

For Consideration	
Public/Non Public*	Public
Report to:	Joint Audit and Scrutiny Panel
Date of Meeting:	24th September 2015
Report of:	Paddy Tipping Police Commissioner
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Agenda Item:	10

UPDATE ON HMIC REPORTS AND RECOMMENDATIONS

1. PURPOSE OF THE REPORT

- 1.1 This report has been prepared to assist the Panel in their responsibilities by providing an annual update report on the outcome of each HMIC inspection and recommendations, including the Commissioner's response. **Appendix 1** contains a Table that highlights the main HMIC recommendations for reports received during 2015.
- 1.2 To provide the Panel with assurance there is a robust process in place in relation to the scrutiny of the action of the force in response to HMIC recommendations.

2. RECOMMENDATIONS

- 2.1 That the Panel notes the progress made against HMIC inspection recommendations.
- 2.2 That the Panel discuss the contents of this update report and provide the Commissioner with any feedback.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The [Terms of Reference](#) of the Joint Audit and Scrutiny Panel include:
- 1) *To ensure there is appropriate co-ordination between the internal audit plan, Her Majesty's Inspector of Constabulary (HMIC) inspection and the annual scrutiny programme to avoid duplication (page 2).*
 - 2) *To maintain, within an agreed timescale, the implementation of agreed recommendations relating to internal audit reports and HMIC inspections and scrutiny reports (page 3).*
- 3.2 This report should assist Panel members in their responsibilities.

4. Summary of Key Points

Management and Tracking of HMIC Recommendations

- 4.1 Following receipt of a final HMIC report a member of the Force Planning and Policy team consults with the Force lead and other responsible stakeholders to plan appropriate actions in response to each HMIC recommendation, or to agree a suitable closing comment where no action is necessary. This is signed off by the Deputy Chief Constable (DCC).
- 4.2 All planned actions signed off by the DCC are added to the Force's action planning system database '4Action', for management and review until completion. **Appendix 2** provides a flowchart of the process.
- 4.3 The Commissioner has a statutory responsibility to prepare comments on any HMIC's published reports, under section 55(5) of the 1996 Police Act. A letter from the Home Office clarifies that a written response is only required in relation to the Commissioner's force i.e. Nottinghamshire although the Commissioner may provide a non-statutory written response to any national report if he chooses to do so.

HMIC Recommendations (since April 2015)

- 4.4 During the calendar year of 2015 HMIC has so far published four reports specific to Nottinghamshire Police. Only two of these reports have recommendations. **Appendix 1** lists all of the recommendations together with the Force's brief comments on progress:
- 4.4.1 [Nottinghamshire – National Child Protection Inspection](#) (Child Protection - 11 February 2015)
- This inspection examined child protection in Nottinghamshire Police in September 2014. It is part of a rolling programme of inspections of all police forces in England and Wales. HMIC is to undertake a follow up inspection on 4th August 2015.
- 4.4.2 [Rape Monitoring Group: Digests and Data 2013/14](#) (Data - 12 March 2015)
- On behalf of the national Rape Monitoring Group (RMG), HMIC has published 42 local area digests to provide a data set to enable more thorough analysis of how rape is dealt with in a particular area of England and Wales. [As a digest there are no specific recommendations made for the force to implement].
- 4.4.3 [Responding to Austerity Progress Report: Nottinghamshire Police](#) (Value for Money Inspection - 29 May 2015)
- This report sets out the progress made by Nottinghamshire Police since the publication of the Policing in Austerity: Meeting the Challenge report was published in 2014. [There were no recommendations made]

4.4.4 [Building the Picture](#): An Inspection of Police Information Management (Child Protection - 2 July 2015)

- This report sets out findings from HMICs review of the business processes police forces in England and Wales use to collect, record, process, evaluate and share information in the wake of the mistakes that have been made in the handling of information relating to, and allegations of, sexual abuse.

4.5 Nottinghamshire – National Child Protection Inspection

4.5.1 The HMIC report identified some good points:

- Staff responsible for managing child abuse investigations were highly committed, knowledgeable, and dedicated to providing good outcomes for children;
- There was good management of registered sex offenders;
- Neighbourhood officers had good knowledge of those who posed the highest risk to children;
- The Force has delivered training for frontline officers and staff on vulnerability and safeguarding; and
- The Force has good relationships with partner agencies and local Safeguarding Children's Boards.

