



**AGENDA ITEM: 05**

**REPORT OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date of Meeting: 14<sup>th</sup> February 2013**

**Report of: The Chief Executive**

**TITLE: TERMS OF REFERENCE AND PROCEDURE RULES**

**1. PURPOSE OF REPORT**

- 1.1 To provide the Panel with terms of reference and procedure rules for meetings.

**2. RECOMMENDATION**

- 2.1 To note the terms of reference and procedure rules for the Panel.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To provide the Panel with a framework to operate the meetings within.

**4. SUMMARY OF KEY POINTS**

- 4.1 The Police and Crime Commissioner established the Joint Audit & Scrutiny Panel and has given it a number of responsibilities within its terms of reference. The Panel are asked to consider and note the terms of reference (attached as **Appendix A**) and the procedure rules for the Panel (attached as **Appendix B**) which will enable good governance at meetings.

**5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

- 5.1 None

**6. HR IMPLICATIONS**

- 6.1 None

**-NOT PROTECTIVELY MARKED-**

<b>7. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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7.1 None

<b>8. DETAILS OF CONSULTATION</b>
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8.1 None

<b>9. APPENDICES AND BACKGROUND PAPERS</b>
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9.1 None

<b>REPORT AUTHOR:</b>	Sara Allmond
<b>OTHER CONTACTS:</b>	

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# **Nottinghamshire Police and Crime Commissioner**

## **Joint Audit and Scrutiny Panel**

### **DRAFT TERMS OF REFERENCE**

#### **Membership**

This Panel will consist of 5 members appointed from outside Nottinghamshire Police Force and the Police and Crime Commissioner's Office.

#### **Statement of Purpose**

To provide independent assurance on the adequacy of the corporate governance and risk management arrangements in place and the associated control environment, advising according to good governance principles and proper practices.

To enable effective in depth scrutiny of key areas of policing activity to ensure that the Force is meeting the needs of Nottinghamshire.

#### **Responsibilities**

1. To establish formal and transparent arrangements for considering how the corporate reporting, risk management and internal control principles are applied.
2. To assist the Police and Crime Commissioner (PCC) and Chief Constable (CC) in fulfilling their responsibility for ensuring Value for Money.
3. To assist the Chief Finance Officer to the PCC in fulfilling their responsibility as Section 151 (and section 114 of the Local Government Finance Act 1988) Officer relating to probity, lawfulness of expenditure and internal control.
4. To assist the ACO Resources in fulfilling their responsibility as the statutory officer (Section 114 Local Government Finance Act 1988) relating to probity, lawfulness of expenditure and internal control.
5. To oversee an annual programme of scrutiny of key areas of policing activity on behalf of the Police and Crime Commissioner.
6. To make recommendations to the Police and Crime Commissioner.

## **Terms of Reference**

### **CORPORATE GOVERNANCE & REGULATORY FRAMEWORK**

1. To advise the PCC and CC on the adequacy and effectiveness of the systems of internal control and the arrangements for risk management, control and governance processes, and securing economy, efficiency and effectiveness (Value for Money).
2. To review any issue referred to the Panel by the statutory officers of the PCC and CC and make recommendations as appropriate.
3. To review and scrutinise the CC and make recommendations to the PCC as appropriate.
4. To monitor the effective development and operation of risk management and make recommendations where appropriate to the Police and Crime Commissioner.
5. To ensure there is a whistle blowing procedure and to review and scrutinise it to ensure that this is being complied with.
6. To ensure there is an anti fraud and corruption policy and procedure in place and to receive reports in relation to breaches in this policy.
7. To review and scrutinise that the process has been followed in relation to Grievance Appeals by staff.
8. To have oversight and challenge in relation to the appointment of consultants and temporary agency staff
9. To review its own effectiveness on an annual basis.
10. To consult with key stakeholders to identify priorities for scrutiny of policing activity.
11. 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.

### **INTERNAL & EXTERNAL AUDIT**

12. To agree the appointment of the External Auditors and the Internal Auditors.
13. To approve the internal audit strategy and annual internal audit plan and receive the external audit plan.
14. To ensure effective co-ordination between the internal and external auditors.

15. To consider the External Auditors Annual Governance Report and Annual Audit Letter.
16. To consider reports of the Internal and External Auditors and any implications relating to the internal control, risk and governance.
17. To maintain, within an agreed timescale, the implementation of agreed recommendations relating to internal audit reports and HMIC inspections and scrutiny reports
18. To ensure action is taken in response to audit reports and where appropriate overturn a management comment that disagrees with a valid recommendation.
19. To ensure that all allegations of fraud and irregularity are properly followed up.
20. To commission work from internal and external auditors as may be necessary.

## **ACCOUNTS & FINANCE**

21. To contribute to the Annual Governance Assurance process for the legal entities of PCC and CC.
22. To recommend the Annual Governance Statement for the Forces accounts to the PCC.
23. To recommend the Annual Governance Statements of the joint accounts to the PCC.
24. To approve and recommend to the PCC the Statement of Accounts.

## **SCRUTINY**

25. To undertake specific scrutiny reviews requested by the Police and Crime Commissioner.
26. To establish a Scrutiny Review Group per topic. The Review Group could include one Joint Audit and Scrutiny Panel Member and will be further made up of independent people who have knowledge or experience of the topic under scrutiny. A Review Group will have no less than three members and no more than five members.
27. To establish only one Scrutiny Review Group at a time to enable the detailed work required. Each review is anticipated to take approximately six months, with two reviews scheduled per year.
28. To delegate authority to the Scrutiny Review Group to propose the scope of the review for approval by the Police and Crime Commissioner.

29. To receive and consider the findings and recommendations from each Scrutiny Review Group on completion of the review and present the findings to the Police and Crime Commissioner for consideration and response.
30. To receive regular update reports on responses and actions arising from any recommendations made in completed scrutiny reviews.

**Frequency of Meetings**

31. To meet four times per annum at times where key activities require consideration

# **JOINT AUDIT AND SCRUTINY PANEL**

## **RULES OF PROCEDURE**

These procedure rules are designed to ensure meetings run smoothly and are conducted properly. The meeting Chairman has discretion to suspend any of the rules at an individual meeting, and the Police and Crime Commissioner may amend them permanently at any time.

### **1. Chairing the meeting**

- 1.1. The Chair and Vice Chair of the Joint Audit and Scrutiny Panel will be appointed annually in June or at the first meeting of the Panel following its establishment. The Chairman and Vice Chairman will be drawn from amongst the members of the Panel.
- 1.2. In the event of the resignation of the Chairman or Vice Chairman a new appointment will be made from amongst the members of the Panel.
- 1.3. The Panel will elect a person to chair a meeting if the Chairman and Vice Chairman are not present.

### **2. Frequency of meetings**

- 2.1. Meetings will normally take place 4 times a year
- 2.2. The Commissioner, Chief Constable or Chairman may call an additional meeting if they consider it appropriate.

### **3. Notice of meetings**

- 3.1. At least five clear working days' notice of all meetings will be given unless an item of business is considered sufficiently urgent to justify shorter notice.

### **4. Attendance**

- 4.1. A meeting of the Panel cannot take place unless 2 members are present.
- 4.2. The Panel may invite any other person to participate in the meeting, for example the Police and Crime Commissioner or Deputy,

Nottinghamshire's Chief Constable or Deputy, representatives of community groups and subject experts.

- 4.3. Any member of the public and press may attend a meeting to observe the meeting

## **5. Work programme**

- 5.1. The Panel will be responsible for setting the meeting's work programme which should incorporate, but not necessarily be limited to, matters set out in the Panel's terms of reference.
- 5.2. Any person with a right to speak at a meeting may suggest an item for inclusion in the work programme.

## **6. Agenda**

- 6.1. Any member of the Panel will be entitled to give notice to the Commissioner's Chief Executive that they wish an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.
- 6.2. The agenda will be published at least five clear working days before the meeting unless the provisions of the urgency procedure apply.

## **7. Order of business**

- 7.1. The order of business can be varied at the discretion of the Chairman of the meeting.

## **8. Declarations of interest**

- 8.1. Where the Commissioner and/or the Deputy Commissioner attend a meeting where they have an interest in any matter to be discussed or decided, they must, in accordance with their code of conduct declare the existence and nature of that interest and whether the interest is a Disclosable Pecuniary Interest. Any declaration of interest will be recorded in the minutes of the meeting.
- 8.2. Any Panel Member, person or member of staff who is appointed to do anything in connection with the Panel which enables them to speak at



meetings, will make the same disclosures of interests. They should withdraw from the room in which the meeting is being held if their interest would be defined as a Disclosable Pecuniary Interest under the Commissioner's code of conduct.

## **9. Speaking at meetings**

- 9.1. The Chairman may ask any person who has been invited to the meeting specifically to speak on the subject, to do so.
- 9.2. Any Panel member who wishes to speak will be given the opportunity to do so. If necessary the Chairman will determine the order of speaking and how long each person may speak.
- 9.3. Any Panel member may at any time during a meeting request that the meeting is adjourned for up to one hour. The Chairman of the meeting has discretion to decide whether to agree the request and, if agreed, to determine the length of any such adjournment.
- 9.4. The Chairman will decide when the matter has been sufficiently discussed and will proceed to taking a vote on the agenda item if required.

## **10. Voting**

- 10.1. All Panel members may vote in proceedings of the Panel. Voting will be by show of hands and by simple majority unless otherwise required.
- 10.2. Where there is an equal number of votes for and against a motion the Chairman can exercise a second or casting vote.
- 10.3. Any Panel member can require that the minutes of the meeting record how they voted on any decision taken.

## **11. Giving account**

- 11.1. In fulfilling its scrutiny role the Panel may request Nottinghamshire's Chief Constable or Deputy or any other member of the Chief Officer team to attend before the Panel to answer any questions which appear to the Panel to be necessary in order to carry out its functions.
- 11.2. Where this is the case the Chairman will inform them in writing. The notice will state the nature of the item and whether any items are required for

production to the Panel. Where it is necessary for a report to be submitted, sufficient time will be given to allow preparation.

- 11.3. Where, in exceptional circumstances the person invited is unable to attend on the required date, then an alternative date may be arranged following consultation with the Chairman of the Panel.

## **12. Scrutiny Review Groups**

- 12.1. Time limited Scrutiny Review Groups will be established by the Panel to undertake specific tasked based scrutiny work, and to report back to the Panel with recommendations.
- 12.2. The work to be undertaken by the Scrutiny Review Group will be outlined by the Panel, together with timescales for completion and reporting.

## **13. Record-keeping**

- 13.1. The minutes of all meetings and decisions taken will be published on the Police and Crime Commissioner's website prior to the next meeting, and the minutes will be presented for approval at the next meeting.



**AGENDA ITEM: 7**

**REPORT OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date of Meeting: 14<sup>th</sup> February 2013**

**Report of: The Chief Finance Officer**

**TITLE: Appointment of the External Auditor**

**1. PURPOSE OF REPORT**

- 1.1 To notify the Panel of the appointment of the External Auditor.

**2. RECOMMENDATION**

- 2.1 Members of the Panel are requested to note the appointment of the External Auditor.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 Good governance arrangements

**4. SUMMARY OF KEY POINTS**

- 4.1 The Audit Commission has contracted out the external audit services and as part of this process KPMG LLP have been appointed to Nottinghamshire.
- 4.2 KPMG LLP have subsequently notified us of the appointment of John Cornett as the Lead for Nottinghamshire with Paul Lobely as the Audit Manager.

**5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

- 5.1 The cost of external auditor is an ongoing commitment within the budget of the Office of the Police & Crime Commissioner.

<b>6. HR IMPLICATIONS</b>
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6.1 None

<b>7. ORGANISATIONAL RISKS</b>
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7.1 None

<b>8. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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8.1 This complies with the Accounts and Audit Regulations.

<b>9. DETAILS OF CONSULTATION</b>
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9.1 Not applicable

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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10.1 Letter of Appointment from the Audit Commission

<b>REPORT AUTHOR:</b>	Charlotte Radford
<b>OTHER CONTACTS:</b>	

**AGENDA ITEM: 08**

**REPORT OF THE NOTTINGHAMSHIRE POLICE & CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date: 14<sup>th</sup> February 2013**

**Report of: The Chief Finance Officer**

**Draft Annual Internal Audit Plan 2013-14**

**1. PURPOSE OF REPORT**

- 1.1 To provide the panel with the proposed draft annual internal audit plan for 2013-14, so that contributions can be made and included for the final plan.

**2. RECOMMENDATIONS**

- 2.1 The Audit & Scrutiny Panel is requested to review and provide feedback on the draft annual internal audit plan.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 This complies with good governance and the terms of reference for the Audit & Scrutiny Panel.

**4. SUMMARY OF KEY POINTS**

- 4.1 RSM Tennon provides the internal audit services to the Police & Crime Commissioner including the Chief Constable. Each year the plan of intended audits for the following year is produced, the draft plan is included at **Appendix A**.
- 4.2 The plan is at draft stage to allow for comment and feed back. A final plan will then be produced and approved by the Police & Crime Commissioner by 31<sup>st</sup> March 2013. The final plan will be circulated to members of the Audit & Scrutiny Panel and published on the website once approved.

- 4.3 The ACO Resources, Chief Finance Officer and the temporary Organisational Development Manager have met with the Audit Manager and Partner to discuss risks that we would like to have included in the audit plan for 2013-14. Further work is being undertaken in the Office of the Police & Crime Commissioner to identify specific areas of audit work that will be required during 2013-14 and for inclusion in the final plan.

## **5. FINANCIAL IMPLICATIONS AND BUDGET**

- 5.1 There are no financial implications as a result of this report. The cost of internal audit is built into the base budget for the Office of the Police & Crime Commissioner.

## **6. POLICE & CRIME PLAN & POLICY IMPLICATIONS**

- 6.1 This internal audit plan meets the requirements of the Accounts & Audit Regulations and supports the Police & Crime Plan priorities.

## **7. CONSULTATION**

- 7.1 As detailed in section 4 above.

