Agenda Item

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JOINT INDEPENDENT AUDIT COMMITTEE
2 August 2023

SUBJECT	**HMICFRS AREAS FOR IMPROVEMENT**
REPORT BY	**DEPUTY CHIEF CONSTABLE**
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SUMMARY AND PURPOSE OF REPORT To update the Audit Committee on the current status of recommendations and areas for improvement (AFIs) identified by HMICFRS during the period 2014 to 2023.	
RECOMMENDATION	**That the committee note the report.**

A. SUPPORTING INFORMATION

1. This report provides an overview of the action being taken by the force in response to areas for improvement and recommendations identified by HMICFRS following their force level inspections and thematic inspections.

2. The terms 'recommendation' and 'area for improvement' have different meanings. Areas for improvement (AFIs) are reported in relation to a shortcoming in an aspect of a force's practice, policy, or performance, whereas recommendations are provided to accompany a cause for concern. HMICFRS have a duty to monitor improvements against causes for concern that they have identified.

3. A super-complaint is a complaint that "a feature, or combination of features, of policing in England and Wales by one or more than one police force is, or appears to be, harming the interests of the public" (section 29A, Police Reform Act 2002). Updates to super complaints are to be provided to the NPCC who will be responsible for providing the NPCC update and national response to the super-complaint team within HMICFRS. Super complaints are no longer monitored by HMICFRS in the same way as recommendations and AFIs, but the force continues to track progress.

4. The force's progress against recommendations from 2014 onwards has been reported to HMICFRS for publication on their website. There will be ongoing activity with the HMI and Force Liaison Lead attached to each Force to keep progress updated in the public forum.

5. Those reports which are specific to the force, have 'Lincolnshire' in the title. Otherwise, the reports are on national investigations and inspections, and therefore apply to all forces, and other partner organisations where relevant.

6. On the HMICFRS internal tracker Lincolnshire Police has 42 outstanding recommendations that are being progressed. A further 59 are awaiting closure. There are currently 38 open AFIs on the internal tracker and a further 19 awaiting closure. Our internal HMICFRS tracker has been redesigned in order to match the new HMICFRS online tracker.

7. This report provides a snapshot of the current position of our internal tracker at the time of writing (10th July 2023), as the tracker is a live document and therefore is continuously reviewed and updated.

8. Strategic responsibility for delivery of the action required rests with the Deputy Chief Constable.

Changes since last report:

Year	Actions Received		Complete as of July 2023		Change since February 2023
2017	Recs	1	0	(0%)	No change.
	AFIs	0	NA		NA
2018	Recs	0	NA		NA
	AFIs	0	NA		NA
2019	Recs	9	8	(88.9%)	+ 2 completed.
	AFIs	5	5	(100%)	No change.
2020	Recs	19	16	(84.2%)	+ 6 completed.
	AFIs	20	14	(70%)	+ 1 completed.
2021	Recs	36	27	(75%)	+ 5 completed.
	AFIs	3	3	(100%)	No change.
2022	Recs	44	31	(70.5%)	+ 29 completed.
	AFIs	20	12	(60%)	+ 12 completed
2023	Recs	15	0	(0%)	+ 15 received.
	AFIs	26	2	(7.7%)	+ 26 received.

The number of AFIs and recommendations *specific to the force (non-thematic)* are:

Year	Actions received	Open	Completed	
			Awaiting Closure	Closed
2019	7 Recs	1	0	6
2020	17 AFIs	6	2	9
2021	0	0	0	0
2022	2 Recs 15 AFIs	8	9	0

RAG Ratings

	Open actions		Completed actions
Year	Red	Amber	Green
2019	1	0	6
2020	0	6	11
2021	0	0	0
2022	0	8	9

The *total* number of AFIs and recommendations still in progress in Force are:

Recommendations

Year	Recommendations received	Open	Completed	
			Awaiting Closure	Closed
2017	1	1	0	0
2018	0	0	0	0
2019	9	1	0	8

2020	19	3	10	6
2021	36	9	18	9
2022	44	13	31	0
2023	15	15	0	0

RAG Ratings

	Open recommendations		Completed Recommendations
Year	Red	Amber	Green
2017	1	0	0
2018	0	0	0
2019	1	0	8
2020	0	3	16
2021	3	6	27
2022	1	12	31
2023	0	15	0