4.5.2 HMIC had some concerns in respect of:

- Significant delays in some child protection investigations;
- A lack of supervisory oversight and management of cases;
- Children were being unnecessarily detained in police custody overnight; and
- Lack of awareness of child sexual exploitation in some parts of the force leading to an inconsistent response.

4.5.3 The Commissioner provided a [written response](#) to the HMIC report which is available to the public on his web site. In short, the Commissioner agreed that the force needs to do more to further improve its approach to protecting children indicating that the force had in fact done so since the inspection in September 2014. He went on to say that he believed that partners too have an important role stating that he had included in his refreshed Police and Crime Plan (2015-18) a new strategic activity to work with safeguarding partners to increase awareness and understanding of child sexual exploitation, missing children, hidden harm and provide support to victims with partners.

4.6 Rape Monitoring Group

4.6.1 On behalf of the national Rape Monitoring Group (RMG), HMIC has published 42 local area Digests (including Nottinghamshire) to provide a data set to enable more thorough analysis of how rape is dealt with in a particular area of England and Wales. The RMG regularly review these digests with a view to enhancing the quantity and quality of the information

they contain, so that the right questions and interventions can be made in driving improvements in this important area of work.

4.6.2 These local area Digests pull together a range of Home Office/Office for National Statistics, Crown Prosecution Service and Ministry of Justice data on rape in one place. Police-recorded data on rape, broken down by adult or child, comprises of:

- the number of recorded rapes;
- how many rapes were initially recorded as such, but then declassified to no-crimes; and
- how many recorded rapes resulted in the suspect receiving a charge/summons.

4.6.3 The Digest provides visual charts and tables comparing Nottinghamshire to the national average but it provides no strategic insight. There are numerous warnings and cautions about the limitations of on how to interpret the data. As a Digest there are no specific recommendations made for the force to implement and as such the Commissioner has not provided any written response.

4.7 Responding to Austerity Progress Report

4.7.1 In the October 2010 spending review, the Government announced that central funding to the police service in England and Wales would be reduced in real terms by 20% in the four years from March 2011 to March 2015. HMIC's Valuing the Police Programme has tracked how forces have planned to make savings to meet this budget requirement. HMIC published findings on this in July 2011, June 2012 and July 2013.

4.7.2 The Policing in Austerity report, published in July 2014, in the final year of the spending review, focused on how well the force is achieving value for money. To answer this question HMIC looked at three areas:

- To what extent is the force taking the necessary steps to ensure a secure financial position for the short and long term?
- To what extent has the force an affordable way of providing policing?
- To what extent is the force efficient?

4.7.3 HMIC made a judgment as to the extent to which each force provides value for money in the context of current spending constraints and rated Nottinghamshire Police as requiring improvement in the way it achieves value for money, and/or there are some weaknesses.

4.7.4 In May 2015, HMIC's published its 'Responding to Austerity: Progress Report' in respect of HMICs re-inspection of Nottinghamshire Police in October 2014. The report indicates that HMIC found that the Force is making good progress on its new operating model and is starting to implement a more affordable way of providing effective policing services and able to demonstrate how it plans to have a secure financial position for the short and long term.

- 4.7.5 HMIC made no specific recommendations but indicated that its on-going PEEL (police efficiency, effectiveness and legitimacy) assessments will be used to consider the extent to which police forces provide value for money, and will do so in the context of an overall inspection of police efficiency and effectiveness. HMIC concluded that Nottinghamshire Police now faces the need to implement and manage a complex set of linked changes, without slippage, at both force and regional level. The force understands these issues and the risk associated with the change. HMIC will want to test the impact of these changes in future inspections.
- 4.7.6 The Commissioner provided a [written response](#) to the HMIC report which is available to the public on his web site. The Commissioner emphasised that within the context of this HMIC report all public bodies, including Nottinghamshire Police face a challenging financial climate. He pointed out that over the past three years savings of £42million and a budget reduction of 20%, have been made. This year (2015-2016) savings of a further £11 million are planned so there are real challenges ahead.
- 4.7.7 He also pointed out that there is a disproportionate impact on Nottinghamshire's Policing budget because of the reliance on the central grant. Furthermore, under the national funding formula, which distributes Government funding to each local policing body based on their needs, because a national 'damping mechanism' is applied to equalise the annual increase in funding across the country, Nottinghamshire Police loses out £12m which would otherwise be used to resource policing in the area.
- 4.7.8 The Commissioner stated that it is quite possible that the grant Nottinghamshire Police receives from Government will have reduced by 50% between 2010 and 2020. Less money means less everything and, as time goes on, it will mean fewer people to tackle crime. With 80% of costs spent on people, and a falling budget likely to be halved by 2020, Nottinghamshire will inevitably have fewer officers, PCSOs and support staff.
- 4.7.9 The Commissioner provided assurance to HMIC that 'responding to austerity' continues to be a key theme in his Police and Crime Plan (2015-18) i.e. that within Theme 7 'Spending your money wisely' he has included 18 strategic activities intended to drive further efficiency savings such as implementing 'Designing the future', further collaboration with partners and other forces, maximising funding opportunities, rationalising the police estate, recruiting more volunteers, introducing more agile mobile data solutions, exploiting technology, more effective commissioning, and greater partnership working but to name a few.

