

## **WEST MERCIA POLICE AND CRIME PANEL 15 JUNE 2022**

### **REPORT OF THE POLICE AND CRIME COMMISSIONER FOR WEST MERCIA**

#### **HMICFRS INSPECTION REPORT - PEEL 2021/22 POLICE EFFECTIVENESS, EFFICIENCY AND LEGITIMACY: AN INSPECTION OF WEST MERCIA POLICE**

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##### **Recommendation**

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

##### **Background**

2. In April 2022 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) published its inspection findings into the effectiveness, efficiency and legitimacy (PEEL) of West Mercia Police as part of its PEEL inspection programme of all police forces within England and Wales. A copy of the West Mercia inspection report is attached at Appendix 1.
3. HMICFRS last published a West Mercia PEEL report in September 2019. That report contained three causes of concern, fourteen recommendations and a further fourteen areas for improvement (AFIs). Two AFIs remain open associated with counter corruption and serious and organised crime (SOC). All other causes of concern, recommendations and AFIs from PEEL 2018/19 have been closed as either complete or superseded by similar findings in PEEL 2021/22.
4. Changes to the PEEL methodology have seen a move towards a more intelligence-led, continual assessment approach. HMICFRS have also changed the approach to graded judgments. Forces are now assessed against the characteristics of good performance, set out in the PEEL Assessment Framework 2021/22, and HMICFRS more clearly link judgments to causes of concern and areas for improvement. The previous four-tier system of judgments has also been expanded to five tiers with the addition of "Adequate" between "Good" and "Requires Improvement".
5. Other changes of note are:
  - The report includes a victim service assessment, which although ungraded, does influence the assessments made in the graded areas.
  - The inspection findings relating to serious and organised crime (SOC) are no longer reported at force level, but will instead feed into a regional SOC report, which has yet to be published.

- Inspection findings relating to vetting and counter corruption are not included at force level and are to be reported separately once further national inspection work is complete.

6. The changes to the methodology outlined above mean that it isn't possible to make direct comparisons between the grades awarded in PEEL 2021/22 with those from the last, 2018/19 report.

## Report findings

7. HMICFRS assessed the force on nine different areas of policing, of which 8 are graded in the report. The grading for each assessment area is set out below:

Outstanding	Good	Adequate	Requires improvement	Inadequate
	Preventing crime	Treatment of the public	Investigating crime	
		Protecting vulnerable people	Responding to the public	
		Managing offenders	Good use of resources	
		Developing a positive workplace		

8. Across the nine areas assessed the report identified one cause of concern with two associated recommendations. There are also sixteen additional AFIs. These are detailed more fully later in this report.

9. New to PEEL 2021/22, HMICFRS also now identify any 'innovative practice' identified during the inspection. The report identifies one such area in regard to the force's approach to early intervention and prevention. This contributed to the judgement of good within the inspection area of preventing crime and anti-social behaviour.

## Quick time actions

10. The final part of the assessment process was an onsite fact finding visit by the inspectorate, which culminated in a hot debrief to senior officers. The hot debrief presentation was shared with the force enabling comprehensive review of the debrief content to be made. In total 73 actions were identified from the comments made which were turned into areas for focus. The aim of this was to anticipate the possible recommendations/AFIs that may feature in the PEEL 2021/22 report ahead of the draft release and the subsequent final publication. This was successful as 26 of the actions directly related to subsequent recommendations or AFIs.

11. In February 22 Op Reset was established in response to the existing trend of investigative performance across the Force, including the issues identified by the HMICFRS. With underpinning objectives (including understanding the end to end journey of a crime, designing a prioritised delivery plan and introducing simple and definitive information/awareness to staff) the Op Reset work programme is focussed on a number of areas including: Record to investigate; Victim needs assessments and recording decision making (e.g. evidence led etc.). The review is being carried out by a small team, led by a Superintendent. Progress reports are provided to the chief officers and the PCC.

