

**WEST MERCIA POLICE AND CRIME PANEL
27 NOVEMBER 2019**

**HMICFRS INSPECTION REPORT - 'PEEL: POLICE
EFFECTIVENESS, EFFICIENCY AND LEGITIMACY 2018/19
AN INSPECTION OF WEST MERCIA POLICE'**

Recommendation

1. Members of the Panel are invited to note this report.

Background

2. In 2018 HMICFRS notified all police Chief Constables and Police and Crime Commissioners of its intention to revise its PEEL inspection programme, by combining the three separate force inspections of 'efficiency', 'effectiveness' and 'legitimacy' into one integrated inspection. To facilitate this new approach all forces in England and Wales were to be inspected on up to 10 key areas, with subsequent inspection reports published in tranches in line with the inspection programme.

3. As part of the second tranche of the inspection programme West Mercia Police were subject to an initial onsite inspection in January 2019. The final version of the HMICFRS inspection report was published eight months after the inspection at the end of September 2019. A copy of the inspection report is attached at Appendix 1.

Report findings

4. The PEEL inspection report provides an overall judgement grade of 'outstanding', 'good' 'requires improvement' or 'inadequate' for effectiveness, efficiency and legitimacy along with individual grades for each of the key question areas which were subject to inspection in that year. West Mercia was judged as 'requires improvement' in all three areas.

5. The table below provides a summary of all the grades for West Mercia contained within the report.

Inspection area	Grade
Effectiveness	Requires improvement
Preventing crime and tackling anti-social behaviour	Good
Investigating crime	Requires improvement
Protecting vulnerable people	Requires improvement
Tackling serious and organised crime	Good

Armed response capability	Ungraded
Efficiency	Requires improvement
Meeting current demands and using resources	Requires improvement
Planning for the future	Inadequate
Legitimacy	Requires improvement
Fair treatment of the public	Requires improvement
Ethical and lawful workforce behaviour	Good
Fair treatment of the workforce	Requires improvement

AFIs and Recommendations

6. Set out below are each of the areas for improvement (AFIs) and recommendations contained within the inspection report along with a brief summary of the work either being done or being considered to address the report findings in each area.

Effectiveness

Preventing crime and tackling anti-social behaviour (good)

7. There was one AFI identified in this area:

The force should introduce a performance framework to hold officers and staff to account for effective crime prevention activity.

8. During 2018 a new approach to problem solving policing was implemented in force. Problem solving structures have been established; consisting of strategic and tactical leads, problem solving coordinators and problem solving ambassadors. All Safer Neighbourhood Team (SNT) officers and staff have been trained in problem solving. A performance framework is now being developed in line with the HMICFRS recommendation that will focus on the Safer Neighbourhood Teams and Problem Solving Hubs.

Investigating crime (requires improvement)

9. Seven recommendations were identified in this area:

The force does not have the capacity or capability to investigate crime effectively and this is affecting the service being provided to the public. There are failings in the way that crimes are being investigated. To address this cause of concern, we recommend that within six months the force should:

- *Improve how it responds to reports of crimes, how it then allocates them, ensuring it allocates investigations to appropriately trained and supported officers, and that it reviews this allocation appropriately throughout the investigation;*
- *Ensure regular and active supervision of the quality and progress of investigations. This supervision should be properly recorded;*

- *Improve its ability to retrieve digital evidence from mobile phones, computers and other electronic devices quickly enough to ensure investigations are not delayed;*
- *Take steps to better understand the data relating to its crime outcomes and put actions in place to ensure that it is effectively pursuing justice on behalf of victims;*
- *Improve its understanding of suspects released under investigation and the management of those released on bail;*
- *Introduce consistent processes to effectively manage the risk posed by suspects who are under investigation but have not yet been arrested or circulated as wanted on PNC; and*
- *Introduce effective arrangements to ensure it complies fully with its disclosure obligations.*

10. The response to these recommendations is being led by a Detective Superintendent who has a small project team in place. There is close alignment with a separate demand reduction project and the two areas work in synergy.

11. Options to develop the implementation of a consistent investigation model across West Mercia have been considered. A case has been prepared to increase the number of detective resources to enable this implementation taking into account the already agreed rises in overall officer numbers.

12. Demand reduction work has already seen significant inroads being made into the timeliness of the response to reported crime; this in turn will assist the most appropriate allocation and management of crime from point of report. Within this there has been, and continues to be, a focus on domestic abuse (DA) reports.