## **8. APPENDICES AND BACKGROUND PAPERS**

- 8.1 **Appendix A – Draft Annual Internal Audit Plan 2013-14**

**Report Author: Charlotte Radford**

## DETAILED INTERNAL AUDIT PLAN 2013/14

Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
<b>Assurance to be provided to the Office of Police &amp; Crime Commissioner</b>					
Commissioning	The specific scope of the review will be determined nearer the time.	Risk Based	Q2	£4,100	TBC
Governance –Financial Governance	With the Home Office EMCoP in place, it seems timely to complete a review to provide assurance that all bases are covered by the PCC /OPCC	Risk Based	Q2	£2,900	TBC
Partnerships	Eventually the PCC will be responsible for all Partnership funding. The review will provide assurance that the Force is maintaining its robust partnership links but in addition provide assurance that there is a mechanism in place for measuring outcomes for their investment in time, money and effort. It is thought that the review could either be a follow up of the Partnership audit completed in 2012/13, or specifically focus on a particular Partnership, for example Trouble Families.	Risk Based	Q3	£2,435	TBC
Performance Management – Manifesto	The specific scope will be determined nearer the time, but given the PCC Manifesto is being used to drive forward the work of the PCC, a specific area of the Manifesto will be selected and assurance provided that the original objective is being achieved	Risk Based	Q4	£2,415	TBC
Scrutiny Panel – Anti Social Behaviour	The review will provide assurance that the recommendations from the Scrutiny Panel Anti-Social Behaviour report have been appropriately addressed and implemented	Follow Up	Q1	£1,210	TBC
<b>Assurance to be provided to the Chief Constable</b>					
Business Continuity	A review to provide assurance that arrangements are	Risk Based	Q3	£3,440	TBC

Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
	in place and procedures documented to minimise disruption, maintain continuity and the integrity of critical data in the event of a defined contingency event occurring				
Equality & Diversity	The specific scope will be determined nearer the time but given the EHRC are launching a number of reviews which are highlighting a number of issues, it seems appropriate and timely to complete a review, in this particular area	Risk Based	Q1	£1,935	TBC
ICT Resilience	This audit will review what systems there are, Restart process, Backup / system resilience, assurance system providers, Compatibility of systems. Interoperability and integration of systems	Audit - Joint with Derbyshire*	TBC	£1,445	TBC
Commissioning of Operational Training	It has been identified that training that is not linked to Force priorities and workforce plan has been identified as a risk within Local Policing. The audit will review training programme development, completion of planned training days to schedule, alignment of proposed training to training needs, assessment of under utilisation of training days.	Regional Audit*	TBC	£850	TBC
Forensics – Scientific Support	An audit to identify how regionalisation has affected provision and effect on investigation cycle times.	Regional Audit*	TBC	£600	TBC
Health and Safety	A policy is in place, but there are some significant H&S risks currently identified. An audit will be conducted to look at the compliance and effectiveness of the H&S policy, Risk Management and how this is managed, training and maintaining accreditation of risk assessors.	Risk Based	TBC	£2,050	TBC
Environmental Policy	An audit to look at compliance with legislation and environmental performance trends	Risk Based	TBC	£1,965	TBC
Attendance Management	Sickness absence is currently biggest threat identified	Risk Based	TBC	£1,965	TBC



Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
	to the maintenance of an efficient and productive workforce. A audit will take place to look at the effectiveness of the policy, sickness patterns and Rest Days In Lieu.				
Volunteering	The specific scope of the audit to be determined.	Risk Based	TBC	£1,870	TBC
Estates	The specific scope of the audit to be determined.	Risk Based	TBC	£2,180	TBC
Joint tasking and OPR	The specific scope of the audit to be determined.	Risk Based	TBC	£1,870	TBC

Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
<b>Assurance to be provided to the Police and Crime Commissioner and the Chief Constable</b>					
Budgetary Control	<ul style="list-style-type: none"> <li>Annual Budget setting process</li> <li>Budget Monitoring.</li> <li>Budgetary Reporting.</li> </ul>	Key Financial Controls	Q3	£1,500	TBC
General Ledger	<ul style="list-style-type: none"> <li>Access Controls</li> <li>Journals</li> <li>Month end closedown and reconciliation process</li> </ul>	Key Financial Controls	Q3	£1,020	TBC
Payroll & Expenses	<ul style="list-style-type: none"> <li>Starters;</li> <li>Leavers;</li> <li>Changes to contract details;</li> <li>Pensions contributions;</li> <li>Expenses</li> <li>Payment authorisation &amp; run;</li> <li>Reporting.</li> </ul>	Key Financial Controls	Q3	£2,150	TBC
Payments & Creditors	<ul style="list-style-type: none"> <li>Placing of orders;</li> </ul>	Key Financial	Q3	£1,000	TBC

Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
	<ul style="list-style-type: none"> <li>Confirmation of goods being received;</li> <li>Authorisation of Invoices;</li> <li>Processing of credit notes;</li> <li>Preparation and authorisation of payment runs.</li> </ul>	Controls			
Income & Debtors	<ul style="list-style-type: none"> <li>Raising and authorisation of invoices;</li> <li>Chasing of outstanding debts;</li> <li>Debt write off.</li> </ul>	Key Financial Controls	Q3	£1,000	TBC
Cash, Banking and Treasury Management	<ul style="list-style-type: none"> <li>Receipt of cash;</li> <li>Processing of cash payments;</li> <li>Bank mandate;</li> <li>Bank reconciliation;</li> <li>Control over loans and investments where appropriate.</li> </ul>	Key Financial Controls	Q3	£1,535	TBC
Fixed Assets, Inventories and Insurance	<ul style="list-style-type: none"> <li>Maintenance of the asset register;</li> <li>Internal verification of assets;</li> <li>Disposals of assets;</li> <li>Maintenance of inventory registers;</li> <li>Current insurance policies in place.</li> </ul>	Key Financial Controls	Q3	£1,075	TBC
Contingency	To be allocated as and when required during the year.	TBC	Q3	£2,000	TBC
Risk Management	Review of the Risk Management arrangements of the PCC and the Force. This will include a review of the arrangements for gaining assurance on the controls in place.	Risk Maturity	Q4	£2,210	TBC
Follow Up	To meet the IIA Standards and to provide management with ongoing assurance regarding implementation of recommendations.	Follow Up	Q4	£1,295	TBC
Other Internal Audit Input					

Audit	Overview of Internal Audit Coverage	Internal Audit Approach	Proposed Timing	Fee	Target Audit Committee
Audit Committee Training	To provide training to the members of the Audit Committee, as appropriate	Advisory	Q1 /Q2	£1,660	TBC
Audit Management	This will include: <ul style="list-style-type: none"> <li>▪ Annual planning</li> <li>▪ Preparation for, and attendance at, Audit Committee meetings</li> <li>▪ Regular liaison and progress updates</li> <li>▪ Liaison with external audit</li> <li>▪ Preparation of the annual internal audit opinion</li> </ul>	N/A	N/A	£9,350	

\* ACO Monckton to discuss options of joint region audits with DCC Peter Goodman.



**AGENDA ITEM: 09**

## **REPORT TO THE OFFICE OF THE POLICE & CRIME COMMISSIONER**

**Meeting:** Joint Audit & Scrutiny Panel

**Date of Meeting:** 14<sup>th</sup> February 2013

**Report of:** Assistant Chief Officer Margaret Monckton

**Title:** Audit, Inspection and Review Status Update

### **1. PURPOSE OF REPORT**

- 1.1 The purpose of this report is to provide Members with an update on the status of actions from past audits and inspections. The report also informs Members of expected future audits and inspections.

### **2. RECOMMENDATION**

- 2.1 That Members note the progress made against audit and inspection recommendations.
- 2.2 That Members also note forthcoming audits, inspections and reviews.

### **3. REASONS FOR RECOMMENDATIONS**

- 3.1 To enable the Panel to fulfil its scrutiny obligations to oversee and consider Force arrangements to deliver against key audits, inspections and reviews.

### **4. SUMMARY OF KEY POINTS**

- 4.1 Actions are raised in response to recommendations from audits, inspections and reviews. These actions are added to the Force Action Plan and delivered through the Force business planning process.
- 4.2 Progress updates are provided by lead officers and risks to achievement are identified. Where an action has passed its agreed completion date it will be recorded as overdue; and show as red in the status column. All overdue actions will be scrutinised by the Chief Officer Team (COT) and appropriate actions will be agreed.
- 4.3 When an action is proposed for closure these are also identified for final approval by the Deputy Chief Constable (DCC).

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4.4 **Appendix 1** shows the status of all current actions resulting from live audits and inspections. There are 9 actions that are currently showing as overdue. 1 of these actions is awaiting approval for closure.

4.5 The remaining 8 actions can be summarised as follows:

Audit, Inspection Review	Action	Comment
Proceeds of Crime Act Audit Report 01.11/12	Work with financial Control Team to review the property sales arrangements with Leicestershire Police to ensure that agreed actions have been completed and that the new process represents value for money	A Business Case has yet to be prepared. All efforts are currently being utilised within the Migration Plan from the smaller stores to the 3 Warehouses (COT report approval 7 January 2013). Work on Nottinghamshire E-bay site not expected to commence before 31.3.13 in the interim Leicestershire will continue to be utilised until alternative provision has been made. 23/01/2013  A new target date will be identified in agreement with the DCC
Criminal Justice Joint Inspection Report on Unannounced Visit to Custody Suites	Review and update current procedures to ensure that the mental health needs of detainees are being met across all custody suites and the criteria for referral to the section 136 suites (used for "Mentally disordered persons found in public places" and detained under s.136 of the Mental Health Act 1983), and any unresolved concerns,	Policies and procedures are already in place to meet the recommendation, however further work is required to ensure compliance. Results of research by Management Information into incident/arrests involving persons with mental ill health have now been received and are being reviewed. Mental ill health issues, both within custody and the wider

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	are being communicated regularly to operational staff to ensure that detainees are treated in the most suitable environment and that police custody is only used for this purpose as a last resort.	community, being dealt with under the broader heading of 'vulnerable persons'. This is linked to the regional mental health and adult at risk training being planned (see ACC decision 19.10.12).  A new target date will be identified in agreement with the DCC
Criminal Justice Joint Inspection Report on Unannounced Visit to Custody Suites	Health and Safety / Estates / Contractors to subject the air handling systems to 'fire conditions' at each custody suite.	Not yet complete. Faulty part replacement to arrive with engineers and be fitted. No date for fitting. 23/01/2013  A new target date will be identified in agreement with the DCC
Criminal Justice Joint Inspection Report on Unannounced Visit to Custody Suites	Replace the call bell system at the Bridewell.	Contractors on site due to complete by end Feb 2013. 23/01/2013
Follow up of Previous Audit and Inspection Recommendations. (02.12/13)	Update online training package in information security as part of the IAMM programme.	The latest January figures for IA Training completion are that over 4000 staff have completed the training.  A reminder to remaining staff to complete the package was placed on the intranet on 18 <sup>th</sup> January 2013.  Item to be closed.
Without fear or favour: A review of police relationships	Review the current Information Sharing Policy to expand the risk matrix which will be presented to the DCC and reported through	Information sharing policy reviewed and risk matrix introduced into templates for Information Sharing Agreements (ISAs) and Data Processing

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	the Force Information Assurance Board.	<p>Agreements (DPAs). All new DPAs including Privacy Impact Assessments (PIAs) and risks reviewed and sent for signature. All ISAs (generic level) sent to all third parties for signature. Approx 50% returned. Process documents to be reviewed.</p> <p>A new target date will be identified in agreement with the DCC</p>
Annual Governance Report of the District Auditor	Implement out a monthly audit to identify non current employee user accounts and disable if required.	<p>This is on track and that we are auditing monthly. Updates are given to FIAB each meeting. Right now, the process for deactivating is being fine tuned as we are developing the concept of approved authoriser with HR. 21/01/2013.</p> <p>A new target date will be identified in agreement with the DCC</p>
ASB Follow up 2012	Amend the QE2 audit process to make it a requirement to record the crime or incident type for each incident in the audit sample.	<p>The "new" version 6 Cybertech system has proved stable. As a result the NQX software has now been installed, however force data will need to be added to the system, (names of Evaluators and Evaluatees etc). The training has been booked for mid-January, so the system should be available for use following this date. Evaluate training to commence 14/01/2013.</p>

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		A new target date will be identified in agreement with the DCC
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4.6 Number of new actions and actions closed since last report:

<b>New actions</b>	3	Originating from: <ul style="list-style-type: none"> <li>• Internal review – Corporate Governance Improvement Plan</li> <li>• HMIC – Without Fear or Favour. A Review of Police Relationships.</li> </ul>
<b>Actions closed</b>	23	Originating from: <ul style="list-style-type: none"> <li>• HMIC – Without Fear or Favour. A review of police relationships.</li> <li>• Office of The Surveillance Commissioner.</li> <li>• RSM Tenon – Local Policing Plan</li> <li>• RSM Tenon General Ledger Report</li> <li>• HMIC – Olympic Preparedness</li> <li>• Internal Review – Corporate Governance Improvement Plan</li> <li>• Crime and Justice Dept – Capability Review of Organised Crime Group Management</li> <li>• Crime and Justice Joint Inspection – Report on Unannounced Visit to Custody.</li> </ul>

4.7 Forthcoming audits, inspections and reviews planned to take place are detailed below. Where no date is noted this still needs to be confirmed.

**RSM Tenon Internal Audit**

- Governance - Transition Arrangements (to be scoped)
- Workforce Plan (currently being scoped. January 2013)
- PCC Transfer Contingency (to be scoped)
- Force Governance and Reporting (to be scoped)
- Risk Management (to be scoped)
- Data Quality (to be scoped)
- Follow Up of Previous Audit and Inspections Recommendations – Part 2.
- Culture (to be scoped)
- Procurement (Regional work) (to be scoped)
- Income and Debtors
- Payments and Creditors

**-NOT PROTECTIVELY MARKED--**



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- Payroll and Expenses
- Budgetary Control

**HMIC Inspection**

- National Thematic Review. Police Force Engagement with the National Ballistic Intelligence Service. 31<sup>st</sup> January 2013
- Joint Inspection multi-agency arrangements for the protection of children- consultation. (Running until 2nd October 2012. Implemented by June 2013 followed by no – notice inspections)
- Blue Light Services Interoperability. (Police, Fire, Ambulance)
- Strategic Policing Requirement.
- The Use of Stop and Search – Phase 3. (14<sup>th</sup> & 15<sup>th</sup> March)
- Child Rape and Child Exploitation
- National Thematic Review. Automatic Number Plate Recognition (ANPR)

**CJJI Inspection**

- Child Protection Arrangements. May 2013.
- Statutory Charging
- National Thematic Review. Mental Health (Use of S136 in Police Stations)
- National Thematic Review. Handling of Disclosure in Complex Cases.
- National Thematic Review. High Demand Families.
- National Thematic Review. Learning Disabilities and Difficulties. Phase 1.

**College of Policing.**

- Firearms Training Licence. April 2013

<b>5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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- 5.1 Financial implications may arise from recommendations raised from audits, inspections and reviews. These implications are considered when agreeing actions and where these cannot be delivered through current budgets, approval is sought through the responsible Finance Officer.
- 5.2 This report has been approved by Simon Tovey, Head of Business and Finance.

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<b>6. HR IMPLICATIONS</b>
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6.1 There are no direct HR implications of this report.

<b>7. ORGANISATIONAL RISKS</b>
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7.1 Risk to Force reputation, governance or compliance status if mandatory or agreed actions are not completed.

<b>8. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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8.1 Where an audit or inspection recommends changes to Force policy or strategy, those changes will be managed through the Force Action Plan.

<b>9. DETAILS OF CONSULTATION</b>
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9.1 This process for monitoring audits, inspections and reviews has been agreed by the Business Planning Group and approved by the COT.

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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10.1 None.