12. Once the force was sighted on the ungraded draft version of the final report, it was then able to fully develop a detailed improvement plan (action tracker) that contains all of the recommendations and AFIs. The tracker document is RAG rated on the basis of current service provision and sets out the agreed 'steps to green' for completion. This tracker is maintained centrally by the Force Liaison Officer who is the conduit between the force and HMICFRS.
13. Ownership for service improvement is assigned to a strategic and tactical lead for each recommendation or AFI. Strategic leads are required to identify their 'Steps to Green' which are concise bullet points of the actions required to achieve completion of the recommendation or AFI. Updates are then reviewed by the HMICFRS Force Liaison Officer with a RAG status applied accordingly. Progress is shared with HMICFRS via updates on a national monitoring portal.
14. The tracker is subject to ongoing scrutiny through the Service Improvement Board (SIB), chaired by the Deputy Chief Constable. The SIB is attended by key stakeholders from each of the service areas and the PCC's Senior Policy Manager.
15. In the latest version of the action tracker fifteen AFI's and one of the recommendations have been assessed amber with meaningful activity taking place, and one AFI and one recommendation assessed as yellow indicating significant progress has been made.
16. The PCC held an extraordinary Holding to Account (HTA) meeting on 23 May 2022 to focus on the findings in the PEEL inspection report. The primary aim of the meeting was to ensure the causes for concern, recommendations and AFIs set out in the report have (or were) being addressed and to seek reassurance that the force had the right resources and plans in place.
17. The Chief Constable was asked to submit a briefing document listing the causes for concern, recommendations and AFIs, and the measures being put in place (and progress of delivery where appropriate) against each. This document formed the basis of the HTA meeting. A copy of the notes from the HTA meeting is attached as Appendix 2.
18. In addition to the PEEL HTA meeting, a number of HTA meetings held earlier this year have been used by the PCC to scrutinise and challenge the force in its approach to addressing the areas identified for improvement pre-publication. This has included investigations and workforce.

### **Cause of concern, recommendations and AFIs**

19. The sections below sets out the key findings across each thematic area, along with a brief summary of the work being done by the force and where appropriate, the PCC to address the findings.
20. For several areas, narrative from the PCC's HTA meeting has also been included to provide additional reassurance or context.

### **Engaging with and treating the public with fairness and respect (adequate)**

21. There were two AFIs identified in this area :

*AFI 1: The force should reinvigorate its work with independent advisory groups (IAGs) in all parts of the force. It should work with IAGs to ensure consistent and comprehensive*

*data sharing, the review of body-worn video (BWV), and meaningful scrutiny of the use of force, with actions taken in light of the IAGs' feedback.*

22. All IAGs have been invited to attend officer personal training on an ongoing basis. The Chairs of the Strategic IAG and BME Co chair are invited to attend the force governance meeting on use of force, where data is scrutinised; data packs are to be developed for IAG meetings. Feedback from IAG scrutiny is fed back into officer CPD days. The PCC is represented at these governance meetings.
23. All LPA's to continue to develop scrutiny panels and ensure that use of force videos are shown as well as stop and search. The aim is to hold a regular scrutiny panel at least every quarter. The panel consist of members of the community that represent those more likely to be stop searched. The session should be led by the members of the panel and prior to the viewing of the videos training should be carried out in order that the panel are equipped to provide the best feedback they can.

*AFI 2: The force should be regularly monitoring a comprehensive set of data on its use of stop and search, in line with our 2017 national legitimacy recommendation, to enhance its understanding of fair and effective use of these powers. This data should be scrutinised by the force and used to ensure that the use of stop and search powers is proportionate and targeted appropriately*

24. The force has reviewed and rewritten the data pack used at its stop and search governance meeting to ensure that elements are overlaid to better understand disproportionality. In addition, a database has been developed and is in a testing phase. Once live, the database will make stop and search data more readily available across the organisation. Annual data will also be published on the force website.
25. High level scrutiny into the origins of all black stop searches is to commence with a view to better understanding disproportionality. Peer support has been used to identify good working practises to implement in West Mercia.

### **Preventing crime and anti-social behaviour (good)**

26. The force received a grading of 'good' for this area of policing and its approach to early intervention and prevention is highlighted as innovative.