4.8 Building the Picture

- 4.8.1 On 12 March 2013, HMIC published the findings of a review into how the Metropolitan Police Service, Surrey Police and Sussex Police dealt with the information and allegations which they received between 1964 and 2008 regarding the criminal sexual conduct of the late Jimmy Savile.

- 4.8.2 This review considered the way in which these forces applied the **Code of Practice on the Management of Police Information 2005**, the **APP on information management**^a and the former editions of the national guidance in dealing with the information and allegations. It also examined the extent to which those forces made effective use of the **Police National Database** to aggregate discrete pieces of information (from within and across forces) and so build a picture of the extent and nature of the alleged offending.
- 4.8.3 HMIC concluded that mistakes had been made in the handling of information and allegations and stated that “*we were sufficiently concerned about information management*” to conduct a further review in this area. This inspection fulfils this commitment and answers the question: **could the same mistakes be made again?**
- 4.8.4 HMIC argue that compliance with the APP and Code of Practice are crucial to safeguarding and quote Baroness Hale’s main theme of her report:
- “We do not need any reminding, since the murder of two little girls by a school caretaker in Soham and the recommendations of the report of the Bichard Inquiry which followed (2004) (HC 653), of the crucial role which piecing together different items of police intelligence can play in preventing as well as detecting crime.”*
- 4.8.5 To check whether the same mistakes could be made again, HMIC analysed the results of a self-assessment survey of information management practices which was completed by **all 43 forces** in England and Wales in 2013 (to give an indication of the national picture), and conducted **three days of fieldwork** in each of **13 forces (including Nottinghamshire between the 23 and 25 June 2014)**.
- 4.8.6 Issues were identified in most of the 13 Forces inspected in respect of lack of compliance with the **APP on information management**. As a result of their findings, HMIC has made ten recommendations (for the Home Office; the national lead for information management business area; the College of Policing and 6 for Chief Constables).
- 4.8.7 The implication of the HMIC report is that since the Force is not compliant in a number of areas, people are not as safeguarded as they could be.
- 4.8.8 The Commissioner has been briefed on the findings of this recent report and has provided HMIC with his [written response](#).

^a *Authorised Professional Practice (APP) on information management, College of Policing, 2013. Available from www.app.college.police.uk/app-content/information-management/management-of-police-information/ This is the body of guidance published by the College of Policing to provide the police service in England and Wales with policy and procedures to follow.*

5. Financial Implications and Budget Provision

5.1 HMIC recommendations are not costed and currently there is no capacity to do so. They vary in cost from negligible to significant. Any implemented recommendations have an impact on budget provision e.g. additional training, or additional capacity to carry out a review.

6. Human Resources Implications

6.1 None - this is an information report.

7. Equality Implications

7.1 None - this is an information report.

8. Risk Management

8.1 Issues raised by HMIC are considered alongside other risks and key risks are included in both Force and OPCC Risk Register.

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

9.1 Most of the HMIC recommendations if implemented will have an impact on the Commissioner's Police and Crime Plan priorities.

10. Changes in Legislation or other Legal Considerations

10.1 None - that are directly connected with this report.

11. Details of outcome of Consultation

11.1 This report has been sent to the Deputy Chief Constable and Police staff have populated the updates in **Appendix 1**.

12. Appendices

1. Table of HMIC Recommendations and Force Updates
2. Force Audit and Inspection Process Chart

For any enquiries about this report please contact:

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