Areas for Improvement

Year	AFIs received	Open	Completed	
			Awaiting Closure	Closed
2017	0	0	0	0
2018	0	0	0	0
2019	5	0	0	5
2020	20	6	2	12
2021	3	0	3	0
2022	20	8	12	0
2023	26	24	2	0

RAG Ratings

	Open AFIs		Completed AFIs
Year	Red	Amber	Green
2017	0	0	0
2018	0	0	0
2019	0	0	5
2020	0	6	14
2021	0	0	3
2022	0	8	12
2023	2	22	2

Super Complaint Recommendations (Not included in recommendation count)

Year	Recommendations received	Open	Completed
2020	4	0	4
2021	10	0	10
2022	8	1	7
2023	0	0	0

RAG Ratings

	Open SC Recommendations		Completed SC Recommendations
Year	Red	Amber	Green

2017	0	0	0
2018	0	0	0
2019	0	0	0
2020	0	0	4
2021	0	0	10
2022	0	1	7
2023	0	0	0

Recommendations and AFIs from 2017

9. **PEEL: Police legitimacy 2017**
   The final recommendation from this national report asks that forces regularly and frequently monitor a comprehensive set of data and information on stop and search powers to identify any disproportionality. The recommendation is red RAG rated due to the review date having passed, however this is nearing completion with the establishment of the Stop Search Scrutiny Panel. Scrutiny leads are currently working with the Force's Head of Equality, Diversity, and Inclusion, to increase representation at panels for wider community involvement across Lincolnshire. This recommendation is also being monitored through an area for improvement in the most recent PEEL report.

Recommendations and AFIs from 2019

10. **Lincolnshire National Child Protection Inspection**
    There is one remaining recommendation from this report of an original seven issued. It concerns recording the voice of the child (VoC) in risk assessments. Despite the introduction of Vulnerability: Everyone's Business, there was still demand for the VoC to be recorded more consistently. This recommendation has been monitored during new PEEL continued monitoring process, with work on VoC capability within Pronto being considered. The new PPN2 product being launched in Autumn 2023 will have an amended field for VoC observations, and compliance will ultimately be confirmed using a dip sample.

Recommendations and AFIs from 2020

11. **PEEL: Police effectiveness, efficiency, and legitimacy 2018/19 – An Inspection of Lincolnshire Police**
    There are six areas for improvement still open from this report. These AFIs are all amber rated or less, noting that most are long-term initiatives for the force. Crime outcomes still require better understanding but have seen increased reviews of data at force Performance Boards and through departmental performance packs. Workforce capabilities were reviewed through the Process Evolution piece of work, and a force restructure decided to better make use of skills. Four of the six are very near completion, while the remaining two are embedded under development under the Force's People Strategy as ongoing pieces of work.
12. **A joint thematic inspection of Integrated Offender Management**
    Three of four recommendations for IOM remain. The first is to ensure there is practice guidance for each agency at each stage of the supervision process. These are all nearing closure and require assurance checks on staff being trained on all issues and necessary communications disseminated.

Recommendations and AFIs from 2021

13. **Disproportionate use of police powers – A spotlight on stop and search and the use of force**
    The lack of effective scrutiny processes in relation to the use of force elicited two recommendations from this report, asking that both internal and external scrutiny are improved respectively. This has also been highlighted in the 2021/22 PEEL monitoring process. With work ongoing in force, it is likely that both of these recommendations will near close imminently.

14. **A joint thematic inspection of the Crown Prosecution Service's response to rape – Phase one: From report to police or CPD decision to take no further action**
    There are four open recommendations from this national report. while there is still no way to capture all variations of protected characteristics in NICHE, and current fields are not mandated, further communications are being reiterated via the intranet to encourage officers to capture such information, and the importance of doing so. The new Outcome 16 template incorporates fields to capture reasons for a victim's withdrawal of support, although further guidance is required on the frequency of reporting and governance structure of where such data will be examined. A training needs analysis has recently been conducted within Protecting Vulnerable Persons to ensure appropriate training on the Specialist Sexual Assault Investigators Development Programme, with a final action to verify the total number trained and publish that figure.
15. **Police response to violence against women and girls – Final inspection report**
    The one outstanding recommendation asked for effective supervision at an inspector-level to ensure consistency and auditability. Once it can be verified that all high-risk cases receive the appropriate sign off, this can be closed.
16. **A joint thematic inspection of the criminal justice journey for individuals with mental health needs and disorders**
    The two remaining recommendations from this report include a dip sample of outcome codes 10 and 12, and to review the mental health flagging capability on records. The progress against both of these has been noted by HMICFRS, and it is recommended that instead of looking at multi-agency capabilities for such flagging, the force can instead look at an internal solution.