<b>REPORT AUTHOR:</b>	Read Hibbert – Planning and Policy Officer Mike Grundy – Strategic Support Officer
<b>OTHER CONTACTS:</b>	Simon Tovey – Head of Business and Finance Julie Mair – Organisational Development Manager

Status Key		Definition									
Red – Overdue		The action has passed its Target Completion Date and requires urgent review									
Green – On schedule		The action is likely to be completed by its Target Completion Date									
White – Not yet started		The action has been agreed but has not yet reached its planned start date									
Title	Final Report Received	Scrutiny Body	Audit / Inspection / Review	Chief Officer Lead	Total number of actions	Number overdue	Number on schedule	Number not started	Number completed	STATUS	Comment
Annual Governance Report of the District Auditor	Yes	Audit Commission	Audit	ACO Monckton	8	1	1	0	6	On going	Added to force action plan August 2012. Due date for completion 01 February 2013.  <b>DCC scrutiny 28/12/2012 supports new target completion date.</b>
Appropriate Adult Provision & Children in Detention: 'Who's looking after the children'	Yes	CJJI (HMIC)	Review	ACC Waterfield	3	0	1	0	2	On going	National report published and distributed to Force lead. Five of the twelve recommendations are for police. Checked against the actions arising from HMIP (HMIC) Criminal Justice Report on Unannounced Visit to Custody for overlap.  Added to force action plan April 2012. Due date for completion 31 May 2013.  <b>DCC scrutiny 28/12/2012 requests clarity around training and adjusting interview techniques for children.</b>
ASB Follow up 2012	Yes	HMIC	Inspection	ACC Fish	4	1	0	0	3	On going	Date of inspection 5 - 8th March 2012. Initial actions generated from hot debrief. Final report to be discussed at next Neighbourhood Policing meeting to identify further actions. DCC Scarrott scrutinised actions at Local Policing Board. Date for completion 30 December 2012.  Added to force action plan March 2012. Due date for completion 01 January 2013.  <b>DCC scrutiny 28/12/2012 DCC aware action overdue .</b>
Capability Review of Organised Crime Group Management	Yes	Crime & Justice Department	Review	ACC Waterfield	8	0	7	0	1		Added to force action plan November 2012. Due date for completion 30 August 2013.  <b>DCC scrutiny 28/12/2012.</b>
Child Abuse Provision	Yes	ACPO	Inspection	ACC Waterfield	5	0	5	0	0		Added to force action plan October 2012. Due date for completion 31 December 2013  <b>DCC scrutiny 28/12/2012.</b>
Corporate Governance Improvement Plan	N/A	Nottinghamshire Police	Internal Review	DCC Scarrott	70	0	8	0	2	On going	Internal review carried out based on the governance framework. A total of 70 actions added to the force action plan August 2012. Due date for completion November 2013  <b>DCC scrutiny 28/12/2013</b>
				ACO Monckton		0	50	0	10	On going	
Criminal Justice Joint Inspection Report on unannounced Visit to Custody suites	Yes	HMIP (HMIC)	Inspection	ACC Waterfield	36	3	2	0	31	On going	Date of Inspection 30 August 2011. Added to force action plan March and October 2012. Due date for completion is 30 April 2013.  <b>DCC scrutiny 28/12/2012 requests a variety of evidence to clarify progress.</b>
Exercising Discretion. The Gateway to Justice. Cautions, PNDs and Restorative Justice	Yes	CJJI (HMIC)	Inspection	ACC Waterfield	2	0	0	0	1	On going	Added to force action plan July 2012. Due date for completion is 31 March 2013.  <b>DCC scrutiny 28/12/2013.</b>
				ACC Fish		0	1	0	0	On going	Added to force action plan July 2012. Due date for completion is 31 March 2013.  <b>DCC scrutiny 28/12/2013.</b>
Follow up of Previous Audit and Inspection Recommendations. (02.12/13)	Yes	RSM Tenon	Audit	DCC Scarrott	2	1	0	0	0		Actions added to force action plan in September 2012. Completion date 31/12/2012  <b>DCC scrutiny 28/12/2013.</b>
				ACC Waterfield		0	0	0	1		
General Ledger	Yes	RSM Tenon	Audit	ACO Monckton	2	0	1		1		Actions added to the force action plan November 2012. Completion date March 2013.  <b>DCC scrutiny 28/12/2012</b>
IT Healthcheck Audit	Yes	RSM Tenon	Audit	ACO Monckton	5	0	3	0	2	On going	Actions added to force action plan in September 2012. Completion date 28/02/2013  <b>DCC scrutiny 28/12/2013.</b>
Key Financial Controls	Yes	RSM Tenon	Audit	ACO Monckton	4	0	1	0	3	On going	Actions added to force action plan in March 2012. Completion date 31/01/2013  <b>DCC scrutiny 28/12/2013.</b>
Key Financial Controls Follow-up 11/12	Yes	RSM Tenon	Audit	ACO Monckton	0					Awaiting approved actions	Date of Audit March 2012. Final report published. Awaiting confirmation of actions.  <b>DCC scrutiny 28/12/2012.</b>
Local Policing Plan	Yes	RSM Tenon	Audit	ACC Fish	4	0	1	0	3	On going	Actions added to force action plan March 2012. Completion date 31/03/2013  <b>DCC scrutiny 28/12/2012.</b>

Title	Final Report Received	Scrutiny Body	Audit / Inspection / Review	Chief Officer Lead	Total number of actions	Number overdue	Number on schedule	Number not started	Number completed	STATUS	Comment
Management of Crime	Yes	RSM Tenon	Audit	ACC Waterfield	2	0	1	0		On going	Added to force action plan October 2012. Due date for completion 14 January 2013.
				ACC Fish		1	0	0			DCC scrutiny 28/12/2012.
Office of Surveillance Commissioner	No	Office of Surveillance Commissioner	Inspection	ACC Waterfield	3	0	3	0		On going	Actions added to the force action plan August 2012. Completion date March 2013.  DCC scrutiny 28/12/2012. Requests evidence of completion.
Partnerships Governance	Yes	RSM Tenon	Audit	ACC Fish	1	0	1	0		On going	Actions added to force action plan October 2012. Completion date 30/04/2013.  DCC scrutiny 28/12/2012
Performance Management	Yes	RSM Tenon	Audit	ACC Waterfield	5	0	2	0	3	On going	Actions added to the force action plan March 2012. Completion date 31/03/2013. One action recommended completion awaiting DCC decision.  DCC scrutiny 28/12/2012
Proceeds of Crime Act	Yes	RSM Tenon	Audit	ACC Waterfield	7	1	1	0	5	On going	Actions added to force action plan March 2012. Completion date 31/03/2013  DCC scrutiny 28/12/2012.
Without fear or favour: A review of police relationships	Yes	HMIC	Review	ACO Monckton	33	1	9	0	15	On going	Actions added to force action plan March 2012. Completion date March 2013.
				DCC Scarrott		0	1	0	7	On going	DCC scrutiny 28/12/2012
TOTAL					204	9	99	0	96		



**AGENDA ITEM 10a**

**REPORT TO THE OFFICE OF THE POLICE & CRIME COMMISSIONER**

**Meeting:** Joint Audit & Scrutiny Panel

**Date of Meeting:** 14<sup>th</sup> February 2013

**Report of:** T/ ACC Waterfield

**Title: Domestic Abuse Scrutiny Committee - update**

<b>1. PURPOSE OF REPORT</b>
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- 1.1 The purpose of the report is to update the Commissioner, members of the Force and its partners to the progress on the recommendations of the former Nottinghamshire Police Authority's Domestic Abuse Scrutiny Committee.

<b>2. RECOMMENDATION</b>
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- 2.1 It is recommended that the Commissioner note the update on the recommendations of the Domestic Abuse Scrutiny Committee.

<b>3. REASONS FOR RECOMMENDATIONS</b>
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- 3.1 The Commissioner is invited to note the updates, thereby enabling him to fulfil his audit and scrutiny obligations.

<b>4. SUMMARY OF KEY POINTS</b>
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- 4.1 Appendix A contains full details of the Force's formal response to the findings and update on the recommendations of the Nottinghamshire Police Authority's Domestic Abuse Scrutiny Committee.
- 4.2 Domestic Abuse in all its forms continues to be a key priority for Nottinghamshire Police. In September 2012, Nottinghamshire Police became one of the four forces nationally to pilot the Domestic Violence Disclosure Scheme (DVDS, also known as Clare's law). This happened because we wanted to be at the forefront of national change and to show people that we were committed to improvement and making victims safer. We continue to support the 'Man Enough Campaign' with our partners.
- 4.3 We have developed a domestic abuse training and awareness strategy for the Force which enables the training that we do to look at all aspects of

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domestic abuse and how we, as a service interact with victims and support the process 'offences being brought to justice'.

- 4.4 Our performance management of DA cases is based on the identification of risk and harm and ensures that those outstanding offenders are targeted every day until arrested, that victims who need support services receive signposting and those high risk cases are referred to the Multi Agency Risk Assessment Conference (MARAC).
- 4.5 We are working with colleagues in probation on a 'high risk of harm' project which will see our staff, both in DA cases and the Dangerous Person's Management Unit working alongside managers in probation to manage those who pose high risk whether in a violent or sexual offence context.
- 4.6 Since the murder of Casey Brittle in 2010, the Force have referred each case of murder that is classified as a domestic homicide to the Independent Police Complaints Commission (IPCC) in order that they can assess whether the Force should be reviewed in respect of its actions, on each occasion they have agreed that the Force has acted appropriately and there was no need for a review.
- 4.7 In November 2012, ACC Broadbent, Superintendent Helen Chamberlain and Head of Corporate Communications Matt Tapp visited the IPCC offices in London to talk about the Nottinghamshire Police journey in respect of the progress in its approach to dealing with domestic abuse. They showed the 'Don't Leave Me This Way' DVD. The Force was praised by the IPCC Commissioners regarding the progress and it has stated that they would like every Force in the Country to use the DVD in its approach to tackling DA.

<b>5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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- 5.1 There are no direct financial implications of this report.

<b>6. HR IMPLICATIONS</b>
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- 6.1 There are no direct HR implications of this report.

<b>7. ORGANISATIONAL RISKS</b>
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- 7.1 There are no identified organisational risks related to this report.

<b>8. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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- 8.1 The contents of the attached appendix links directly with Policing Plan priorities 1 and 3: Priority 1 – To cut crime and keep you safe and Priority 3 – To earn your trust and confidence.

<b>9. DETAILS OF CONSULTATION</b>
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- 9.1 Domestic Abuse Scrutiny Committee.
- 9.2 Briefing to Members of the Nottinghamshire Police Authority on 18<sup>th</sup> July 2012.
- 9.3 Public Protection Executive Board.

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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- 10.1 Nottinghamshire Police Domestic Abuse Policy document.

<b>REPORT AUTHOR:</b>	Superintendent Helen Chamberlain
<b>OTHER CONTACTS:</b>	

# **NOTTINGHAMSHIRE POLICE AUTHORITY**

## **DOMESTIC ABUSE SCRUTINY COMMITTEE**

### **TEMPLATE FOR TRACKING RECOMMENDATIONS**

**2<sup>ND</sup> JULY 2012**





		PART ONE	
Issue		Evidence	
Greater Analysis Required		Members believed that given the complexities associated with domestic abuse that the strategic analysis could be bolstered or better targeted on critical issues identified in this report e.g. securing and analysing more information around 'prosecutions without the victims cooperation' in order to better understand what works and what doesn't. [See Section 6.2.3]	
Recommendation 1		Categorisation of Recommendation	
The Strategic analysis of domestic Abuse should be bolstered or better targeted on critical issues identified in this report e.g. securing and analysing more information around 'prosecutions without the victims cooperation' in order to better understand what works and what doesn't.		<b>PARTNERSHIPS AND BEST PRACTICE</b>	
		PART TWO	
Business response to Recommendation			
<p><b>Police Response – This recommendation is ACCEPTED for the following reasons.</b></p> <ul style="list-style-type: none"> <li>• The Police welcome the acknowledgement from the Authority that they already strategically analyse data around DA, this data is explored through the monthly Public Protection Practitioner's meeting, and the data is then highlighted at the monthly Executive Performance meeting.</li> <li>• The Force Conducts a monthly Corporate Performance review at which DA has been strategically analysed at length, focusing on locations, types of offence involved. The Force can evidence presentations showing the detail of this analysis if required?</li> <li>• There is Police Authority membership at both the above identified meetings.</li> <li>• The Police are represented on the strategic Partnerships within the City and County structure such as the Safer Nottinghamshire Boards DV group and the City Crime and Drugs Partnership meeting, strategic group whereby data and information is analysed and this allows more effective partnership working in identifying partnership solutions to Domestic Abuse. The Police can evidence if required analysis produced within these partnerships to show the extent of those discussions, although they were made available during the scrutiny process.</li> <li>• Please find attached an example of strategic analysis where the Police reviewed the impact of court cases with CPS where there was no witness testimony which led to our joint work with the CPS to improve this position</li> <li>• The Head of Public Protection sits on the national ACPO DV group where strategic national trends and issues are explored.</li> <li>• The Police have commissioned research through the Universities of Leicester and Nottingham to review why 'survivors' escape Domestic Abuse and what supported them in that process to learn from that practice and to share that with commissioners of services</li> </ul>			

- The police and partners have, through a number of strategic existing meeting structures identified the critical issues in relation to DA. They are:- Initial investigation and evidence gathering  
File Quality and timeliness through the whole of the criminal Justice process  
Support of the victim through the Criminal Justice process



Impact of Domestic  
Violence Su...

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and ongoing as part of daily and monthly business within the organisation		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

PART ONE	
Issue	Evidence
Piecemeal dip sampling.	Members were concerned that without adequate auditing safeguards the direction of travel could easily reverse putting potential victims at risk especially since the

	numbers are high (6000+). Members were assured that samples of these calls are regularly dip tested to ensure that they are correctly categorised. In addition, the Control Room Manager (CRM) reported that once an incident is classed as DA, it can only be closed down by the CRM. In the view of the scrutiny committee the revised DA procedure should include more robust and regular audit arrangements [See 6.2.5]
<b>Recommendation 2</b>	<b>Categorisation of Recommendation</b>
The Force should present evidence of consolidated and robust audit arrangements to ensure that current audit processes and practices are fully embedded.	<b>Assurance &amp; Governance Focus</b>
<b>PART TWO</b>	
<b>Business response to Recommendation</b>	
<p><b>Police Response – This recommendation is ACCEPTED for the following reasons.</b></p> <p>The Force welcome that the Police Authority have acknowledged that their audit arrangements are robust.</p> <p>Within the Force DA procedure there is a section showing the following;</p> <p><i>The PPU Inspector will ensure that an <b>analysis (of a minimum of 3% of domestic abuse crimes)</b> is carried out of the recorded decisions not to arrest, on a six monthly basis. This should consist of dip-sampling cases identified as domestic abuse on Visor, where a power of arrest existed but an arrest was not made. The analysis should include an overview of the officer's details, alleged offence, whether the rationale for not arresting was recorded, and whether this decision was justified. These records should be scrutinised to ensure that officers are applying the procedure in practice and where issues or non compliance is found, to ensure appropriate action is taken.</i></p> <p>The Force already has a robust and embedded auditing process around DA. In order to show that process more clearly this has been extracted and identified in a separate manual please see attached , DA audit manual</p> <p>Consideration of additional scrutiny of DV at the daily divisional DMM meetings and also DV Silver's meetings on the BCU which all gives additional oversight and scrutiny.</p>	



Domestic abuse  
audit Manual.do...

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and ongoing as part of the Force daily and monthly business process		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE	
issue	evidence	
Lack of assurance on appropriate first response to Domestic abuse	Members were concerned that without adequate auditing safeguards the direction of travel could easily reverse putting potential victims at risk especially since the numbers are high (6000+). Members were assured that a sample of these calls are regularly dip tested to ensure that they are correctly categorised. In addition, the Control Room Manager (CRM) reported that once an incident is classed as DA, it can only be closed down by the CRM. In the view of the scrutiny committee the revised DA procedure should include more robust and regular audit arrangements [See 6.2.5]	
Recommendation 3	Categorisation of Recommendation	
The Force should demonstrate its regular and robust audit	<b>Assurance &amp; Governance Focus</b>	

arrangements (e.g. dip testing) to ensure that incidents initially categorised as DA and re categorised as non DA are correct, and where not, appropriate action be taken.

## PART TWO

### Business response to Recommendation

**Police Response – This recommendation is ACCEPTED for the following reasons.**

The Force welcome that the Police Authority have acknowledged that their audit arrangements are robust.