13. Analysis & Service Improvement and Service Delivery & Continuous Improvement teams have been engaged to develop an audit of the timeliness of responses. A trial has commenced for this in Shropshire.

14. Investigation plans are to be mandated and templates created for this. This will enable supervisors to utilise these tools to assess whether they hold, or have access to, the required skills for the investigation. Mandatory review templates are also being developed for supervisors to quality assure this process.

15. The Senior Detective Forum is working with Learning & Development to set and maintain minimum training/accreditation levels for detectives on LPAs. Work is also ongoing to assess current and viable ICT applications for investigative support.

16. The head of Protective Service has been working with the Head of Digital Forensics to address the force's ability to retrieve digital evidence. A trial involving the triage of devices to reduce the number of devices requiring processing has started along with communications to staff around good practice, digital awareness etc.

17. Work has commenced on crime outcomes with an initial focus on domestic abuse crimes, the results of which can then be applied more widely. There has been education for staff through Force Orders, posters and supervisor briefings on

outcome codes. This work is in addition to other work such as a drive to increase arrest rates in DA cases to ensure that the force is pursuing justice for victims.

18. Steps identified to improve the response to suspects released under investigation (RUI) include improving supervision by ensuring that the suspect's current status is reviewed when a supervisor is reviewing the crime, with appropriate risk assessment and direction recorded on the investigation, making better use of IT systems, including requesting changes to the ATHENA system and changing processes.

19. In Worcester a new approach is being trialled so that each custody team look after their corresponding Patrol and CID teams' RUIs. Custody will liaise directly with officers/supervisors requesting updates. A communications plan is also being developed on the importance of RUI.

20. It is recognised that there are significant difficulties in managing the risk posed by suspects who are under investigation but have not yet been arrested or circulated as wanted on PNC. Work is to commence to ensure wider application of existing good practice and better use of a supervisory footprint and officer investigation plans to ensure that risk is properly assessed and rationale for decisions taken recorded.

21. Two disclosure courses have been designed – a 3 day course for all detectives from DC to DI has been developed and a 1 day course has been designed for all PIP 1 investigators. Both the 1 day and 3 day training courses are being rolled out to the workforce.

22. Regional Disclosure Meetings are held with CPS - these meetings take place on a quarterly basis to share best practice and identify emerging disclosure issues/trends which are then fed into local disclosure meetings. Local tactical disclosure meetings are used as a forum for sharing and disseminating learning to and from the regional meeting.

Protecting vulnerable people (requires improvement)

23. There were 5 AFIs identified in this area:

- *The force should consistently enforce bail conditions to better safeguard vulnerable people.*
- *The force should implement effective measures to ensure that information is shared with schools promptly and effectively when children have been affected by domestic abuse incidents.*
- *The force should review the MARAC referral process and consider the need for greater partner involvement in the decision making process to ensure high risk victims of domestic abuse are not being placed at further risk as a result.*
- *The force should work with partners to introduce effective MASH arrangements in all parts of the force.*
- *The force should work with partners to implement the mental health crisis care concordat.*

24. The wording of the report makes specific reference to domestic abuse cases and bail conditions. This is being addressed by the strategic vulnerability team who are leading on significant ongoing work in regards to DA with a focus on increased arrest rates and improved outcomes for victims. Steps being taken include:

- Training – Ongoing DA Matters training to the workforce which includes specific elements to promote positive action at DA incidents and use of bail conditions where appropriate, a bite sized learning video specific to powers of arrest and use of bail & bail conditions (this video is being delivered to all front line staff by team Sgt's supported by the DA Champions), Sergeant training features DA & Bail / Bail condition input and Custody Sergeant training specific to DA including the use of bail conditions has been delivered to all custody Sergeant's by the force DA lead
- A variety of support and guidance materials which promotes the use of bail conditions
- An OCC scrutiny panel has been created as a direct action from the DA working group. This involves the force DA lead regularly meeting with OCC managers to scrutinise compliance with actions agreed within the working group and reality test. This together with the recent DA Matters training delivered to OCC staff has led to increased awareness of the risks presented relating to breaches of bail conditions and appropriate resourcing of those incidents.
- The force is reviewing how pre charge bail conditions are collated, enforced and scrutinised by OIC's, intelligence and local command teams for cases that are not managed by a medium / high risk management plans (RMP), however these are low in number as if bail conditions are in place these are usually for med / high risk cases. The findings from the review will be used to implement a consistent force wide process.

