



REPORT TO:	Strategic Scrutiny Meeting
DATE:	23 June 2021
TITLE:	HMICFRS Inspections and Recommendations Update

1. Issue for Consideration

1.1. The purpose of this report is to provide an update in relation to the Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) inspections activity, publication of reports, Causes of Concern, Recommendations and Areas for Improvement (AFIs) for Lancashire Constabulary.

2. Recommendation

2.1. The Commissioner is requested to review the report and make comments as appropriate.

3. Current Position

3.1. Lancashire Constabulary HMICFRS updates were provided in a presentation at the Strategic Business Meeting on 15th December 2020 and also at the last Strategic Scrutiny Meeting in March 2021. The Office of the Police and Crime Commissioner (OPCC) are members of the Constabulary HMICFRS Boards.

3.2. The Constabulary will be subject to the Police Effectiveness, Efficiency and Legitimacy (PEEL) Inspection in May 2022. The PEEL Assessment Framework (PAF) has been received and business leads and portfolio holders are assessing the force's current position against the PAF to consolidate PEEL inspection readiness and continuous improvement across all areas of the Constabulary.

3.3. Additionally, all Constabularies have been consulted on the proposed HMICFRS Policing Inspection Programme and Framework for 2021/21 and we have responded. This outlines the proposed areas for National Joint Thematic Inspections which include

- Rape
- Domestic Abuse
- Digital Forensics
- Advancing Diversity, Equality and Inclusion in policing

- Ethnic disproportionality in the Criminal Justice System
 - Serious Youth Violence
- 3.4. There is also a rolling programme of inspections in relation to Child Protection, Violence Against Women and Girls, and Super-complaints.
- 3.5. We do not know which inspections Lancashire Constabulary will be subject to. There is no timeline yet available and we await confirmation.

4. New Governance Arrangements

- 4.1. The Deputy Chief Constable (DCC) conducted a recent review of governance arrangements for HMICFRS as the Constabulary draws nearer to the PEEL Inspection in May 2022. As part of this review, different national models were examined and a new Constabulary approach has been implemented, as detailed below.
- 4.2. Reviewing progress in readiness for the inspection and the monitoring of progress in relation to all HMICFRS recommendations will be the business of 4 Assessment Boards chaired by Chief Officers (ACC/ ACO) which review and govern all aspects of the Peel Assessment Framework (PAF). New Terms of Reference have been written and circulated for the Boards. These will culminate with an overarching HMICFRS Governance Board Meeting chaired by the DCC with each Chief Officer and the appropriate business leads reporting updates from their respective Assessment Boards. The Boards are as follows:
- Organisational Assessment Board chaired by ACC Lawson
 - Operational Assessment Board chaired by ACC Edwards
 - Service User Assessment Board chaired by ACC Mackenzie
 - Organisational Efficiency Assessment Board chaired by ACO Cosh
- 4.3. For the inaugural meeting, business leads completed a self-assessment on their areas of responsibility regarding PAF and presented it at the Assessment Board. This was undertaken using the PEEL standard definitions and will establish a current force position against the PEEL inspection questions. The HMICFRS team in Corporate Development will collate the corporate self-assessments together.
- 4.4. Any areas identified as risk, or areas identified as less than 'good' will then be reviewed and monitored by the future Governance Boards including a 'deep dive' approach at subsequent Assessment Board meetings through detailed presentations. ACCs/ ACO will schedule a programme of focus/ presentations for their respective Boards based on the self-assessment.

5. Summary of Force Position regarding recommendations /AFI's

- 5.1. In the last month a new 'Tracker' has been established using Microsoft 365 providing a more efficient work control system for outstanding HMICFRS recommendations.
- 5.2. 15 new recommendations and AFIs from recently published HMICFRS reports have been added to the 'Tracker' this quarter, which brings the combined total number currently outstanding and in progress to 50. Of these, 1 remains a cause for concern (Joint Inspection), 28 have been identified as AFIs (22 National Thematic with 6 specific to Lancashire) and 21 are recommendations (18 National Thematic, 1 Joint Inspection and 2 specific to Lancashire).
- 5.3. On the 7th and 8th June 2021, 15 recommendations were completed and agreed by Steve Cotter, our HMICFRS Force Liaison Lead and this brings the total completed on the newly constructed recommendation Tracker to 40 over the last 3 months.
- 5.4. Further dates are being scheduled in with the HMICFRS Force Liaison Lead to gather further evidence on all those recommendations that still require progress with the aim of completing all outstanding recommendations expeditiously.

6. Thematic and National Inspections

The Constabulary has been inspected 5 times since November 2020, with debriefs being provided at which the OPCC have been present. Details of the 5 inspections are as follows;

Custody services in a COVID-19 environment and Policing in the Covid-19 pandemic - The police response to the Coronavirus pandemic during 2020

This inspection took a snapshot of policing during the Covid-19 pandemic and was focussed on the period March to November 2020.

6.1. The HMICFRS inspection team assessed how policing:

- understood and prepared for the potential and actual impact of the pandemic.
- responded initially and continues to respond to the pandemic
- how the force evaluates its response to the pandemic, establishing what is and is not working and uses this to shape how the police service operates.