Recommendations and AFIs from 2022

17. **A joint thematic inspection of the police and Crown Prosecution Service's response to rape – Phase two: Post-charge**
    The final open recommendation from this report asks that victims of rape are given the opportunity to make victim personal statements. Victims of crime are offered the right to make a personal statement at the time of reporting. Invariably for victims of rape that would not be the appropriate time to provide a VPS, but a VPS is always obtained and/or updated prior to the court trial date. The currency and relevance of VPSs taken at an early date is questionable given the current delays within the crown court system. The force can undertake a dip sample of cases that are proceeding to court from rape victims to confirm that VPSs are complete.
18. **Twenty years on, is MAPPA achieving its objectives?**
    Forces were asked to ensure category three referrals are made to manage those who present a high-risk DA where MAPPA oversight would add value and ensure all MAPPA nominals are allocated to a suitable offender manager. These final two recommendations from this report remain works in progress within force, and while all are being developed, there is more work needed to ensure HMICFRS are satisfied.
19. **Report on an inspection visit to police custody suites in Lincolnshire**
    There were two recommendations and 15 areas for improvement for Lincolnshire Police following the short-notice custody inspection of May 2022. HMICFRS recently checked in and reviewed progress against the report's actions with the Force's custody team. Progress is occurring against all the actions, and another review is due in several months.
20. **PEEL Spotlight- The police response to burglary, robbery, and other acquisitive crime – Finding time for crime**
    Two recommendations came from this national report, both of which ask that the force ensures all crime scene management adheres to Authorised Professional Practice (APP), and Serious Acquisitive Crime (SAC) investigations are subject to effective direction and supervision. With the assignment of a strategic lead for burglary, HMICFRS are content with the progress of these recommendations. Both remain amber at this time, as it was highlighted during PEEL 2021/22 that there are inconsistencies in the use of THRIVE within the force control room and the flagging of re-victimisation.

21. **An inspection of vetting, misconduct, and misogyny in the police service**
    29 recommendations and five areas for improvement were issued to forces from this publication. A Gold Group was established to ensure progression against each, noting the public scrutiny associated with the nature of the report. Just five actions remain in progress, with the rest having been recommended for closure. The report is subject to continual monitoring by HMICFRS and the Force updates on progress on a regular basis. There is just one action that remains red RAG rated. The recommendation is to make routine use of the Police National Database (PND) to reveal unreported adverse information about officers and staff. This force is unlikely to meet the deadline for this, which is the end of 2023, due to needing to await the pilot project outcomes as highlighted in HMIFRS' report and then understand how to embed these.
22. **An inspection into how well the police and other agencies use digital forensics in their investigations**
    There are three recommendations within this report to all police forces. Most of the requirements sit within the Chief Constable's regional Gold Group. Options have been presented to regional Chief Constables for future models of digital forensics units, with the force currently considering the best routes. The force has recognised the regional element of the recommendations, and therefore the need to collaborate with its partners to achieve the requirements outlined in the report.
23. **How the police respond to victims of sexual abuse when the victim is from an ethnic minority background and may be at risk of honour-based abuse**
    This super complaint report was published in December of 2022, and there is now one recommendation in progress within force. The report finds that there is a national issue of a lack of understanding of different cultures and religions amongst forces, and the force has recognised that this recommendation is amber risk rated, due to the longer-term commitment needed to improve current EDI provisions.