25. To improve information sharing with schools the force has rolled out Operation Encompass. This is a national operation that directly connects the police with schools to secure better outcomes for children who are subject or witness to police-attended incidents of domestic abuse. Provision of support within the school environment means children are better safeguarded against the short-, medium- and long-term effects of domestic abuse.

26. The strategic vulnerability team have ownership of MARAC and are in the process of arranging a specific meeting to progress this action. There has been recent investment in MARAC chair training but there is a recognition that the force need to review current referral arrangements processes across the force area.

27. It is acknowledged that there are different levels of MASH service being provided across West Mercia with four local authorities and many different partners in each area. As a consequence it is not possible to change that to a single model. Additionally, there is no agreed national definition of a MASH or 'full MASH processes' at this time, however the West Mercia Tactical Lead for MASH has visited a number of MASH services in other parts of the country to review different models.

28. There is ongoing work across all LPAs to improve triage/alternative mental health provisions. This includes street triage projects in Worcestershire and

Herefordshire. Liaison and Diversion services are now also embedded at all Custody Blocks across West Mercia since June 2019. There are regional variations in the provisions available due to the number of partners, NHS trusts etc in operation across the multi county force area.

Tackling serious and organised crime (good)

29. There was one AFI identified in this area:

The force should continue to improve its understanding of the impact of its work on serious and organised crime across the four Ps. This will ensure that it learns from experience to maximise the disruptive effect on this type of criminal activity.

30. The force has published a Serious and Organised Crime Strategy which seeks to provide a qualitative review of the 4 P activity.

31. The force has created a database activity against Serious Organised Crime. Whilst it is currently populated mainly by OCG information, it is now expanding to include county lines and in the near future urban street gangs. This data will enable effective practice to be identified for police and partners to use. Likewise, an analytical evaluation of the tactics and activity against OCG's and county lines is being developed to share best practise across SOCJAG's.

32. Analysts are to be tasked with environmental scanning and utilise the Home Office READ team to seek good practice from around the country and Home Office to share with partners.

Efficiency

Meeting current demands and using resources (requires improvement)

33. There were four recommendations in this area:

The force does not have suitable arrangements in place to make sure it can maintain the full range of public services when its alliance with Warwickshire Police ends. There are gaps in its workforce skills assessment, and weaknesses in both its investigative approach and its approach to safeguarding vulnerable people. To address this cause of concern, we recommend that the force should immediately:

- *Put in place plans to maintain the full range of public services by October 2019, particularly in the areas of highest risk;*
- *Expand the skills project work to include an assessment of all skills, not only operational, including potential future skills requirements. This assessment should inform workforce plans;*
- *Conduct a review of officers' capabilities and capacity to manage their investigative workload, to better understand investigative demand and the pressures placed upon them; and*
- *Conduct a review, involving its partners, of the approach to vulnerability to better safeguard vulnerable people*

34. A transition planning team, Op Broadleaf, was established to ensure a smooth transition of services for West Mercia from October 2019. To enable the Chief Constable and PCC to determine their preferred service delivery model Broadleaf carried out a detailed options analysis and outline business case for each service area using approved change methodology, HM Green Book compliance and most importantly, with the full support and agreement of all business leads impacted by the transition proposals. Broadleaf undertook a comprehensive risk based review of the options analysis once Warwickshire Police signalled their intention to move to a standalone option for all service areas

35. Following the Home Secretary's decision to mandate the continuation of the Alliance for a further six months, on its current terms and conditions, Warwickshire chose to withdraw a number of shared services to a standalone position. West Mercia responded quickly to this unilateral decision by Warwickshire, in order to minimise the operational impact on the force.

36. Investigative workload and demand forms part of the comprehensive review into investigations outlined in paragraphs 10 to 21 above.

37. The strategic vulnerability team have ownership of the force approach to vulnerability with partners and are currently assessing how to take this action forward.

Planning for the future (inadequate)

38. There were three recommendations made in this area:

The force has not yet defined how all of its services to the public will operate in the future, nor has it agreed a smooth transition to a future operating model. And it has not consulted with the public on these important matters. To address this cause of concern, we recommend that the force should immediately:

- *Clearly define its new operating model, ensuring all operational and support services are affordable and fit to protect the communities of West Mercia;*
- *Agree arrangements with Warwickshire Police to secure a smooth transition to its future operating model, ensuring no disruption to public services; and*
- *Improve its arrangements both to consult with the public about business planning and to feedback on changes made to service delivery as a result of such consultation.*

39. Following the Home Secretary's decision to mandate continuation of the original collaboration agreement between the two forces, negotiations have continued to work towards a transition towards two standalone forces. In doing so both forces acknowledge that some functions, such as digital services, will need to remain shared for longer.