Within the Force DA procedure there is a section showing the following;

*The PPU Inspector will ensure that an **analysis (of a minimum of 3% of domestic abuse crimes)** is carried out of the recorded decisions not to arrest, on a six monthly basis. This should consist of dip-sampling cases identified as domestic abuse on Visor, where a power of arrest existed but an arrest was not made. The analysis should include an overview of the officer's details, alleged offence, whether the rationale for not arresting was recorded, and whether this decision was justified. These records should be scrutinised to ensure that officers are applying the procedure in practice and where issues or non compliance is found, to ensure appropriate action is taken.*

The Force already has a robust and embedded auditing process around DA. In order to show that process more clearly this has been extracted and identified in a separate manual please see attached , DA audit manual

Consideration of additional scrutiny of DV at the daily divisional DMM meetings and also DV Silver's meetings on the BCU which all gives additional oversight and scrutiny.



Domestic abuse  
audit Manual.do...

### Business Action Plan

#### Milestones

#### Timetable/Budget Year

This action is **completed** and ongoing as part of the Force daily and

monthly business process		
<b>Implications</b>	<b>Sponsor</b>	<b>Evaluation Plan</b>
	ACC Broadbent	

	<b>PART ONE</b>	
<b>Issue</b>	<b>Evidence</b>	
National Definition of Domestic Abuse inconsistent	Members were concerned that different Force DA definitions make it difficult to make comparisons with MSG Forces and as such gauge the comparative performance of the Force. The Head of Public Protection sits on a number of national panels and committees where examples of good practice have been reviewed to identify whether they would be viable for Nottinghamshire. [See section 6.2.6]	
<b>Recommendation 4</b>	<b>Categorisation of Recommendation</b>	
The Chief Executive of the Police Authority to write to the Home Office requesting that a national definition be utilised to enable MSG comparisons to be made; the Force to explain difference between DA and DV.	<b>VICTIM FOCUS</b>	
	<b>PART TWO</b>	
<b>Business response to Recommendation</b>		
<b>FOR COMPLETION BY CEO ONLY</b>		
<b>Business Action Plan</b>		

Milestones		Timetable/Budget Year	
Implications		Sponsor	Evaluation Plan

		PART ONE	
Issue		Evidence	
Poor and inconsistent service for victims		Members were surprised at the low number of DA cases which lead to court appearances and the rise in victims failing to attend court. In addition, since the majority of court cases result in a guilty plea (65%) Members are of the view, accepting that this is a wider partnership solution and not solely a Police responsibility that additional arrangements should be made to support victims at all stages, including support and information prior to court, help to and from court, understanding court processes. This should lead to increased attendance and reduce the fear of victims during this particular stressful time. '[See sections 5.5.7 and 6.2.8]	
Recommendation 5		Categorisation of Recommendation	
The Force should continue work with Partners (LCJB) to make arrangements to resolve the inconsistent support for victims (from incident to Court) as Members consider this to be critical to securing successful outcomes; the Force and partners should undertake analysis of the victim journey and understand what impedes women's attendance at court.		Victim Focus	
		PART TWO	
Business response to Recommendation			
Police Response – This recommendation is ACCEPTED for the following reasons.			

Nottinghamshire Police welcome the fact that it is acknowledged within the scrutiny report that it is working with partners in addressing the issues connected with DA, through the Local Criminal Justice Board (LCJB) DV action delivery board. It also welcomes the acknowledgment that this is not solely a Policing responsibility and that the Police rely on partnership contribution and support.

This is already work in progress. The 'Victim Journey' was articulated as such by the Head of Public Protection through the scrutiny process as a piece of work that is driving the LCJB DV group.

- The Head of Public Protection chairs the LCJB DV group; the overall objective of that group is to secure successful outcomes for victims in the criminal justice process.
- ACC Crime and Justice is now the Chair of the LCJB.
- The Force have commissioned a piece of work through the Universities of Leicester and Nottingham to look at why it is survivors become survivors and what supported them through the process, this piece of work is currently at the evidence gathering stage.
- The police are only required to refer Domestic Violence cases to the CPS once the threshold test is passed and where they consider a charge is appropriate;
- Custody officers should filter out cases that do not reach the Threshold Test standard
- Police decision makers and custody officers are responsible for ensuring that cases are capable of meeting the required evidential standard before a charging decision is made.

The case must be capable of reaching a realistic prospect of conviction.

Exceptionally where use of the Threshold Test is justified the realistic prospect of conviction standard does not have to be met at the time the charge is being considered but there must be a reasonable prospect of further evidence becoming available at a later date.

Where cases cannot reach this standard they should be NFA'd by police unless the case is particularly sensitive or complex or judgement required to be made is a difficult one.



Business Action Plan		
Milestones	Timetable/Budget Year	
This action now forms part of the key piece of work being managed through the LCJB DV group that meets quarterly.	Next meeting in October 2012. Actions assigned to partners within the group	
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE		
Issue		Evidence	
Concern over the large number of low level disposals in domestic abuse cases and the impact on re-victimisation		The written response received from the Force identified that in addition to the 1,801 DA offenders charged to Court, over an 11 month period 1,007 adult offenders received a caution which equates to 1,099 per year. This reveals that there is a positive disposal in 60% of DA offenders arrested with 40% of cases going undetected.  Members were concerned about the large proportion of adult cautions (1000+ per year). [See sections 6.1.25 & 6.1.26]	
Recommendation 6		Categorisation of Recommendation	
The Force should review a statistically significant sample of the 1000+ cautions to be satisfied that these disposals are the best outcome for safeguarding DA victims and establish how many cases involve repeat victims and offenders.		Victim Focus	
	PART TWO		
Business response to Recommendation			
Police Response – This recommendation is ACCEPTED for the following reasons.			
The Police currently carry out reviews around case disposal and therefore a sample of Cautions will be contained within these reviews			
<ul style="list-style-type: none"><li>The process by which a caution can be issued is heavily governed by legislation and HO guidance, please see below and as such there is no room for manoeuvre for custody officers in deferring from that agreed national process</li></ul>			

- Police should also deal with cases which are suitable for a simple caution disposal.
- A simple caution should be used for low-level offending. Only in exceptional circumstances should it be used to deal with more serious offences. The Association of Chief Police Officers (ACPO) has developed a Gravity Factors Matrix (available on the Police National Legal Database). It provides guidance on the offences for which a simple caution may be deemed an appropriate disposal. Decisions to issue simple cautions must be made in accordance with the Director of Public Prosecution's Guidance on Charging 4th Edition. The police retain the authority to issue a simple caution in all cases other than cases involving indictable-only offences.
- Police officers can also take advice from the CPS at any stage in an investigation on whether a simple caution is appropriate, as set out in the Director's Guidance on Charging.
- Domestic violence and simple cautions - 16/2008 HO Guidance, Nottinghamshire Police Force adhere to these guidelines
- Positive action is recommended in cases of domestic violence to ensure the safety and protection of victims and children while allowing the Criminal Justice System to hold the offender to account. A positive action approach considers the incident in its entirety, not just the oral and written evidence of the victim. Officers should focus investigative efforts on gathering alternative evidence in order to charge and build a prosecution that does not rely entirely on the victim's statement. Where a positive action policy has been adhered to and officers still have difficulty in securing a charge/summons, forces need to have a system in place to ensure that simple cautions are considered in preference to an NFA decision'.
- Conditional cautions are recommended for minor and/or isolated incidents where a suitable 'condition' can be applied.  
Not an available disposal for an offence classified as Domestic Violence because:  
DV is often a pattern of behaviour not an isolated incident – often numerous incidents occur before reaching the police;  
Victims could agree to CCs but may be 'controlled' by the defendant or over-optimistic;  
Face-to-face reparation may endanger the victim;  
Financial penalties may affect the family income and therefore the victim/children;  
Rehabilitation programmes – currently no capacity through NOMS and very limited accredited safe voluntary programmes

Business Action Plan	
Milestones	Timetable/Budget Year
This action is <b>completed</b> and ongoing as part of the Force daily and monthly business process	

Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

		PART ONE			
Issue		Evidence			
Significant number of adult cautions in relation to domestic abuse		The written response received from the Force identified that in addition to the 1,801 DA offenders charged to Court, over an 11 month period 1,007 adult offenders received a caution which equates to 1,099 per year. This reveals that there is a positive disposal in 60% of DA offenders arrested with 40% of cases going undetected.			
		Members were concerned about the large proportion of adult cautions (1000+ per year). [See sections 6.1.25 & 6.1.26]			
Recommendation 7		Categorisation of Recommendation			
The Force should include quarterly dip sampling of DA adult cautions in the DA Procedure to ensure compliance and rigorous audit arrangements.		Assurance & Governance Focus			
		PART TWO			
Business response to Recommendation					
<p><b>Police Response – This recommendation is ACCEPTED</b></p> <p>As outlined, there is already in existence the DA audit manual, this process would fall outside of that and as such we would agree to Custody Inspectors, as part of their role, dip sampling a percentage of DA cautions monthly to report into the Force wide Audit process, the Force can then begin to capture trend data on a more wider scale. However this will be in the DA manual and not the procedure</p>					

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and ongoing as part of the Force daily and monthly business process		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	
	PART ONE	
Issue	Evidence	
Complex and time intensive interrogation of numerous force IT systems	Members were less assured about the practicality of what staff were being asked to do at section 4.1 of the procedure. For instance, Control Room Staff are required to undertake checks on up to 5 different databases prior to the officer attending the scene. [See section 6.4.6]	
Recommendation 8	Categorisation of Recommendation	
The Force should further explore and implement a suitable IT solution so that information checks required at section 4.1 of the DA procedure can be completed with one search across all five information databases.	Infrastructure Focus	
	PART TWO	
Business response to Recommendation		
Police Response – This recommendation is <b>ACCEPTED</b>		
The Police will be able to explore options around suitable IT systems across the whole Policing spectrum in its IT strategy, ultimately the procurement of any new systems will be a resourcing issue.		
<ul style="list-style-type: none"><li>• The Force have an Information Technology Strategy</li><li>• The creation of a technical solution as above doesn't feature on the strategy currently.</li></ul>		

- The Force will scope out this piece of work and conduct an assessment into the issues identified
- The Force will firstly have to accept that this is currently a risk and as such requiring a solution

Business Action Plan		
Milestones	Timetable/Budget Year	
The Force is currently assessing the wider implications of Athena in terms of management and researching information around DA in particular how it will replace what CATS database currently achieves. This will not be in place until 2014	2014	
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

		PART ONE	
Issue		Evidence	
Access to information to aid decision making		Members were surprised that Custody Officers did not have access to the same databases that Control Room Operators had. As such they were unable to access information and intelligence which might assist their decision making concerning remand, further detention, bail and bail conditions. [See section 6.4.10]	
Recommendation 9		Categorisation of Recommendation	
The Force should explore and implement an IT solution to enable Custody Officers to access relevant databases to assist their decision making concerning managing risk in respect of bail or bail conditions.		Infrastructure Focus	
		PART TWO	
Business response to Recommendation			
<p><b>Police Response – This recommendation is NOT ACCEPTED, this clearly links into recommendation 10 which the Force has ACCEPTED as the most appropriate course of action in this case.</b></p> <ul style="list-style-type: none"> <li>The Force have explained through this scrutiny process as to why this is not practical or legal in terms of a custody officers role, the recommendation should be more around custody officers assuring themselves through interrogation of the investigating officer that they have been provided with the necessary information to make decision.</li> <li>The Force will defer to the below extracts of the Police &amp; Criminal Evidence Act 1984 and the associated Codes of Practice to support this assertion:-</li> <li>S.36.5) Subject to the following provisions of this section and to section 39(2) below, none of the functions of a custody officer in relation to a person shall be performed by an officer who at the time when the function falls to be performed is involved in the investigation of an offence for which that person is in police detention at that time</li> <li>S.37 Duties of custody officer before charge.</li> </ul> <p>(1) Where—</p> <p>(a) a person is arrested for an offence—</p> <p>(i) without a warrant; or</p> <p>(ii) under a warrant not endorsed for bail.</p>			

(b). . . . .  
the custody officer at each police station where he is detained after his arrest shall determine whether he has before him sufficient evidence to charge that person with the offence for which he was arrested and may detain him at the police station for such period as is necessary to enable him to do so.

(2) If the custody officer determines that he does not have such evidence before him, the person arrested shall be released either on bail or without bail, unless the custody officer has reasonable grounds for believing that his detention without being charged is necessary to secure or preserve evidence relating to an offence for which he is under arrest or to obtain such evidence by questioning him.

(3) If the custody officer has reasonable grounds for so believing, he may authorise the person arrested to be kept in police detention.

(4) Where a custody officer authorises a person who has not been charged to be kept in police detention, he shall, as soon as is practicable, make a written record of the grounds for the detention.

(5) Subject to subsection (6) below, the written record shall be made in the presence of the person arrested who shall at that time be informed by the custody officer of the grounds for his detention.

(6) Subsection (5) above shall not apply where the person arrested is, at the time when the written record is made—

- (a) incapable of understanding what is said to him;
- (b) violent or likely to become violent; or
- (c) in urgent need of medical attention.

- The above section clearly outlines the Custody officers role in relation to detention, it also outlines the duty to record such decisions within the custody record
- 39 Responsibilities in relation to persons detained. S.39.3 Where a custody officer authorises a person who has been charged to be kept in police detention, he shall, as soon as practicable, make a written record of the grounds for the detention.
- Code C Codes Practice 3.6 When determining these needs the custody officer is responsible for initiating an assessment to consider whether the detainee is likely to present specific risks to custody staff or themselves. Such assessments should always include a check on the Police National Computer, to be carried out as soon as practicable, to identify any risks highlighted in relation to the detainee. Although such assessments are primarily the custody officer's responsibility, it may be necessary for them to consult and involve others, e.g. the arresting officer or an appropriate health care professional.
- The above section clearly outlines the expectation that the Custody Officer will use the information provided by other officers to inform their decision making

Business Action Plan		
Milestones	Timetable/Budget Year	
NA		
Implications	Sponsor	Evaluation Plan

	PART ONE	
Issue	Evidence	
Accountability for decision making	The Force procedure should make it a requirement that Custody Officers record their reasons for not granting bail with conditions and that audit arrangements be formalised into the revised DA procedure. As the IPCC states <sup>1</sup> , “neither of the Custody Sergeants who bailed Mr Williams documented their rationale for failing to impose bail conditions; as a result there was no clear audit trail”. [See section 6.4.17]	
Recommendation 10	Categorisation of Recommendation	
The Force should remind Custody Officers of their obligations under PACE to record the reasons why bail conditions are not	<b>Assurance &amp; Governance Focus</b>	

<sup>1</sup> IPCC Report (Para's 74 & 75)



imposed in relation to DA arrests and are held to account through the audit arrangements for their decision making.			
	PART TWO		
Business response to Recommendation			
<p><b>Police Response – This recommendation is ACCEPTED</b></p> <ul style="list-style-type: none"><li>• A reminder to all custody officers about their responsibilities to record their decision making and rationale within the custody records will be circulated</li><li>• The DA Audit manual covers this area of work within its audit</li></ul>			
Business Action Plan			
Milestones		Timetable/Budget Year	
This action is now <b>complete</b> , a reminder has gone out to custody officers regarding their decision making. This now forms part of a wider audit on use of bail			
Implications		Sponsor	Evaluation Plan
		ACC Broadbent	