### **Responding to the public (requires improvement)**

27. There were 4 AFIs identified in this area:

*AFI 3 - The force should work with health partners to introduce effective arrangements to promptly support people in mental health crisis.*

28. This AFI is a legacy issue from the previous PEEL report but it is one which has always been problematic as a result of dependency on partners and varying arrangements across a multi-county force. The force are now actively working with partners in line with long term national plans rather than producing ad hoc local agreements. This will likely take time but should deliver a more consistent force wide approach.
29. The PCC's budget for 2022/23 includes investment in a 'vulnerability desk' which will ensure individuals with significant vulnerabilities are identified and supported by the police and partners at the earliest opportunity. The vulnerability desk is to be known as the Safeguarding Advice Team (SAT) going forward in order to better reflect its function. It will link into the development plans for the Harm Assessment Unit (HAU), with the HAU being

the first port of call for partner organisations during office hours thereby reducing demand on the OCC. It is planned to be in a position to recruit into the roles in the autumn.

30. The role of the SAT will be to provide safeguarding advice to partners and in some cases the public, and direct them or transfer calls to the most appropriate agency. In addition it will provide expert tactical advice to the OCC Team in relation to critical areas of safeguarding. Its focus will be on safeguarding vulnerable adults and children, and the mental health approach to ensure the right agency provides the most appropriate response to the service user.

*AFI 4 - The force should make sure that call takers give appropriate advice on the preservation of evidence and crime prevention.*

31. Op Reset has been designed in response to the existing trend of investigative performance across the Force, including the issues identified by the HMICFRS. Op Reset has started to look at this AFI issue in terms of crime prevention and scene preservation from an end to end investigative perspective. This is with a view of ensuring that irrespective of the touch point with the organisation, the Victim receives appropriate information at the right time. A lead officer from the OCC is working with the Op Reset team in support of this AFI.

*AFI 5 - The force should make sure that repeat callers, and those who are vulnerable, are routinely identified.*

32. The recording of personal vulnerability is a manual process within SAFE, the force's incident recording system. It is recognised that the use of the vulnerability checkbox is not yet consistent and that there are some issues to be addressed to empower staff to accurately assess THRIVE and update this accordingly. PNC training and a drive with OCC staff will support this improvement.
33. Significant repeat callers are now consistently identified through THRIVE and managed via an agreed Problem Solving approach by Local Policing Areas providing interventions for those who may contact the force disproportionately for reasons of mental health or lack of third party support.

*AFI 6 - The force should accurately record all missing person reports on its missing person system.*

34. West Mercia does have a process in place that identifies those reported as missing. The OCC record details and then those individuals are brought to the attention of OCC supervision and LPA supervision. However, some reports that come into the police are from organisations that also have statutory responsibilities, such as health care providers, who, dependent on risk, will be asked to complete their actions prior to any police involvement. If then a person is quickly located it will have been recorded on SAFE, but as this does not have a system interface with Compact (the missing persons database), it may not subsequently be captured in Compact.
35. Work to create the system interface has been delayed as Compact is one of the legacy systems jointly used by Warwickshire Police and work is still ongoing to separate out and cleanse the data. Given the delay in establishing the SAFE interface, focus on ensuring Compact records are created is being maintained through additional scrutiny from OCC supervisors and LPA SPOCs.

## **Investigating crime (requires improvement)**

36. One cause of concern and 2 supporting recommendations were identified, along with 2 further AFIs:

Cause of concern: *The force needs to improve how it investigates crimes, supervises investigations and updates victims.*

Recommendations

*West Mercia Police should, within three months:*

- *Make sure investigation plans are created where applicable, with supervisory oversight ensuring that all investigative opportunities are taken; and*
- *Make sure victims are regularly updated in line with the Victims' Code and that victim needs assessments and victim personal statements are recorded when appropriate, so victims are provided with suitable support services throughout the investigation.*

37. A significant focus to address this cause of concern and recommendations has been in place since Op Reset commenced in February 2022.

38. As a result of the Op Reset work West Mercia now has a consistent investigation plan template in place. This forms part of the mandatory investigation standards and has been rolled out across the force, supported by CPD sessions aimed at all relevant personnel. The final CPD session is 31.5.22 when all staff are scheduled to have received this input. Supporting materials and guides are being developed for future use. The specific focus is now on how best to support supervisors. This includes shaping a pilot supervisory training with a substantial element of that supervisory training covering investigative standards.