6.2. It also considered:

- the police service's national and local understanding of how custody services operate in a COVID-19 environment.
- what improvements police forces and the wider Criminal Justice System could make.

6.3. Lancashire Constabulary received positive feedback in relation to

- Operating Custody services during the pandemic
- Managing of detainees, detention times and risk
- Staffing, demand and monitoring performance
- Preparedness for Covid-19, planning and partnership working
- Leadership and learning

Getting the balance right - An inspection of how effectively the police deal with protests

6.4. The HMICFRS inspection team focussed on:

- How well the police manage the intelligence about protests; plan and prepare their response to protests?
- How well do forces collaborate in relation to protests; how effective are their decision-making processes and how do these affect the police response?
- Whether current legislation provides the police with the powers they need to deal effectively with protests?

6.5. Lancashire Constabulary received positive feedback in relation to

- Good planning and links to Neighbourhood Policing and Protest Liaison Officers
- Management of the Strategic Risk Assessment and intelligence support to protests and public order incidents
- Good examples of de-briefs being conducted
- Good training which incorporates operational learning

Safe to share Report on Liberty and Southall Black Sisters' super-complaint on policing and immigration status

6.6. The HMICFRS inspection team focussed on:

- several concerns about the police response to victims of modern slavery.
- non-specialist police officer's failure to recognise the signs of exploitation and fail in their duty to report modern slavery to the Home Office
- police officers that aren't taking immediate steps to make a victim feel safe
- victims of modern slavery who are treated as immigration offenders
- victims of modern slavery that are treated as criminals when they have been forced to commit criminal activities by their exploiters, despite the existence of the section 45 defence in the Modern Slavery Act 2015
- police forces that don't adequately investigate cases that come to their attention and the adequacy of training provided to frontline officers.

6.7. Lancashire Constabulary received feedback in relation to

- Lancashire could demonstrate specific policies and guidance on how to deal with Police Perpetrators of DA.
- The importance of documenting the victim's wishes, particularly reasons why a victim does not support a prosecution.
- The importance of using body worn video at all domestic abuse incidents.
- The importance of supervisory quality assurance, of at least Inspector rank on any incident or case involving domestic abuse where the perpetrator is a police employee.

Fraud Revisit Inspection

6.8. The HMICFRS inspection team focussed on:

- To what degree previous recommendations and AFIs have been implemented
- Where any recommendations or AFIs not implemented, are they still relevant and necessary to improve the response to fraud
- What barriers exist to implementing the outstanding recommendations and areas for improvement
- What needs to be done to remove or minimise these barriers to achieving the outstanding recommendations and areas for improvement
- To what extent has the implementation of the recommendations and areas for improvement led to improvements for victims reporting fraud

6.9. Lancashire Constabulary received feedback in relation to

- Awareness of strengths and where improvements are needed and plans in place to do so
- Identification of and support provided to vulnerable people
- Strong regional relationships with other agencies
- Awareness of the offence type at first point of contact by call handlers.
- Some good examples of use of effective preventative tactics such as cease and desist letters and account freezing orders
- Less consideration of organised crime groups specific to fraud offenders
- There had been insufficient resources previously for fraud investigations and preventative activity – however it was acknowledged that this was being addressed through Business planning investment
- Perception of public frustration with referrals to Action Fraud
- Difficulty in obtaining regional/national support for complex/ serious investigations
- Lack of co-ordination around national preventative activity

Joint Inspection of Youth Offending Service

6.10. This inspection occurred in June 2021 and formed part of the joint

inspection work that HMICFRS conducts with other Criminal Justice Inspectorates. The inspection was led by Her Majesty's Inspectorate of Probation, supported by HMICFRS and the majority of the inspection activity took place at the Youth Offending service.

6.11. Lancashire Constabulary has not yet received feedback in relation to this inspection.

6.12. Other inspections took place in other forces and as a result Lancashire Constabulary received several national recommendations which we are responding to. These other national inspections were as follows;

- Disproportionate use of police powers - A spotlight on Stop and Search and the Use of Force
- Regional Organised Crime Units
- Pre-charge bail and released under investigation (RUI) - striking a balance

7. 7. Upcoming Inspections

7.1. We are aware of one upcoming inspection.

Counter Terrorism (CT 6) How well prepared is the police service to respond to a terrorist Chemical, Biological, Radiological, Nuclear, Explosive materials (CBRNE) incident?

7.2. Notification has been received of the upcoming inspection in relation to CBRN involving our force and the Counter Terrorism Unit.

7.3. The terms of reference for the inspection will consider

- how well prepared is the police service to respond to a terrorist CBRNE incident?
- how well prepared are police forces to deal with the initial report of a CBRNE incident?
- how well prepared is the CT network to respond to a terrorist CBRNE attack?

7.4. This will include plans, command, control and communication arrangements, access to specialist advice, the first response including Joint Emergency Services Interoperability Programme (JESIP) arrangements, roles and responsibilities of police, exercising and lessons learnt.

7.5. The inspection will take place week commencing 27th September 2021 and a Steering Group is in place to manage and support the inspection within the force.