<b>PART ONE</b>	
<b>Issue</b>	<b>Evidence</b>
Measures to embed good practice within the force	A written response provided by the Force identified that there was no audit trail within custody at present. However, during the Best Practice Focus meeting, the Head of Public Protection reported that these checks were now built into the quarterly audit arrangements. There is an audit process for DA and the custody process is now included. [See section 6.4.16]
<b>Recommendation 11</b>	<b>Categorisation of Recommendation</b>

The Force should include within an Assurance Section, the requirement that the Custody Inspector dip-test 5 cases handled by each Custody Sergeant each month to check whether bail conditions are being applied in line with the DA procedure.	Assurance & Governance Focus	
	PART TWO	
Business response to Recommendation		
<p><b>Police Response – This recommendation is ACCEPTED</b></p> <p>Nottinghamshire Police welcome the fact that it is acknowledged within the scrutiny report that it is working with partners in addressing the issues connected with DA, through the Local Criminal Justice Board (LCJB) DV action delivery board. It also welcomes the acknowledgment that this is not solely a Policing responsibility and that the Police rely on partnership contribution and support.</p> <p>This is already work in progress. The ‘Victim Journey’ was articulated as such by the Head of Public Protection through the scrutiny process as a piece of work that is driving the LCJB DV group.</p> <ul style="list-style-type: none"><li>• The Head of Public Protection chairs the LCJB DV group, the overall objective of that group is to secure successful outcomes for victims in the criminal justice process</li><li>• The Force have commissioned a piece of work through the Universities of Leicester and Nottingham to look at why it is survivors become survivors and what supported them through the process, this piece of work is currently at the evidence gathering stage.</li></ul>		
Business Action Plan		
Milestones	Timetable/Budget Year	
This is now <b>completed</b> as part of the wider audit processes carried out by the organisation. This action now forms part of the key piece of work being managed through the LCJB DV group that meets quarterly.		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE		
Issue	Evidence		
Victim reluctance to give evidence is a common problem, agencies need to work together to make improvements in this area	Based on the oral evidence, there is a somewhat piecemeal approach to supporting the victims from home to the court, coupled with fear, anxiety and concerns from the victim; it would be worth reviewing with partners how more consistent support for victims of Domestic abuse may lead to a positive impact on the success of cases. [See section 6.5.6]		
Recommendation 12	Categorisation of Recommendation		
In addition to Recommendation 5, the Force should continue to support Partners to explore ways to reduce the fear of giving evidence and attending Court.	Victim Focus		
	PART TWO		
Business response to Recommendation			
Police Response – This recommendation is ACCEPTED			
<p>Nottinghamshire Police welcome the fact that it is acknowledged within the scrutiny report that it is working with partners in addressing the issues connected with DA, through the Local Criminal Justice Board (LCJB) DV action delivery board. It also welcomes the acknowledgment that this is not solely a Policing responsibility and that the Police rely on partnership contribution and support.</p> <p>This is already work in progress. The ‘Victim Journey’ was articulated as such by the Head of Public Protection through the scrutiny process as a piece of work that is driving the LCJB DV group.</p> <ul style="list-style-type: none"><li>• The Head of Public Protection chairs the LCJB DV group, the overall objective of that group is to secure successful outcomes for victims in the criminal justice process</li><li>• The Force have commissioned a piece of work through the Universities of Leicester and Nottingham to look at why it is survivors become survivors and what supported them through the process, this piece of work is currently at the evidence gathering stage.</li></ul>			

<b>Business Action Plan</b>		
<b>Milestones</b>	<b>Timetable/Budget Year</b>	
This action now forms part of the key piece of work being managed through the LCJB DV group that meets quarterly.		
<b>Implications</b>	<b>Sponsor</b>	<b>Evaluation Plan</b>
	ACC Broadbent	

	<b>PART ONE</b>	
<b>Issue</b>	<b>Evidence</b>	
Future governance and accountability as well as commissioning of services	Members were aware that many of the recommendations required the support of partners and that the government had plans to give the future PCC responsibility for funding victim and witnesses from 2013. In addition the PCC would have wider responsibilities cutting across the judicial system.	
<b>Recommendation 13</b>	<b>Categorisation of Recommendation</b>	
The Chief Executive of the Police Authority should ensure that the recommendations made in this report are reviewed by the PCC in April 2013.	<b>Partnership &amp; Best Practice Focus</b>	
	<b>PART TWO</b>	
<b>Business response to Recommendation</b>		

**FOR COMPLETION BY CEO ONLY**

<b>Business Action Plan</b>		
<b>Milestones</b>	<b>Timetable/Budget Year</b>	
<b>Implications</b>	<b>Sponsor</b>	<b>Evaluation Plan</b>

	<b>PART ONE</b>	
<b>Issue</b>	<b>Evidence</b>	
Future governance and accountability as well as commissioning of services	Members were aware that many of the recommendations required the support of partners and that the government had plans to give the future PCC responsibility for funding victim and witnesses from 2013. In addition the PCC would have wider responsibilities cutting across the judicial system.	
<b>Recommendation 14</b>	<b>Categorisation of Recommendation</b>	
The Chief Executive of the Police Authority should ensure that the PCC has full regard to the issue raised at section 6.2.8 and 6.5.7 when considering commissioning future witness and victim	<b>Partnership &amp; Best Practice Focus</b>	

services.			
		<b>PART TWO</b>	
<b>Business response to Recommendation</b>			
<b>FOR COMPLETION BY CEO ONLY</b>			
<b>Business Action Plan</b>			
<b>Milestones</b>		<b>Timetable/Budget Year</b>	
<b>Implications</b>		<b>Sponsor</b>	<b>Evaluation Plan</b>

		<b>PART ONE</b>	
<b>Issue</b>		<b>Evidence</b>	
Reduce the over reliance on reluctant Domestic abuse victims and have a robust mechanism in place to secure a conviction.		Members were mindful that the IPCC had concluded that the Police were critically hampered by Ms Skilbeck's refusal to engage with them and the Criminal Justice System (see section 4.3.5). For example, the IPCC identified that police had contact with the couple on nine occasions from 2008. The last incident took place on 13 March 2011, three days before Denise was murdered. [See section 6.5.17]	
<b>Recommendation 15</b>		<b>Categorisation of Recommendation</b>	

The Force to ensure that their procedures fully enhance the prospect of 'prosecutions without the cooperation of the victim'.	Victim Focus	
	PART TWO	
Business response to Recommendation		
Police Response – This recommendation is ACCEPTED		
<ul style="list-style-type: none"><li>• The Force Domestic Abuse Procedure clearly outlines the procedures to be adopted in all cases of DA, whilst it is acknowledged that this type of case provides additional difficulty in obtaining a successful outcome, what the Force is focussing on is greater evidence gathering in all cases.</li><li>• The Force is working closely with the CPS in moving this process forward and have worked together to create a number of new ways of working to support the victim. Below is an example of a number of the processes we have agreed to support this</li></ul>		
For a case to proceed with out the cooperation of the victim, each case must be considered on its own merits.		
There must be a thorough examination of the evidence available.		
1. The evidence of the 999 call		
When was it made? Does the caller provide her name and the name of the offender? Does she state the address the incident occurred? Does she describe what happened? Does it demonstrate the caller's distress? Does she describe any injuries?		
Can we rely on it for the fact an emergency call was made from a particular address or for the truth of its contents?		
2. The attending officers' statements		
How soon after the 999 call do they attend? Are both the caller and offender still at the address? Are there any other adults present? Do they detail the demeanour and any injuries of the parties? Do the injuries appear fresh? Do they describe the state of the property? Is there evidence of disarray?		
3. Photographs		
Did the victim consent to photos being taken?		
4. Medical		

Did the victim consent to medical records being obtained?

### **5. Defendant's interview**

What does the defendant say in interview? Can we rebut an assertion of self defence? Can an adverse inference be invited?

### **6. Bad Character**

Is there sufficient evidence to make a successful bad character application? Can we demonstrate that the defendant has propensity to be violent in a domestic setting?

### **7. S.116 CJA 2003**

Allows evidence to be admitted as hearsay if a witness is dead, cannot be located, is unfit physically or mentally, is out of the country or is unable to give evidence through fear.

### **8. S.114 (d) CJA 2003**

Allows hearsay to be admitted in the 'interests of justice'.

### **9. S.118 CJA 2003**

Res Gestae – the statement was made by a person so emotionally overpowered by an event that the possibility of concoction or distortion can be disregarded...

The Court of Appeal in the case of R V CT [2011] EWCA Crim 2341 (copy attached) are very clear that 114(d) CJA 2003 – interests of justice - is not to be used to circumvent the requirements of s116.

The courts seem much more open to the use of hearsay evidence under s.116 grounds. The Supreme Court upheld the decision in Horncastle that a case could rest entirely on hearsay evidence, but crucially that was under s.116 (NOT s.114) as the witnesses were either dead or too fearful to attend.

There is a European Court of Human Rights decision (Al Khawaja and Tahery) confirming Horncastle, but again the primary consideration was s.116 CJA.

If we have one of the s.116 grounds made out I think we can very properly proceed and make a hearsay application, even if that witness' evidence is



critical to our case.

In the case of fear it must be noted that we need evidence of that fear (from the witness herself or from the police etc). In DV cases it is normally difficult to get the victim to confirm her fear or co operate with the police. Leave of the court is required for admission due to fear, whereas in the other s.116 categories the hearsay is automatically admissible once we have proved the pre condition.

However the position re s.114(d) CJA 2003 – interests of justice (which will be the case in most DV cases) is very different.

The higher courts have been looking very carefully at the list of criteria to be considered under s.114. In particular s.114(2)(g) (whether oral evidence of the matter stated could be given and if not why not?)

The case of **R V CT** confirms we have **got** to make every effort to get the witness to court before we can engage s.114(d) in most domestic violence cases. Reluctance (not caused by fear etc) of a witness to attend court is not a reason to admit hearsay.

NB: Where the witness is a child s.114(d) **may** be an alternative, rather than forcing them to give evidence **R-v Burton (Stewart)**.

The case of **Regina v C [2007] EWCA Crim 3463** is of assist (copy attached.) I would recommend you read it. In that case the victim never made a statement.

In that case the s.114(d) CJA 2003 Hearsay application to adduce the victim's comments to the police was refused.

She had given a different account later in that case but the Court of Appeal found she was "alive and well...but did not wish to support the prosecution". That was no basis for a hearsay application in their view.

However, useful guidance is given as to how we might approach 'victimless' prosecutions.

They suggest the following three pieces of evidence would amount to a prima facie case and get the prosecution past half time:

1. A 999 tape with a victim complaining of assault (admissible as res gestae).
2. The victim and the defendant being the only adults in the house upon swift police arrival.
3. A victim with evidently fresh injuries.

Where the victim refuses to make a statement, in my view cases containing those three vital ingredients are the appropriate ones to pursue.

Whilst it is impossible to be completely prescriptive, in the vast majority of other cases it seems we have little legal basis upon which to proceed with a victimless prosecution.

## **HOSTILE WITNESSES**

### **S.119 CJA 2003 Inconsistent Statements**

In those circumstances where a reluctant witness attends court but states that she will not give evidence, one approach to consider is utilising S.119 CJA 2003. We can call the witness anticipating that she will be hostile. If as predicted the witness becomes hostile, under s.119 her previous inconsistent statements might be used as evidence of their truth.

The requirements are:

1. The witness must give oral evidence.
2. There must be an earlier inconsistent statement.
3. The witness is hostile under s.3 Criminal Procedure Act 1865.
4. The witness declines to answer questions in cross examination.
5. The earlier statement is admissible as evidence of truth.

## **WITNESS WARRANTS**

Although Warrants should not be automatically applied for, we should always put our minds to the issue when we are considering the case strategy. The intention of obtaining the Warrant should not be to penalise or criminalise victims, but to assist their attendance at court. Applications for warrants should be made on a case by case basis after consultation with a DV specialist.

Some of the factors leaning in favour of a Witness Warrant are:

- it is a serious and prolonged assault
- a weapon is used in the attack
- children are present during the incident
- the victim is High Risk
- there is a significant history of violence upon this victim or former partners
- there is a pattern of escalating violence

The future safety of the victim and any children of the relationship should always be borne in mind.

Regard should also be had to the contents of the Background Report and the views of the OIC

## RETRACTION CASES

It is important that in domestic violence cases we are proactive all the way through the process ensuring we take whatever steps are necessary and appropriate. As soon as we become aware that a witness is reluctant we should aim to do the following:

1. Request a Retraction Statement and Background Report from the police.
2. Give a target date for the response.
  - This may vary dependent upon the stage of the proceedings and how soon the matter is listed for trial.
  - If the trial is only a couple of weeks away then the target date should be 7 days.
  - If the charge is likely to be discontinued and there is little time before the trial date, it may be prudent to send a DP1.
3. We should complete an ad hoc review on CMS which should address:
  - Our case strategy.
  - Whether we can proceed without the victim?
  - Can we strengthen the evidence in any other ways?
  - Is there any merit to a hearsay application? (see below)

At this stage:

- Any further actions should be progressed in anticipation of a victim withdrawal.
  - With the information available we should state whether it would be appropriate to apply for a witness summons and why.
  - If so, we should state whether it is likely that a witness warrant will be necessary? (see below)
  - The check list **attached** sets out the factors for and against witness summonses – this should be used to assist your decision making.
5. When the background report is received a further ad hoc review should be completed confirming what action is to be taken.  
If a witness summons is not appropriate and a victimless prosecution is not a possibility, then the case should be discontinued.  
If the case should continue and a summons is appropriate then one should be obtained.
  6. If the background statement is not received by the due date (or it is of substandard quality) then you should do the following:
    - Escalate the issue to relevant CPS lawyer.
    - Send a reminder to the OIC copying in the appropriate DCI.
    - If the need to make a decision is urgent because of a pending trial date then be proactive, make a decision and record it.
    - Taking no action simply because the background report has not been received is not an option.
    - If a second opinion is required speak to Sally French or a DV Specialist.
    - If no further information/evidence has come to light proceed on the basis of the earlier ad hoc review, bearing in mind our aims in prosecuting cases of DV and the National Policy in respect of Witness Summonses. We must ensure that we do not put the victim or any children at further risk of danger.
    - If you conclude that a Witness Summons is inappropriate, the victim should not be compelled and there is no scope for a victimless prosecution, the case should be discontinued.
    - If there is sufficient time for a DP1 that should be done – but we need to make sure that these cases are discontinued promptly and are

not left until the day of trial. Conversely if you think we should be proceeding and a witness summons is required then organise it.