39. The second recommendation is also being addressed through the Op Reset work. The investigation plan template previously mentioned includes specific considerations for victims of crime such as the Victim Right to Review (VRR) and is included in the training being rolled out. The Victim Needs Assessment (VNA) and supporting process has been thoroughly reviewed to ensure that it is fit for purpose and has formed part of the first round of CPD training. There will be a more in depth focus on meeting the need of victims through VNA and obtaining Victim Personal Statement in the next round of CPD (CPD2).

40. The PCC's budget investment for 22/23 provides for an additional uplift of 125 officer, 73 of which will be additional officers to enhance the forces investigations and ensure the best possible outcomes for victims. At an Investigations holding to account (HTA) meeting held in March, the Chief Constable provide assurance that the additional officers will have been recruited by March 23. At the more recent PEEL HTA it was reported that the significant progress made to date to address these recommendations, should ensure the force can comply with the three month timescale set out by HMICFRS.

*AFI 7 - The force should improve how it records victims' decisions and their reasons for withdrawing support for investigations, and make sure it documents whether evidence-led prosecutions have been considered in all such cases.*

41. As above work to address this AFI is incorporated into the Op Reset work, forming part of the mandatory investigative standards and is captured in the CPD training, with the CPD2 having a specific focus on victims' needs and officer responsibilities

*AFI 8 - The force should make sure that all victims are consulted prior to and following the use of a caution, and all such victim contact should be appropriately recorded*

42. As with the above AFIs this work has been incorporated into OP Reset and will form part of CPD2. Focus within the training is on where to record the conversations with the victims, the updates provided and any consultations undertaken. This AFI also links in with the improvements required in custody when recording the decision for a caution to check that the victim has been consulted and their views recorded.
43. This AFI will require specific consideration as to how the force can quality assure and audit progress, to test whether there is a record of the victim's views having been sought in all out of court disposal cases. This will also need to be built into planning the implementation of the out of court disposal two-tier project, which comes into effect in April 2023.

### **Protecting vulnerable people (adequate)**

44. Two AFIs were identified:

*AFI 9 - The force should agree a multi-agency data collection plan to enrich the strategic understanding of vulnerability by the force and the organisations it works with.*

45. While the force is aware of the data it provides to partnerships to support both Safeguarding Partnerships and the Community Safety Partnerships, work is ongoing to map the inward flow of information, which is limited and inconsistent across the force area. Once this exercise is complete, the proposal is to engage with partners to better understand the data requirements of partners and how best to share it. It was recognised by the Chief Constable at the PEEL HTA that this AFI will require work with external partners to deliver and the outcome may take longer as a result of this outside working.
46. The PCC has for a number of years funded three CSP analyst posts, which are hosted and managed by the force. In 22/23 he committed additional funds to secure the future of two analyst posts in the problem solving hubs, who already work with CSP partners to deliver innovative and effective approaches to harm prevention.

*AFI 10 - The force should make sure that orders such as Domestic Violence Protection Notices and Orders are considered in all appropriate cases.*

47. The Force has proactively pushed the use of arrest and bail over the use of DVPN/O's over the last 12 months with briefings to staff and On-Call Superintendents to this effect, which is reflected in the declining numbers. In contrast the arrest rate for domestic abuse (where these would be used) has risen. It is the recording of the rationale for the use or non-use of the orders which needs to be addressed and this has been incorporated into the Op Reset work.

### **Managing offenders and suspects (adequate)**

48. One AFI was identified in this area:

*AFI 11 - The force should make sure that it has the capacity and capability to proactively identify breaches of orders and further offences, and that all breaches and offences are fully recorded on force systems.*

49. The uplift in digital forensics capability has enabled the offender management team (MOSOVO) to successfully trial joint 'on-site' visits with the digital forensic unit (DFU) to check digital devices for breaches. The enhanced capability the DFU brings is bringing successes and is acting as a prevention/deterrent factor.

50. The PCC's 21/22 budget saw a significant investment in digital forensics to ensure that the police have up-to-date technology to investigate crime and provide faster outcomes. The first year of the digital forensics transformation project has been able to demonstrate the benefits realisation and service improvements the investment has made.