40. The West Mercia transition and transformation programmes have sought to ensure that the sustainable delivery of policing outcomes sits at the heart of fully

informed decision making processes. Extensive contingency planning has been conducted to ensure the continuation of services

41. West Mercia have worked with Warwickshire to ensure an aligned and agreed approach to the management of change. As such, work has been done collaboratively to minimise disruption to staff. Staff Associations and unions have also been engaged in this process

42. The Chief Constable and PCC have publicly set out their rationale for ending the existing alliance with Warwickshire Police. This is a complex area and the entire change programme has been influenced by a representative from the office of the PCC, specifically tasked to represent the voice of our community. In light of HMICFRS feedback the force is reviewing more dynamic and inclusive opportunities moving forward.

Legitimacy

Fair treatment of the public (requires improvement)

43. There were two areas AFIs identified in this area:

- *The force should review its approach to unconscious bias and effective communications skills training to help it better achieve its community engagement aims.*
- *The force should better understand its stop and search data, particularly relating to disproportionality, using this understanding to make improvements to the way it uses stop and search.*

44. A recent programme of activity is in place to raise awareness of unconscious bias across the organisation. This includes NCALT training for all staff.

45. A further 12 courses for officers and staff have a specific face to face input on this subject, including fairness in policing, student officers IPLDP, stop & search training, crime data integrity (Inspectors package, reassurance training, interviewing skills & various PiP related courses).

46. It is also included for senior officers and staff attending Gold/Silver OPS Command Courses (i.e. firearms) & College of Policing Senior Leadership Programmes.

47. The new Fairness, Policy and Standards Group and the Strategic Training Panel will provide governance and monitoring and regular review of this input.

48. The operational lead for stop and search (S&S) is currently working with Telford and Wrekin Council and Shropshire Council, as well as other LPA authorities, to establish community breakdowns to set against stop search data. This is to determine a more realistic picture of the force wide BAME breakdown. This work being completed in conjunction with the force's performance team.

49. Over the last twelve months West Mercia have completed 3302 stop searches with 563 being completed on BAME members which equates to 17% of the stop

searches completed. Of the 563 searches 157 (28%) are from individuals residing outside the force area. In addition, 30% of BAME searched refused to give details. Targeting of county lines associated vehicles and information sharing between forces is having an impact upon our disproportionality as a quantity of searches are completed through vehicle intelligence / markers and as such are not person specific, but occupant led.

50. A degree dissertation on disproportionality written by a new appointed Police Staff Investigator is being reviewed to identify areas of improvement which could be implemented.

51. Avon and Somerset University has been approached to undertake a full external review S&S and elements of Use of Force (UoF) which includes disproportionality. A proposal document for the research, drafted with Worcester University has been submitted for review.

52. Work with universities colleges and schools continues and is now part of the Worcester and Redditch campus curriculum where educating around stop and search and use of force continues. This includes external review of S&S submissions where they comment on legitimacy and detailed grounds. This work is carried out with children from 13 years upwards so is helping to educate create a greater understanding and build confidence as well as improve BAME involvement.

Ethical and lawful workforce behaviour (good)

53. There was one AFI identified in this area

The force should ensure that its counter-corruption unit has enough capability and capacity to counter corruption effectively and proactively; and can fully monitor all of its computer systems, including mobile data, to proactively identify data breaches, protect the force's data and identify computer misuse.

54. The Force has had closed door sessions with HMICFRS during the inspections and has discussed these matters however it is not possible to disclose the detail to ensure the ongoing integrity of force systems.

55. The PCC and his staff have been sighted on the structures and processes put in place by the Professional Standards Department to address this issue and is reassured by the approach taken.

Fair treatment of the workforce (requires improvement)

56. There were four AFI identified in this area:

- *The force should ensure it provides suitable training, support and capacity for its supervisors so that they have the necessary time to recognise the signs and provide the necessary early intervention response for managing wellbeing issues.*
- *The force should improve how it manages individual performance and identifies talent, ensuring reviews are consistently and fairly*

applied across the workforce and valued by all, and that poor performance is managed consistently.