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force daily and monthly business		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

PART ONE	
Issue	Evidence
Training for officers to be proactive in evidence gathering, irrespective of the compliance of the victim at the time of the incident	With regard to the range of evidence heard, and especially the huge number of cases involving a retraction complaint, Members are of the view that Police officers should be aware of this strong possibility at the outset and therefore should obtain, secure and in fact submit to the prosecution all available evidence in a full file together with all hearsay evidence detailing the history of all previous incidents. [See section 6.5.10]
Recommendation 16	Categorisation of Recommendation
The Force should review its procedures and training so that officers proactively obtain, secure and submit all available	<b>Partnership &amp; Best Practice Focus</b>

evidence including hearsay evidence.		
	PART TWO	
Business response to Recommendation		
Police Response – This recommendation is ACCEPTED		
<ul style="list-style-type: none"><li>• The Head of Public Protection owns the training around Public Protection issues; this change has been in the last year. This has allowed some extensive work to be undertaken already with the Force's Learning and Development team.</li><li>• A matrices of training requirements has been established for Public Protection specialist workers and also a set of generic training requirements for those officers engaged in response and neighbourhood policing</li><li>• A separate focus has already been placed on Domestic Abuse and an umber of initiatives undertaken such as the DVD showing, e learning posters.</li><li>• The creation of a sergeant's post on City and County whose responsibility it is to 'mentor' fellow sergeants in the management and oversight of all DA cases and to spread good practice or weed out any poor practices that may have developed in some areas.</li><li>• The Publci Protection intranet site is interactive and has details and presentations on from partner organisations to ensure that DA is highlighted.</li><li>• The Force is reviewing its training of new officers and is moving next year to an 'in house' process .Investigative training and evidence gathering will be key in that process</li></ul>		
Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force business. A review on the approach to training and guidance has occurred and a constant information and update process is now on the PPU intranet site. DV featured as the first PPU monthly newsletter		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

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	PART ONE	
Issue	Evidence	
Reduce repeat victimisation	Members were told that prosecution cases were being 'streamlined' including domestic violence which meant that not all evidence was submitted. This was particularly problematic for DV cases if Victims retracted their complaint and the lack of full evidence also influenced the offenders' plea. It was believed that a full file of evidence would lead to increased guilty pleas and negate the need for the Victim to attend Court.[ See sections 6.5.10 to 6.5.18]	
Recommendation 17	Categorisation of Recommendation	
Recommendation 17: Subject to section 6.5.21, the Force should ensure that officers prepare and submit a full prosecution file together with a synopsis of all previous incidents (in accordance with sections 6.5.10 to 6.5.18 of this report).	Partnership & Best Practice Focus	
	PART TWO	
Business response to Recommendation		
<p><b>Police Response – This recommendation is ACCEPTED</b></p> <ul style="list-style-type: none"> <li>There are very few Domestic Violence cases which would be subject to submission through a streamlined process, however where this is the case the force will work together with the Crown Prosecution Service to ensure the submission of a full file in respect of Domestic Violence</li> <li>Streamlined prosecution files it should be pointed out are only submitted where there is an admission of guilt and a guilty plea at a subsequent court hearing is anticipated.</li> </ul>		
Business Action Plan		

Milestones		Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force business. We work with the CPS to ensure that at the first opportunity all available information and evidence is presented particularly in relation to Bad Character evidence of perpetrators			
Implications		Sponsor	Evaluation Plan
		ACC Broadbent	

PART ONE	
Issue	Evidence
Reduce repeat victimisation	CPS informed Members that where a suspect has committed an act of domestic violence against two or more different victims or complainants they should be considered a 'serial perpetrator'. Where 'repeat victims' or 'serial perpetrators' are involved, there may be circumstances when, in the light of new evidence from a further case or cases, cases which previously failed to meet the evidential stage of the Full Code Test in the Code for Crown Prosecutors may now merit further review. This further review may lead to the conclusion that the evidential stage is now met and that the earlier case can be joined with the later case(s). [See section 6.5.14]
Recommendation 18	Categorisation of Recommendation
Recommendation 18: Officers should ensure that CPS is made fully aware of the full history of the offender so that CPS can take this into account as to whether the offender is a 'serial perpetrator' as per section 6.5.14.	Partnership & Best Practice Focus

PART TWO		
Business response to Recommendation		
<p><b>Police Response – This recommendation is ACCEPTED, for reasons below</b></p> <ul style="list-style-type: none"> <li>Officers already fill in details of offender history on the MG6, the Force feels that this recommendation could be re worded to say that, Officers should be <i>reminded that it is their responsibility to ensure</i> CPS is made fully aware of the full history of the offender so that CPS can take this into account as to whether the offender is a 'serial perpetrator' as per section 6.5.14).</li> </ul>		
Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force business. We work with the CPS to ensure that at the first opportunity all available information and evidence is presented particularly in relation to Bad Character evidence of perpetrators		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

PART ONE	
Issue	Evidence
Improve the quality and content of prosecution files	Members were told that prosecution cases were being 'streamlined' including domestic violence which meant that not all evidence was submitted. This was particularly problematic for DV cases if Victims retracted their complaint and the



		lack of full evidence also influenced the offenders' plea. It was believed that a full file of evidence would lead to increased guilty pleas and negate the need for the Victim to attend Court. [See section 6.5.19]	
Recommendation 19		Categorisation of Recommendation	
Recommendation 19: Subject to section 6.5.21, the Force to assist Partners in the Criminal Justice system to ensure that predominantly domestic violence prosecutions are NOT streamlined (as per section 6.5.19).		Partnership & Best Practice Focus	
		PART TWO	
Business response to Recommendation			
Police Response – This recommendation is ACCEPTED			
<ul style="list-style-type: none"><li>There are very few Domestic Violence cases which would be subject to submission through a streamlined process, however where this is the case the force will work together with the Crown Prosecution Service to ensure the submission of a full file in respect of Domestic Violence</li><li>Streamlined prosecution files it should be pointed out are only submitted where there is an admission of guilt and a guilty plea at a subsequent court hearing is anticipated.</li></ul>			
Business Action Plan			
Milestones		Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force business. We work with the CPS to ensure that at the first opportunity all available information and evidence is presented particularly in relation to Bad Character evidence of perpetrators			
Implications		Sponsor	Evaluation Plan
		ACC Broadbent	

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	PART ONE	
Issue	Evidence	
More success within the criminal justice system for victims of domestic abuse	The Scrutiny Committee believe that increasing the number of victims who attend Court to give evidence is the most critical factor which will bring about improvements to tackling domestic abuse; linked to this is ensuring that the case is heard as speedily as possible. Members heard evidence that the longer it takes a case to be heard in the court the stronger the likelihood of the witness either retracting her complaint or failing to attend court. [See section 6.5.4]	
Recommendation 20	Categorisation of Recommendation	
The Force to continue to assist Partners in the Criminal Justice system to ensure that domestic violence prosecutions are heard at Court within with 4 weeks of the first hearing when a Not Guilty plea is made (see as per section 6.5.4).	Partnership & Best Practice Focus	
	PART TWO	
Business response to Recommendation		
<p><b>Police Response – This recommendation is ACCEPTED, for reasons below</b></p> <p>The Police will continue to work with their partners in order to try and influence the decision makers of this process</p> <ul style="list-style-type: none"> <li>Clearly, the decision to list court cases rests with the Court and as such whilst the Police and partners can voice their concerns at the listing process for DA, they cannot directly change the process or ‘assist’</li> <li>The Police can continually ensure that their views are heard through the LCJB as to why the listing of DA court cases is important but cannot assist in that process</li> </ul>		
Business Action Plan		
Milestones	Timetable/Budget Year	

This action is an ongoing issue. The Courts have made a commitment to ensure that DV cases at Nottingham are heard within 4 weeks. They are working to ensure that this happens in the majority of cases. Clearly there are some cases due to listing issues both at Nottingham but particularly at Mansfield where due to Court space this is a difficult process		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

PART ONE	
Issue	Evidence
Reduce the over reliance on victim testimony	Given the importance of pursuing 'Prosecutions without the cooperation of the victim', the Scrutiny Committee believe that the Force and partners should ensure that they are monitored in terms of number of cases submitted to the CPS for decision, the number of cases charged together with outcomes in terms of cases leading to guilty pleas, guilty verdicts and cases discontinued. This information should form part of the Force's routine performance data so that good practice or otherwise can be identified and responded to as appropriate. [See section 6.5.24]
Recommendation 21	Categorisation of Recommendation
Given the importance of pursuing 'prosecution without the victim's cooperation', the Force with criminal justice partners should establish a performance framework which leads to successful outcomes, in accordance with section 6.5.24 and Recommendation 22(c).	Victim Focus
PART TWO	
Business response to Recommendation	
Police Response – This recommendation is ACCEPTED.	

- This measure in itself would at most be a proxy indicator, the real outcome of the performance framework which is already being measured through the LCJB is 'positive outcomes at court'
- Ideally, the outcome is that all victims attend court, supported by Police and partners, give their evidence resulting in a successful outcome.
- It would be perverse to set any framework or target around victims who were reluctant to cooperate.
- All files are reviewed within the file review team before going to CPS.
- Any issues with files are escalated through supervising with CPS and the Police
- The Police and the CPS have regular meetings to discuss decision making around cases and to ensure a consistency of approach.
- As a victim can become reluctant at any stage it would be difficult in keeping' a track on whether this fell within an identified performance framework, especially once it left Police control and sat with CPS.
- This recommendation is clearly dependant on the participation of other agencies in collecting the whole data picture

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is <b>completed</b> and is now part of the force daily and monthly business.		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE	
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Issue	Evidence
<p>Re-focus partnership working with the victim at the heart of the improvements</p>	<p>The Scrutiny Committee heard evidence that other issues adversely affected domestic violence cases i.e. double listing of DV cases, late requests for special measures and lengthy court Hearing dates as described at section 5.5.5. Members were mindful that reduced resources had possibly exacerbated these issues but nevertheless believe that improvements could be made with further partnership working and agreement. Given the relatively few DV cases heard at DV Specialist court, Members believed that any over subscribing of cases should only apply to Non DV cases but fully appreciated the fact that this is a matter for the Courts. Members were hopeful though that with partners being more victim-centric and alert to the measures which might impede a witness a change in this practice would bring significant benefits for victims of domestic violence and as such the following recommendations would not be too onerous. [See section 6.5.20]</p>
Recommendation 22	Categorisation of Recommendation
<p>The Local Criminal Justice Board domestic violence action delivery board to discuss and agree with partners a joint procedure which ensures that:</p> <ul style="list-style-type: none"> <li>(a) All DV cases are listed as primary cases with only non DV cases listed as secondary or reserve cases.</li> <li>(b) Any revised procedures should ensure that special measures are identified and requested early and monitored for efficacy to ensure their effectiveness.</li> <li>(c) All Partners to prioritise all DV cases and agree a target court Date with 4 weeks of the first hearing when a Not Guilty plea is made.</li> </ul>	<p><b>Partnership &amp; Best Practice Focus</b></p>
	<p><b>PART TWO</b></p>
<p><b>Business response to Recommendation</b></p>	

**Police Response – This recommendation is ACCEPTED, for reasons below;**

Whilst the partnership can seek to influence the Courts listing process ,the Authority may have to accept that this recommendation cannot be achieved by the Partnership

- As per the response to recommendation 20, its not a partnership decision , the partnership cannot influence the Court listings process, they can only voice their concerns which is currently happening
- It is not the Police preserve to accept a recommendation which may be unachievable for some or all partners to achieve, focussing on the 4 week turn around date, this , for instance may be completely unachievable for CPS

Business Action Plan		
Milestones	Timetable/Budget Year	
This action is an ongoing issue. The Courts have made a commitment to ensure that DV cases at Nottingham are heard within 4 weeks. They are working to ensure that this happens in the majority of cases. Clearly there are some cases due to listing issues both at Nottingham but particularly at Mansfield where due to Court space this is a difficult process		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE	
Issue	Evidence	
Quality case management	The Scrutiny Committee were informed that good quality of evidence increases the number guilty pleas and as such does not require the Victims attendance at Court; it was reported that Nottinghamshire has a lower guilty plea rate than its peers which suggests that the quality of evidence in Nottinghamshire needs to improve. This issue relates to both training and audit arrangements.	

	Currently, there are 1,801 DV cases charged to Court which equates to 35 cases per week or 5 per day. Whilst it is envisaged that other recommendations made in this report (if implemented) will lead to an increased number of offenders charged. All case files are reviewed prior to submission by a team of review officers. [See section 6.5.21 &22]	
<b>Recommendation 23</b>	<b>Categorisation of Recommendation</b>	
The Force should consider establishing a function in which all DV cases charged are reviewed centrally for quality of evidence and progress chased to ensure speedy submission and procedures detailed at section 6.5.22.	<b>Partnership &amp; Best Practice Focus/victim focus</b>	
	<b>PART TWO</b>	
<b>Business response to Recommendation</b>		
<b>Police Response – This recommendation is ACCEPTED, for reasons below;</b> <ul style="list-style-type: none"> <li>• There is already process through the file preparation system where <u>all</u> cases are reviewed before submission to CPS</li> <li>• The force have already invested in a file review unit where experienced investigators examine and work with officers in the case to ensure the quality of prosecution files are of the required standard.</li> <li>• The force are part way through an Accreditation programme where every officer will be accredited around their investigation , file build and file submission skills, all Sergeants in the organisation have been trained. They are the first line supervisor's who sign off the prosecution files before its ultimate sign off within the file review unit</li> </ul>		
<b>Business Action Plan</b>		
<b>Milestones</b>	<b>Timetable/Budget Year</b>	
This action is now <b>complete</b> and part of the force daily and monthly business as outlined above		
<b>Implications</b>	<b>Sponsor</b>	<b>Evaluation Plan</b>

	ACC Broadbent	
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		PART ONE			
Issue			Evidence		
Management of Repeat Medium Risk Victims			Members appreciate that the lack of victim cooperation is a real barrier to securing evidence and prosecuting offenders. The IPCC stated this also. However, Members were also aware that this may be correlated to victim fear and intimidation i.e. the greater the fear and intimidation the less cooperation. With this in mind, Members felt that additional safeguards should be introduced to trigger a review of all Medium Risk cases which reach a certain level e.g. 3rd or 4th repeat call over a two year period. Members felt that the greater the number of calls should be met with greater resources to secure a prosecution. [See section 6.6.17]		
Recommendation 24			Categorisation of Recommendation		
The Force should review with its partners its processes to introduce a stage which would trigger an intervention to stop the escalation of repeat calls for Medium Risk victims.			Victim Focus		
		PART TWO			
Business response to Recommendation					
<b>Police Response – This recommendation is ACCEPTED.</b>					
<ul style="list-style-type: none"><li>• The processes by which victims enter the risk assessment process vary and come from different agencies. If, for example the Domestic Abuse Support Teams identified all those ‘medium risk victims’ separately and looked for an intervention this would involve the cooperation of partners.</li><li>• In terms of Police response top Medium Risk victims we whole heartedly agree that we need to ensure that we do our utmost to prevent repeat calls, however, in order that victims are supported out of that cycle then there needs to be a wider commissioning of support agencies to increase capacity from solely High to dealing also with those Medium risk victims.</li></ul>					



- Presently all High risk victims are considered for attendance at the Multi Agency Referral Assessment Conference MARAC. Those meetings are already at capacity, there is no scope to include medium risk victims in that process.
- The Police cannot mandate interventions, other than those they own through the investigation process.
- The City and the County already have processes in place such as the vulnerable person's panel and the domestic abuse repeats panel where medium risk cases are raised in order to raise with partners and to attempt an agreement around risk and ownership.
- Most third sector partnerships are funded to deal with certain categories of risk, in the main High, therefore statutory partners cannot pass on work that they haven't been funded for
- This is not solely a police responsibility.