### **Building, supporting and protecting the workforce (adequate)**

#### **51. Three AFIs were identified:**

*AFI 12 - The force should ensure that its learning and development provision fully meets its workforce development needs*

52. The current Origin system has shortcomings in relation to recording and managing operational and softer skills. A new Learning Management System is being procured which will improve the mapping of skills across the organisation.

53. New approaches to learning products have been introduced. One example being the Professional Action Learning Sets (PALS) programme which was launched in force in 2021 and provides opportunity to recognise talent amongst ethnic colleagues and to give those officers and staff the confidence and leadership skills to improve on their performance.

54. The PCC's 22/23 budget includes an investment in resources to provide improved training and development to deliver the best possible services to the public. This includes the provision of 12 further officer posts to support learning and development as part of the additional 125 officer posts funded by the budget.

*AFI 13 - Our 2019 report said that 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. This remains an area for improvement*

55. The Force has recently revitalised its Personal Development Review (PDR) scheme known as myMAX with an emphasis not just on the PDR, but on talent and development. The force has also set a clear expectation that all Officers and staff will have an annual appraisal with effect from 1st May.

56. The wider talent management strategy has not yet been developed and this is a core piece of work to allow the force to be clear on its ambition for the future. Contractor resource has been identified and will be working closely with L& D leads to progress the project in quarter two, 22/23.

57. Talent Mapping will be re-introduced in the future as part of the PDR discussions with line managers as is part of the wider scoping work for the talent management strategy.

*AFI 14 - Our 2019 report said that 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. This remains an area for improvement*

58. The LEAD programme was launched in 2021 and is a framework to develop leadership capabilities for all officers, staff and volunteers irrespective of rank and grade. There are 5 programmes within the framework with focus initially on the "Rank" programme and "Inclusion" programmes.



59. In April 2022 Learning and Development launched a Sergeant Initial Course for people who have passed the exam, but not a board, to prepare them for the realities of Acting and Temporary duties, accompanied by some digital guidance which is under development.
60. Skills data is now used consistently for posting decisions (i.e. used following boards). Local investigations skills are being mapped and a 30+ scheme is being explored by workforce planning board and this will include consideration of skills that the force wishes to retain. This will inform ongoing work around recruitment / retention of investigators.

### **Strategic planning, organisational management and value for money (requires improvement)**

#### **61. Two AFIs were identified in this area:**

*AFI 15 - The force should improve the breadth and accuracy of its data and make sure there is improved consistency in working practices*

62. This is a broad area for improvement. Whilst a business plan for a Data Integration project (D&I Lite) has been agreed and will have a positive impact, addressing the core concerns of the AFI will require the full D&I project, not due to recommence until April 2023.

*AFI 16 - Our 2019 report said that the force should expand its skills project work to include an assessment of all skills, not only operational, including potential future skills requirements. This assessment should inform workforce plans. This remains an area for improvement.*

63. Core operational skills for patrol have been mapped and are informing the Strategic Learning and Development plan. Skills across Local Investigations are now being mapped, identifying opportunities to rebalance skills on LPA directly linked to Frontline stabilisation. Skills information has been used in recent promotion processes to aid posting decisions and ensure skills are utilised.

### **PCC oversight and next steps**

64. The PCC's oversight and scrutiny of the force response to the PEEL inspection findings is ongoing. An extraordinary holding to account meeting took place on 23 May and the themes from this meeting will be used to inform ongoing monitoring.
65. The PCC is engaged across the various levels of force governance referenced in this report, with leads identified within the PCC's Governance Team. Progress of delivery will be monitored through SIB and the relevant governance meetings. In addition, the PCC will continue to use his holding to account programme to challenge and scrutinise progress across the different areas of policing. In doing so he will seek reassurance on all areas outlined in the report..
66. The PCC has a statutory responsibility to write to the Home Secretary in response to any force inspection report published by HMICFRS. Once sent, this will be published on the PCC's website.

### **Risk Management Implications**

None.

## **Financial Implications**

None.

## **Legal Implications**

None

## **Equality Implications**

None.

## **Supporting Information**

Appendix 1 – [HMICFRS Inspection Report: PEEL 2021/22](#)

Appendix 2 – [Monthly Assurance Meeting May 2022– Meeting Notes](#)

## **Contact Points for the Report**

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