Recommendations and AFIs from 2023

24. **An inspection of the east midlands response to serious and organised crime**
    There are two recommendations and four areas for improvement from this report. The Section 22 collaboration agreement is being revised to make clear that forces should not limit the number of staff provided to the Regional Organised Crime Unit (ROCU), and a framework is in the pipeline to manage the Force's officer contributions to EMSOU. A significantly more collaborative and collegiate approach has been adopted since the inspection took place, breaking down previous barriers to working together. SOC capacity in on the increase with the remodelling of the Crime Directorate, and these AFIs are all RAG rated amber, with progress ongoing.
25. **An inspection of how well the police tackle serious youth violence**
    The recommendation from this report is that Forces should understand the levels of racial disproportionality in serious youth violence through data collection and analysis. Both the Equality, Diversity, and Inclusion team and lead for serious violence reduction are progressing this, and with improvements mentioned in other actions for the recording of protected characteristics, better analysis is possible.
26. **PEEL 2021/2022 – An inspection of Lincolnshire Police**
    There were 21 areas for improvement issued from this report. One of these, to improve performance monitoring and reporting processes within the police online investigation team and management of sexual and violent offenders teams to ensure it can recognise where risk needs to be mitigated in any backlog of work so that timely action can be taken, has already been recommended for close. Of the remaining 20, just two are red RAG rated. The first looks at the improvement of responding to non-emergency public calls for service and reducing the abandonment rate, which is reliant on significant uplift within the force control room. The second asks to improve how the Force meets national standards in relation to the use of domestic violence disclosure schemes. Disclosure remains an issue, however, there is a clear action plan to address the AFI, just the timeline remains uncertain. There is a

Strategic PEEL Delivery Group that meets quarterly to ensure the AFIs are being progressed appropriately.

27. **Values and culture in fire and rescue services**
    The one recommendation to police from this report is to make sure forces are appropriately using their Common Law Police Disclosure powers in circumstances involving employees of fire and rescue services. Locally, this requires a compliance check to ensure the necessary processes are consistently being adhered to.
28. **An inspection of how well the police and National Child Agency tackle the online sexual abuse and exploitation of children**
    There are 11 recommendations issued to forces from this report. The most imminent include forces satisfying themselves that crime allocation polices ensure online child sexual abuse and exploitation cases are allocated to those with adequate training and skills to investigate them; ensuring information is being shared correctly and referrals made to statutory safeguarding partners to better protect at-risk children; and reviewing the advice forces publish, and if necessary, revise this to ensure it is consistent with the National Crime Agency's ThinkUKnow programme. The remaining recommendations are not due for review until October 2023 or April 2024.

B. FINANCIAL CONSIDERATIONS

There are no specific financial considerations arising from this report.

C. LEGAL AND HUMAN RIGHTS CONSIDERATIONS

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), formerly Her Majesty's Inspectorate of Constabulary (HMIC), has statutory responsibility for the inspection of the police forces, and since July 2017 the fire and rescue services, of England and Wales.

HMICFRS is independent of both the Government and the Police Service. Its core role is to promote efficiency and effectiveness of police forces and policing organisations in England, Wales and Northern Ireland through inspection and assessment. While the inspectorate was established under legislation in 1856, numerous further enactments have extended its remit to provide similar scrutiny to other policing bodies, and fire and rescue services. Current statutory functions are contained in the Police Act 1996 and related legislation.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) independently assesses the effectiveness and efficiency of police forces and fire & rescue services – in the public interest.

D. PERSONNEL, EQUAL OPPORTUNITIES AND DIVERSITY ISSUES

There are no specific personnel, equal opportunities or diversity issues arising from this report or any that relates to Children and Young People.

E. REVIEW ARRANGEMENTS

The tracker document is continuously updated as progress is made against individual recommendations and areas for improvement. A report of progress and the current status of all active recommendations in force is made on a quarterly basis to the Audit Committee.

F. RISK MANAGEMENT

Progress against HMICFRS recommendations has previously been recorded as a risk on the Force and Strategic Development Risk Registers. The process described in the attached report formed the actions required to reduce that risk to an acceptable level, and it has now been closed due to the reduced risk grading.

HMICFRS reports are regularly reviewed by the Deputy Chief Constable in order to escalate issues when necessary.

G. PUBLIC ACCESS TO INFORMATION

Information in this report is subject to the Freedom of Information Act 2000 and other legislation. This document is marked as ‘not protectively marked’ under the Government Protective Marking Scheme (GPMS).