Business Action Plan		
Milestones	Timetable/Budget Year	
<p>This is now <b>completed</b> as part of the wider audit processes carried out by the organisation.</p> <p>This action now forms part of the key piece of work being managed through the LCJB DV group that meets quarterly.</p>		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

	PART ONE	
Issue	Evidence	
Joined up Partnership Working	<p>The Scrutiny Committee heard evidence that other issues adversely affected domestic violence cases i.e. double listing of DV cases, late requests for special</p>	

	measures and lengthy court Hearing dates as described at section 5.5.5. Members were mindful that reduced resources had possibly exacerbated these issues but nevertheless believe that improvements could be made with further partnership working and agreement. [See section 6.5.20]	
<b>Recommendation 25</b>	<b>Categorisation of Recommendation</b>	
During this challenging financial time for many agencies, we urge all agencies involved in supporting victims of domestic abuse to review the recommendations of this report and consider making changes to their systems and procedures to ensure that partnership working is fully joined up with a clear focus on Victims/ Survivors.	<b>Victim Focus</b>	
	<b>PART TWO</b>	
<b>Business response to Recommendation</b>		
<b>Police Response – This recommendation is ACCEPTED</b>		
Nottinghamshire Police thank the Police Authority for identifying the tough financial challenges for all partners, both statutory and non statutory and the need to ensure that future funding is both sufficient to deal with the real and identified need and that it is longer term.		
<ul style="list-style-type: none"><li>A majority of partnership funding is annually evaluated and as such, a lot of time is spent reviewing funding arrangements, identifying commissioning opportunities which can them away from the real need of supporting victims of DA through the criminal justice process</li></ul>		
<b>Business Action Plan</b>		
<b>Milestones</b>	<b>Timetable/Budget Year</b>	
This is an ongoing process and will be raised as something for the PCC to consider in terms of funding arrangements and support for the wider DA support network		
<b>Implications</b>	<b>Sponsor</b>	<b>Evaluation Plan</b>

	ACC Broadbent	
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PART ONE	
Issue	Evidence
Inconsistent services across the county	In addition, Members identified that there was disparity of specialist provision for DV victims across the county. Members consider that the City appears to have better provision in terms of specialist Crown Prosecutor and IDVA support. For example, at Mansfield there is only one IDVA available which means there are numerous occasions where there is no support for victims. Also, there is only one Specialist Crown Prosecutor who works exclusively in the city. [See section 7.5.4]
Recommendation 26	Categorisation of Recommendation
The Force to continue to assist partners to resolve inconsistent support to victims to ensure equitable support north and south of the County.	<b>Victim Focus</b>
PART TWO	
Business response to Recommendation	
<p><b>Police Response – This recommendation is ACCEPTED</b></p> <p>Nottinghamshire Police welcome the fact that it is acknowledged within the scrutiny report that it is working with partners in addressing the issues connected with DA, through the Local Criminal Justice Board (LCJB) DV action delivery board. It also welcomes the acknowledgment that this is not solely a Policing responsibility and that the Police rely on partnership contribution and support.</p> <p>This is already ‘work in progress’ The ‘Victim Journey’ was articulated as such by the Head of Public Protection through the scrutiny process as a piece of work that is driving the LCJB DV group.</p> <ul style="list-style-type: none"> <li>• The Head of Public Protection chairs the LCJB DV group, the overall objective of that group is to secure successful outcomes for victims in the criminal justice process</li> <li>• That the commissioning of service provision rests with the Local Authorities and is dependent on the funding that is highlighted for that area of</li> </ul>	

work, so whilst the force can highlight disparities and voice concerns it cannot influence funding provision.

- The Force is currently reviewing its Public Protection structures, one of the benefits of a centrally owned ,locally delivered model is corporacy of approach in policing terms

Business Action Plan		
Milestones	Timetable/Budget Year	
The Force have made a decision that all public protection resources will come under one command structure headed by the head of Public Protection, however the Force still has to work out the details of how many resources are going to be aligned to PP work. Until that decision is taken it is unlikely that a decision can be taken on the streamlining of a corporate approach		
Implications	Sponsor	Evaluation Plan
	ACC Broadbent	

Nottinghamshire Police Authority

Follow Up – Domestic Abuse Scrutiny Committee

Internal Audit Report (08.12/13)  
November 2012

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		Auditors	Patrick Green, Partner Angela Ward, Manager
Final report issued	1 November 2012	Client sponsor	Charlotte Radford, Treasurer
		Distribution	Charlotte Radford, Treasurer Julie Mair, Planning & Policy Officer



This review has been performed using RSM Tenon's bespoke internal audit methodology, **i-RIS**.

The matters raised in this report are only those which came to our attention during our internal audit work and are not necessarily a comprehensive statement of all the weaknesses that exist, or of all the improvements that may be required. Whilst every care has been taken to ensure that the information provided in this report is as accurate as possible, based on the information provided and documentation reviewed, no complete guarantee or warranty can be given with regard to the advice and information contained herein. Our work does not provide absolute assurance that material errors, loss or fraud do not exist.

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# 1 EXECUTIVE SUMMARY

## 1.1 INTRODUCTION

On the 14th December 2011, the Police Authority approved the creation of a Scrutiny Committee with the power to review areas agreed by the Police Authority. Between February and July 2012 five Members of the Police Authority supported by the Performance and Policing Policy Officer planned and undertook a scrutiny of domestic abuse, within Nottinghamshire. Members identified 26 recommendations for improvement in respect of: victim focus, assurance & governance, infrastructure, and Partnership & best practice which if implemented should make both Nottinghamshire Police and Partners more effective in tackling domestic abuse and thus improve the quality of life for survivors. The mechanism represents good governance and good practice, with the Authority clearly challenging the Force around the current arrangements in place.

As part of the approved internal audit periodic plan for 2012/13 we have undertaken a review to follow up progress made by Nottinghamshire Police to implement the recommendations included within the Domestic Abuse Scrutiny Committee report.

As part of our fieldwork and in understanding where the Force are, in relation to the implementation of the recommendations made within the Scrutiny Committee report, it was noted that the recommendation made does not always reflect the work that was actually happening or planned to take place, within the Force. In order to achieve the most from the reviews that are being completed by the Scrutiny Committee and more importantly, to achieve the buy-in from all concerned, it would be beneficial to reflect in any subsequent reports, the work in progress and actions that are already in place and therefore any associated recommendations to be worded accordingly. This suggestion is not intended to take away the significance of the recommendations made, or indeed the impact of the reviews completed, but simply to provide the reader with some context and understanding of the processes and arrangements in place, where applicable.

Moving forward, it would be useful to understand the areas that the Scrutiny Committee is intending to review, so that potentially our risk based Internal Audit Plan can assist with any reviews to be completed by the Scrutiny Committee or place assurance on the outcome of any such reviews, as appropriate.

## 1.2 CONCLUSION

**Taking account of the issues identified in the remainder of the report and in line with our definitions set out in Appendix A, in our opinion Nottinghamshire Police Authority has demonstrated good progress in implementing actions agreed to address the recommendations, included within the Domestic Abuse Scrutiny Committee report.**

**It should be noted that in many cases the Force had already identified the issues raised within the Scrutiny Committee report and were taking actions to address a number of the issues highlighted.**

## 1.3 LIMITATIONS TO THE SCOPE OF THE AUDIT

This review only covered audit recommendations previously made and did not review the whole control framework of the areas listed above. Therefore, we are not providing assurance on the entire risk and control framework of those areas.

Where testing has been undertaken, our samples have been selected over the period since actions were implemented or controls enhanced.

Our work does not provide any guarantee or absolute assurance against material errors, loss or fraud.

## 2 FINDINGS AND RECOMMENDATIONS

Each recommendation followed up has been categorised in line with the following:

Status	Detail
1	The entire recommendation has been fully implemented.
2	The recommendation has been partly though not yet fully implemented.
3	The recommendation has not been implemented.
4	The recommendation has been superseded and is no longer applicable.
5	The agreed date for implementing the recommendation has not yet been reached.

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
1	The Strategic analysis of domestic Abuse should be bolstered or better targeted on critical issues identified in this report e.g. securing and analysing more information around 'prosecutions without the victims cooperation' in order to better understand what works and what doesn't.	1	During the review it was confirmed that data surrounding DA is reported to the Public Protection Practitioners meeting and the data is highlighted at the monthly Executive Performance meeting. In addition, monthly meetings take place with CPS. Recent meetings have reported an increase in file quality. Further details are provided at number 17 below.
2	The Force should present evidence of consolidated and robust audit arrangements to ensure that current audit processes and practices are fully embedded.	1	<p>The aims of the Domestic Abuse audit are:-</p> <ol style="list-style-type: none"> <li>1. To ensure the compliance with the required procedure set out in the Domestic Abuse Procedural guide and NPIA guidance on investigating domestic abuse</li> <li>2. To comply with the ACPO definition of domestic violence</li> <li>3. To identify errors occurring and recommending corrective action</li> </ol>



3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
			<p>to be taken to ensure compliance; and to support Officers and Staff in the conduct of their duties in respect of Information Compliance.</p> <p>4. To help protect the lives of both adults and children who are at risk as a result of domestic abuse</p> <p>We reviewed the output report from the most recent quarterly audit and confirmed that the process provides a robust audit framework. It was noted that the report is presented to 3 panels;</p> <ol style="list-style-type: none"> <li>1) Public Protection Board (Chaired by ACC Crime, Justice &amp; Protective Services)</li> <li>2) Public Protection Practitioners Group (Chaired by Head of Public Protection)</li> <li>3) Crime, Incident &amp; Data Quality Board (Chaired by ACC Crime, Justice &amp; Protective Services)</li> </ol>
3	The Force should demonstrate its regular and robust audit arrangements (e.g. dip testing) to ensure that incidents initially categorised as DA and re categorised as non DA are correct, and where not, appropriate action be taken.	1	This forms part of the quarterly audit process. Within the latest quarterly audit report a 97% compliance rating was reported with accurately closing codes.
4	The Chief Executive of the Police Authority to write to the Home Office requesting that a national definition be utilised to enable MSG comparisons to be made; the Force to explain difference between DA and DV.	1	It was confirmed that this recommendation has been actioned. The Home Office were contacted on 15 <sup>th</sup> October 2012.
5	The Force should continue work with Partners (LCJB) to make arrangements to resolve the inconsistent support for victims (from incident to Court) as Members consider this to be critical to securing successful outcomes; the Force and Partners should undertake analysis of the victim journey and understand what impedes women's attendance at Court.	2	During the review it was established that this work is already in progress, through a bespoke piece of work being led by the Head of Public Protection, who chairs the Local Criminal Justice Board (LCJB) DV Delivery Board. The project will consider the work that is being completed currently and to ensure that all parties and associated risks have been captured and considered. Feedback from the piece of work

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
			is being managed through the LCJB DV Board that meets quarterly. It is expected that the piece of work will be completed in January 2013.
6	The Force should review a statistically significant sample of the 1000+ cautions to be satisfied that these disposals are the best outcome for safeguarding DA victims and establish how many cases involve repeat victims and offenders.	1	It was confirmed that a sample of the case disposals / cautions is completed already and reported as part of the audit report.
7	The Force should include quarterly dip sampling of DA adult cautions in the DA Procedure to ensure compliance and rigorous audit arrangements.	2	In discussion with the Operational Business Support Manager that this will be included in the next quarterly audit report.
8	The Force should further explore and implement a suitable IT solution so that information checks required at section 4.1 of the DA procedure can be completed with one search across all five information databases.	2	It was established through discussions with the Head of Public Protection that the Force has signed up to Athena as their IT solution. However, it is not clear at this stage whether the software solution will enable one search across all five information databases. The planned implementation for the software is March 2014.
9	The Force should explore and implement an IT solution to enable Custody Officers to access relevant databases to assist their decision making concerning managing risk in respect of bail or bail conditions.	Not accepted	Through discussion with the Head of Public Protection it was established that the recommendation has not been accepted by the Force. The Force has explained through this scrutiny process as to why this is not practical or legal in terms of a custody officer's role. The Authority will need to consider whether they are satisfied with the Force response or whether an independent legal opinion is required.  However, part of the recommendation links to the recommendation made at number 10 which has been accepted.
10	The Force should remind Custody Officers of their obligations under PACE to record the reasons why bail conditions are not imposed in relation to DA arrests and are held to account through the audit arrangements for their decision making.	1	It was confirmed that a reminder has been circulated to officers. In addition, to confirm that the reminder has been effective, this particular requirement now forms part of the quarterly audit. On review of the latest quarterly audit report it was noted that; <ul style="list-style-type: none"> <li>84% of DPs police bailed had bail conditions</li> </ul>

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
			<ul style="list-style-type: none"> <li>81.52% of DPs court bailed as bail conditions</li> <li>All DPs without bail conditions were then checked to establish if some should have been entered</li> <li>For police bails which were without conditions (12), it was considered that 5 may have required some conditions</li> <li>For court bails which were without conditions (85), it was considered that 23 may have required some conditions.</li> </ul> <p>Consequently, bail conditions was identified within the quarterly report as an area for improvement and will be subject to further review as part of the next quarterly audit and will be reported accordingly.</p>
11	The Force should include within an Assurance Section, the requirement that the Custody Inspector dip-test 5 cases handled by each Custody Sergeant each month to check whether bail conditions are being applied in line with the DA procedure.	1	A system generated sample of cases to be sampled is selected by the Operational Business Support section within the Crime & Justice Department and forwarded to each Custody Inspector for them to check. The results of the dip sampling are returned to the Operational Business Support department for appropriate analysis and follow up. As part of the audit we reviewed the reports that are received back from the Custody Inspectors and confirm that the arrangements are appropriate. Furthermore, there are mechanisms in place to chase Custody Inspectors where the reports have not been received. No further action is required.
12	In addition to Recommendation 5, the Force should continue to support Partners to explore ways to reduce the fear of giving evidence and attending Court.	2	The full implementation of this particular recommendation links back to the bespoke piece of work currently being completed by the Head of Public Protection. Details are included at number 5 of the report.
13	The Chief Executive of the Police Authority should ensure that the recommendations made in this report are reviewed by the PCC in April 2013.	2	The Chief Executive has confirmed that the recommendations will be incorporated into the 130 induction and decision making programme.
14	The Chief Executive of the Police Authority should ensure that	2	It is noted that the PCC will not be responsible for commissioning

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
	the PCC has full regard to the issue raised at section 6.2.8 and 6.5.7 when considering commissioning future witness and victim services.		Victim & Witness Services until April 2014, at the earliest.
15	The Force to ensure that their procedures fully enhance the prospect of 'prosecutions without the cooperation of the victim'.	1	<p>As part of the audit we confirmed the training arrangements that are in place with officers within the Learning and Development section. It was noted that a sergeant post in City and County have been created whose responsibility is to mentor fellow officers (those that have been identified as requiring training/further development). The two sergeants were selected based on their experience, in particular their investigative background. It was established that the training provided is 'on the job' training, as opposed to classroom based learning. This training assists with obtaining evidence at the scene, including hearsay evidence. The feedback from the officers who have received the training is extremely positive and consequently the Force is looking at other areas within the business, where this type of training could add value.</p> <p>Furthermore, it was confirmed that interactive training material has also been forwarded to divisions.</p> <p>As part of the audit we reviewed an email from the Chief Constable to the Deputy Chief Constable, Assistant Chief Constable Crime, Assistant Chief Constable Territorial and the Assistant Chief Officer Resources that confirmed that the Chief Constable had met with a focus group of officers who had received the DV training or who were involved in front line response work. The email outlines the positive feedback from officers in relation to the training received and the improvements it had made to their work.</p>
16	The Force should review its procedures and training so that Officers proactively obtain, secure and submit all available evidence including hearsay evidence.	1	Refer to comments made at 15 above.
17	Subject to section 6.5.21, the Force should ensure that Officers prepare and submit a full prosecution file together with a	1	On review of the VAWG Operational meeting minutes from October 2012, it was noted that the CPS reported an improvement in the quality