- *The force should ensure that it provides suitable training, support and capacity for its supervisors so that they are fully equipped and confident to manage the performance and development of their staff, including effectively managing poor performance and identifying talent.*
- *The force should ensure that its promotion and selection processes are accessible and transparent and are perceived by the workforce as fair.*

57. Recent Passport to Lead training for supervisors covers this in two of the sessions (HR Management input and Health & Wellbeing input), however this is only mandatory for newly promoted sergeants.

58. A three year Mental Health First Aid training is currently being rolled out to all Inspectors, Sergeants and equivalent support staff over the next 6 to 8 months. This training is scheduled to be incorporated within the new PC Degree Apprentice (PCDA) student officer intakes commencing next year and it is then planned to roll this training out to the OCC. This is funded by Police Care UK and will ensure that 284 individual supervisors are trained to spot signs & symptoms of poor mental health, know how to intervene and signpost to support pathways.

59. The new health, safety & wellbeing delivery group is finalising an action plan for the force to drive and implement activity. Health and wellbeing is an agenda item for business area meetings as well as an integral part of MAX one to one meetings. This will commence in Q4 19/20 and will continue into 20/21.

60. Workforce Planning Group will be the group to drive talent management, promote MAX interview and to re-invigorate PDR throughout the organisation. It is acknowledged that this area of work has slowed as business areas stabilise and form, following the separation from the Alliance and after going through management of change processes. Activity across all these areas will be refocused during 20/21.

61. The new Passport to Lead training inputs will provide support and training for supervisors as well as coaching from HR Business Partners and HR Officer's. The renewed focus on talent management, MAX and PDR in 20/21 will also help support improvement and confidence in this area.

62. Promotion process are regularly reviewed by the organisation. The current Chief Inspector boards have had an independent person from the Federation observing the whole process from start to finish. This will be rolled out to all future promotion processes.

63. The force has a new Positive Action Officer will also undertake a review of the process in Q4 19/20 and will work with internal and external support networks to further promote transparency, accessibility and openness to all.

Police and Crime Commissioner's oversight

64. The PCC's oversight and scrutiny of the force's response to all of HMICFRS' inspection findings is ongoing and is fulfilled in a number of ways. Representatives from the PCC's office continue to attend the Service Improvement Board (SIB) which has overall oversight of all HMICFRS inspection report recommendations. Other governance meetings within the force structure have oversight of different elements of the inspection report, feeding into the SIB. Again, the PCC and his representatives are in attendance at key meetings within the new governance structure. In addition, one of the PCC's Policy Officers meets with the Force HMICFRS lead officer on a bi monthly basis to review progress and to discuss any specific HMICFRS related issues.

65. The PCC, his Chief Executive and Treasurer remain directly involved in the ongoing negotiations regarding the alliance which forms a substantial part of the HMICRS report commentary and grading in the 'efficiency' section of the PEEL report. Members of the PCP are being briefed separately on the current alliance position.

66. The last PEEL Effectiveness report graded the force as 'inadequate' in its response to tackling serious organised crime (SOC). Since publication of the report in March 2018 the PCC has retained a continued focus on his scrutiny of this area. This has included providing governance to the local SOC partnership meetings (SOCJAGS) through his Crime Reduction Board and monitoring the force approach to the management of organised crime groups (OCGs) through the monthly OCGM management meetings. The considerable improvements made by the force in tackling SOC have been recognised in the latest PEEL inspection report and it has been graded 'good' in this area.

67. The PCC's holding to account programme considers HMICFRS inspection and SIB as part of its agenda and concerns raised by inspectorates are used to inform thematic holding to account meetings.

68. The PCC has a statutory responsibility to write to the Home Secretary in response to any force inspection report published by HMICFRS. A copy of the PCC's written response to the Home Secretary will be published on the PCC's website once it has been submitted.

69. The PCC and Chief Constable issued public statements following publication of the HMICFRS PEEL report in September. A copy of this joint communication is attached at Appendix 2.

Supporting Information

Appendix 1 –'PEEL: Police effectiveness, efficiency and legitimacy 2018/19 AN inspection of West Mercia Police'

<https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/peel-assessment-2018-19-west-mercias.pdf>

Appendix 2 - PCC and Chief Constable public statements following publication of the HMICFRS PEEL report in September

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Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) there are no background papers relating to the subject matter of this report.

All agendas and minutes are available on the Council's website [here](#)