Fire Service and NHS. These are supported through the Serious Organised Crime (SOC) Local Partnership Board.

**Immediately, forces should ensure that all victims carrying out criminal acts under compulsion attributable to slavery or exploitation are afforded the protection of early and continuing consideration of the applicability of the section 45 defence**

This relates to persons committing offences whilst being a Potential Victim of Trafficking (PVOT). The force is fully aware of the section 45 defence and factors it into investigations and intelligence development. This is also part of training and awareness for investigators.

This defence has been incorporated into the Year 2 probationer training; which has been taught to all cohorts in the last year or so.

It also forms a major part of the now completed training inputs into the Custody Suite staff on their training days. Following interview, there should be consideration given to the section 45 defence if the suspect outlines that they are being forced to commit a crime/working off a debt, with a specific focus on foreign national offenders, and their vulnerability.

*Recent use of the defence-*

August 2017, OP VASTIDITY;

Several Vietnamese nationals were recovered over a 3 day period from a huge industrial cannabis grow in Basford. Initially, the response was to arrest these persons for cultivation of cannabis; however, our team liaised with the investigation team, and prevented any further arrests for this, as they were clearly victims rather than offenders. The 3 initial arrests were released and supported into the NRM without a suspect interview, and were treated as witnesses/victims. Seven persons recovered in total, all placed into the NRM. Four Juveniles, three Adults.

**Immediately, forces should take steps to ensure they are fully compliant with the NRM process as it evolves and are implementing the requirement placed upon them under the Modern Slavery Act 2015 to notify the Home Office of any individual suspected to be an adult victim of modern slavery or human trafficking**

There has been extensive training around this and all NRM forms are quality assured by the modern slavery team as they are initially submitted to the Intelligence Management Unit.

We are aware of future developments of the NRM process and will be in a strong position to implement the new process.

All Police submitted NRM's with a footprint in Nottinghamshire are copied back into the International Liaison inbox from the NCA, the same applies for NRM's from other agencies if they are first responder. These NRM's are then forwarded to the team, crimed accordingly and triaged.

Future changes in the NRM shouldn't have any major impact on this process, but we'll ensure we are well trained by the regional spoc (Harry Dick) once the changes are implemented. We'll also ensure we are consistent with other forces too.

**Immediately, forces should take steps to ensure they fully comply with national crime recording standard (NCRS) requirements for offences identified as modern slavery and human trafficking and that sufficient audit capacity is available to the force crime registrar to provide reassurance that each force is identifying and managing any gaps in its crime-recording accuracy for these types of offences**

All incidents of Modern Slavery are recorded as per the national crime recording standard (NCRS).

Dip testing is also regularly undertaken by the Force Crime Registrar to ensure the force is fit for purpose.

A visit by HMICFRS (Crime Data Integrity Inspection) on 30<sup>th</sup> May 2018, acknowledged this was being adhered to and compliance was good. Officers and staff are aware of their obligation under National Crime Recording Standards. Crimes are also reviewed by Senior Managers to ensure compliance.

**Immediately, forces should ensure that allegations or indications of modern slavery and human trafficking are thoroughly investigated and effectively supervised by teams and individuals with the skills and experience to undertake them (this should include the use where appropriate of joint intelligence teams and other means to obtain intelligence and evidence from agencies overseas)**

All investigations, allegations and indications of Modern Slavery and Human Trafficking are thoroughly investigated. Ownership and resourcing of these allegations are also discussed within the Force Tasking process. In all cases, safeguarding is completed, victims are removed from the situation through the National Referral Mechanism (NRM), investigations triaged and full research is undertaken, including overseas checks.

All investigations which require a Professional Investigator and additional resources are submitted to Force Tasking for allocation. Dynamic investigations are also discussed through the force Daily Management Meeting process.

Since April 1<sup>st</sup> (this financial year) 54 crimes have been recorded. This has been a significant increase on last year of around +500% year to date. This figure incorporates 61 NRM's in that timescale. It should be noted not all NRM's attract a crime number if offences have occurred overseas.

In 2017/18 Nottinghamshire Police received 524 intelligence reports relating to modern slavery compared with 243 in 2016/17. There were also, 76 crimes recorded over the same time period compared with 13 in 2016/17. There were also 76 NRM's.

**Immediately, forces should review their use of preventative powers under the Modern Slavery Act 2015 to ensure that opportunities to restrict the activities of those deemed to pose a clear threat to others in respect of modern slavery and human trafficking offences are exploited.**

The force is fully aware of the new Pre and Post-Conviction Trafficking and Risk Orders (TRO) and constantly looks for good practice regionally and nationally to review the benchmarking. It has also been successful with two recent convictions. The force have had no pre-conviction orders to date, as the threshold level is much higher, but with our improving intelligence picture we foresee opportunities to secure these in the future, recognising that achieving a positive criminal justice outcome for these offences is very challenging.