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
	synopsis of all previous incidents (in accordance with sections 6.5.10 to 6.5.18 of this report).		of the files received from Nottinghamshire. It was explained that CPS performance was judged on attrition (which includes anything that becomes unsuccessful post charge – i.e. discontinued cases, no evidence offered and cases lost at trial. Therefore, the lower the attrition figure the better. CPS were judged on national average performance and ranked out of 42 areas. In Q1 (April-June 2012) the attrition stood at 27% which ranked them at 36 (poor performance) but in Q2 (July – Sept) this had dropped to 24.4% now a ranking of 20.
18	Officers should ensure that CPS is made fully aware of the full history of the offender so that CPS can take this into account as to whether the offender is a 'serial perpetrator' as per section 6.5.14.	1	Officers complete the details of the offender history on the MG6 form. A scanned copy of all forms are held on the NSPIS Case Management system. This forms part of the quarterly audit process.
19	Subject to section 6.5.21, the Force to assist Partners in the Criminal Justice system to ensure that predominantly domestic violence prosecutions are NOT streamlined (as per section 6.5.19).	1	In discussion with Force Management it was noted that in very few cases, specifically in relation to Domestic Abuse, that the files would be streamlined, due to the very nature of the case. The implementation of the recommendation can be seen by the increased performance reported by the CPS.
20	The Force to continue to assist Partners in the Criminal Justice system to ensure that domestic violence prosecutions are heard at Court within with 4 weeks of the first hearing when a Not Guilty plea is made (see as per section 6.5.4).	1	The decision to list court cases is the responsibility of the Court and although the Police and other partners can raise concerns, they have no influence in scheduling Court dates. It is noted that at LCJB meetings, discussions are held to raise any concerns and to understand the progress with specific cases. During the review and through discussions with the Assistant Chief Constable Crime, Justice & Protective Services it was noted that at the DV Court at Mansfield, an officer is now at the court at Mansfield to deal with any DA questions and actions. This will provide a good level of resource and should assist with the timeliness of court dates.
21	Given the importance of pursuing 'prosecution without the victim's cooperation', the Force with criminal justice partners should establish a performance framework which leads to	1	The Force can demonstrate compliance with the suggested recommendation, not by the introduction of a formal performance framework, but by measuring positive outcome at Court and in addition

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
	successful outcomes, in accordance with section 6.5.24 and Recommendation 22(c).		the CPS data in relation to attrition rates / positive outcomes.
22	<p>The Local Criminal Justice Board Domestic Violence Action Delivery Board to discuss and agree with Partners a joint procedure which ensures that: (P24)</p> <p>(a) All DV cases are listed as primary cases with only non DV cases listed as secondary or reserve cases. (P26)</p> <p>(b) Any revised procedures should ensure that special measures are identified and requested early and monitored for efficacy to ensure their effectiveness. (P26)</p> <p>(c) All Partners to prioritise all DV cases and agree a target Court Date with 4 weeks of the first hearing when a Not Guilty plea is made.</p>	2	<p>The decision to list court cases is the responsibility of the Court and although the Police and other partners can raise concerns, they have no influence in scheduling Court dates. It is noted that at LCJB meetings, discussions are held to raise any concerns and to understand the progress with specific cases.</p> <p>It is noted that aspects of this recommendation will be implemented through a bespoke piece of work being led by the Head of Public Protection, who chairs the Local Criminal Justice Board (LCJB) DV Delivery Board. The project will consider the work that is being completed currently and to ensure that all parties and associated risks have been captured and considered. Feedback from the piece of work is being managed through the LCJB DV Board that meets quarterly.</p> <p>During the review and through discussions with the Assistant Chief Constable Crime, Justice &amp; Protective Services it was noted that at the DV Court at Mansfield, an officer is now at the court at Mansfield to deal with any DA questions and actions. This will provide a good level of resource and should assist with the timeliness of court dates.</p>
23	The Force should consider establishing a function in which all DV cases charged are reviewed centrally for quality of evidence and progress chased to ensure speedy submission and procedures detailed at section 6.5.22.	1	<p>Files are being reviewed as part of current process, prior to submission to the CPS. The Force receives feedback from CPS and any feedback or deficiencies are logged by the Operational Business Support, within the Crime &amp; Justice Dept. Internal checks are completed, included a review of how many times an officer has had a reported deficiency.</p> <p>The CPS reported an improvement in the quality of files and this supports the latest report that identifies just 2 Crown Court files that have come back in 6 months that have been reported as deficient. This represents excellent progress, when on average 80-90 Crown Court files are being forwarded.</p>

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
24	The Force should review with its partners its processes to introduce a stage which would trigger an intervention to stop the escalation of repeat calls for Medium Risk victims.	1	<p>It is noted and accepted that the full implementation of this particular recommendation depends upon other factors, other than just the Policing factor. For example, if medium risk victims are fully supported, then there will need to be a significant increase in capacity of support agencies.</p> <p>It is understood that currently all high risk victims are considered for attendance at the Multi Agency Referral Assessment Conference (MARAC) and that these meetings are already at capacity.</p> <p>It was confirmed during the review and in discussion with the Head of Public Protection that there are already mechanisms in place across the City and County, such as Vulnerable Persons Panel and Domestic Abuse Repeat Panel, where medium risk cases are raised with partners. This particular recommendation also links to the bespoke piece of work being led by the Head of Public Protection, who chairs the Local Criminal Justice Board (LCJB) DV Delivery Board. The project will consider the work that is being completed currently and to ensure that all parties and associated risks have been captured and considered.</p>
25	During this challenging financial time for many agencies, we urge all agencies involved in supporting victims of domestic abuse to review the recommendations and content of this report and consider making changes to their systems and procedures to ensure that Partnership working is fully joined up with a clear focus on Victims/ Survivors.	1	<p>It is noted that the issues surrounding domestic abuse and domestic violence is articulated at a number of meetings and working groups. In addition, it is noted that on review of the PCC manifestos that domestic abuse and domestic violence is of a high priority.</p>
26	The Force to continue to assist Partners to resolve inconsistent support to victims to ensure equitable support north and south of the County.	2	<p>In discussion with the Head of Public Protection it was established that although the recommendation is agreed, the full implementation of the recommendation depends on funding and the availability of funding.</p> <p>This particular recommendation also links to the bespoke piece of work being led by the Head of Public Protection, who chairs the Local Criminal Justice Board (LCJB) DV Delivery Board. The project will</p>

3.1	FINDINGS		
Ref	Original Recommendation	Status	Comments / Implications / Recommendations
			consider the work that is being completed currently and to ensure that all parties and associated risks have been captured and considered.





**AGENDA ITEM 10b**

**REPORT TO THE OFFICE OF THE POLICE & CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date of Meeting: 14<sup>th</sup> February 2013**

**Report of: Chief Constable**

**Title: Police Authority ASB Scrutiny Sub Committee – review of progress against recommendations**

**1. PURPOSE OF REPORT**

- 1.1 To update the PCC on the progress being made against the recommendations of the Police Authority ASB scrutiny panel.

**2. RECOMMENDATION**

- 2.1 To note the progress being made and identify areas where strategic direction or commissioning of services will assist in improving the quality of service given by the police and partners for victims of ASB.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure the PCC is fully sighted on the recommendations made by the police authority following the scrutiny panel and the process in place to review and where appropriate, implement them.

**4. SUMMARY OF KEY POINTS**

- 4.1 Between July and November 2012, the Police Authority conducted a scrutiny review of how police and partners deal with anti social behaviour. This involved speaking to victims about their experiences and also a paper review of those cases. The authority acknowledged that there had been a significant reduction in the number of ASB incidents and that public confidence and customer satisfaction had increased. As a result of the selection of the victims involved, they also acknowledged that the review focussed mainly on the issue of neighbourly dispute type ASB and many of the recommendations are directly related to this particular issue.
- 4.2 The final report from the scrutiny panel has a total of 32 recommendations and it is clear that they are not purely for the police but involve partners

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and the PCC also. In order to review and govern delivery of them, the recommendations are owned by the force Neighbourhood Policing (NHP) and ASB steering group chaired by Supt Fretwell and Supt Burrows. They report to the Citizen Focus Board chaired by ACC Fish where progress is tracked.

- 4.3 The full list of recommendations can be found both within the report and on the delivery plan for the NHP / ASB steering group (Appendix 'A').
- 4.4 The recommendations can broadly be placed in to the following categories:-
- Initial incident attendance
  - Evidence gathering during and following incidents including the use of technology to support
  - Enforcement activity including the knowledge and utilisation of appropriate legislation by both police and partners
  - Effective use of mediation
  - On going victim care
  - Longer term problem solving methods
- 4.5 Each specific recommendation has an action owner on the delivery plan and not all have been progressed. Some are not achievable as we are waiting for new legislation, some are clearly not owned by the police and some recommendations will need negotiating with partner agencies to take the lead.
- 4.6 The key work streams that are now in progress are as follows:-
- Target Operating Model – There are three elements to this each headed by a Chief Superintendent.
    - NHP and how this will be delivered in the future with partners. Ch Supt Nickless is the strategic lead and there are elements from the scrutiny review that will directly be linked in to this work on how the organisation is structured to deliver effective local policing.
    - Operational response to incidents including grading of calls, headed by Ch Supt Khan. This includes response to ASB and vulnerability.
    - Investigations which is being headed by Ch Supt Jebb.
  - A partnership working group that is chaired by Peter Moyes from the Nottingham CDP that is looking at how the new ASB legislation (currently in a draft bill) will be implemented. There are elements within the bill that will improve how problems can be solved more effectively

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that are directly linked to the scrutiny panel recommendations. The working group are looking at how front line staff will be trained in the new powers and how delivery of them will be governed across partnerships.

- An internal review of the use and availability of technology to deal with neighbour disputes and other ASB matters has been commissioned. This will also look at national best practice and how other forces / community safety partnerships are using technology to solve problems. Paul Dickinson will report in to the NHP steering group in March 2013. The ACPO lead for Neighbourhood Policing (ACC Donald) is in the process of implementing a national database for Neighbourhood Policing to identify and share good practice. This will be fully supported and utilised by Nottinghamshire to both feed best practice on to the database and seek learning and best practice from other areas.
- Sharing best practice forums in the partnership are now routinely held on the County and Supt Burrows is reviewing these on the City.
- Chief Superintendent Khan has been utilising a 'victims' forum' where regular feedback and more effective communication links have been established with victims.
- HMIC follow up inspection in January 2013. This inspection focussed on how the force is identifying repeat and / or vulnerable victims at the first point of call and how this is subsequently risk assessed and problem solved. The 'hot de-brief' by the lead HMIC inspector indicated that the force has made significant improvements from the previous inspection. Any areas for development will be included on the NHP / ASB delivery plan and reported to the Citizen Focus Board.
- Introduction of a common risk assessment form for all partners. Richard Antcliff from the Nottingham Community Protection Service has led a working group that has reviewed the risk assessment form currently used by the police and some partners for ASB and hate crime victims. An agreement has been reached on a common form that will ensure all partners are assessing using the same criteria.
- The police call handlers in the control room ask a series of questions when a victim of ASB makes a report. These have been designed around national best practice. The community often report ASB to other agencies so the partnership group chaired by Richard Antcliff have also started to progress the adoption of these questions by partners in order to assess the victims' vulnerability. Progress is being made in the City for both City Council and City Homes to adopt these.

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- Case management is currently conducted through the police crime recording system (CRMS). Work is underway in the partnership to utilise a system that is accessible to partner agencies, unlike CRMS. Ashfield /Mansfield and the City of Nottingham are in the stages of purchasing a cloud based IT system to manage vulnerable victims of ASB. It is hoped to extend this across the remaining districts.

<b>5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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5.1 None

<b>6. HR IMPLICATIONS</b>
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6.1 None

<b>7. ORGANISATIONAL RISKS</b>
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7.1 There is a reputational risk around dealing with vulnerable persons.

<b>8. POLICE &amp; CRIME PLAN &amp; POLICY IMPLICATIONS</b>
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8.1 Dealing with vulnerability is an important part of the policing plan, as is reducing incidents of ASB. There is a clear link to increasing public confidence and trust and satisfaction. The draft ASB bill which will give the police and partners a raft of new powers will trigger a review of the current ASB / NHP policies to ensure they are able to deliver the changes and make best use of the new tool kits.

<b>9. DETAILS OF CONSULTATION</b>
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9.1 As described in section 4, there are a series of partnership groups that are working on delivering many different facets of the local policing agenda. Consultation is carried out through many of these groups to key stakeholders and partners. There has been no further public consultation following the Police Authority scrutiny panel report.

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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- Appendix 'A' - The 32 recommendations are as follows:-
  - Recommendation 1: In order to resolve neighbourly ASB incidents more speedily, Police and Partners should place a greater emphasis on securing evidence for other aspects of ASB if present e.g. harassment as opposed to noise nuisance. Page 52

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- Recommendation 2: The Force and Partners to review the appropriateness of offering mediation to neighbours where ASB is generated by one party only. Page 53
- Recommendation 3: Police, PCSOs and Partners to be made aware of the limitations and Case Law relating to statutory nuisance. Page 53
- Recommendation 4: Local Authority Building Control Officers should place a greater emphasis on ensuring compliance with E2 of the requirements of the Building Regulations 2000 by undertaking sample sound insulation testing for new and converted buildings in respect of dwellings/flats with adjoining walls. In doing so, they will be designing out potential for noise ASB. Page 53
- Recommendation 5: Where ASB noise appears to be aggravated by poor sound insulation between adjoining properties, Local Authorities should consider taking enforcement action against builders who may have breached Building Regulations. Environmental Health officers should assess and make the referral. Page 53
- Recommendation 6: Notwithstanding the forthcoming changes to the Code of Practice regulating the use of CCTV, and with regard to the importance with which communities place on tackling ASB, Members would invite Partners to review whether they should be more proactive in the use of operations to secure evidence. Page 57
- Recommendation 7: Local Authorities and Housing Associations should review their statutory sound recording equipment and consider replacing it with more state of the art technology if existing equipment is no longer fit for purpose. Page 57
- Recommendation 8: The current Police Attendance Policy relating to repeat victims (i.e. within an hour) seems ineffective and a waste of resource; the Force should review the policy and consider establishing a tagging system which would trigger a grade 1 attendance in certain ASB cases for the purposes of improving the prospect of securing evidence. Page 57
- Recommendation 9: The level of RIPA authorities in certain parts of the County and feedback from victims, suggests that Local Authorities could be more proactive in RIPA controlled operations. Local Authorities should consider being

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more proactive in this area to help speed up evidence.  
Page 57

- Recommendation 10: Police and Local Authorities should not discourage victims from installing CCTV; instead they should seek to provide advice to ensure that suitable equipment is installed and located appropriately to avoid breaches of privacy. Page 57
- Recommendation 11: Police and Partners should consider increasing the number of Operations to tackle neighbourly ASB cases which have continued for some time where securing evidence through existing means has proved difficult. Page 58
- Recommendation 12: Police and Partners should consider establishing a dedicated Victim Support ASB case worker to support high risk vulnerable ASB victims and work with neighbours and witnesses to build community cohesion, trust, confidence and reduce fear of giving evidence. Page 58
- Recommendation 13: Repeat visits to neighbourly ASB victims incurs a huge cost to Police, Partners, healthcare and most importantly the victim; the Police and Partners should therefore consider new ways to speed up the evidence gathering process. Page 59
- Recommendation 14: Police and Partners to review and consider adopting the working practices of the City Community Protection's twin track approach (civil and criminal) to resolving neighbourly ASB cases. Page 61
- Recommendation 15: The Police and Partners should establish a procedure for identifying repeat victims of neighbourly noise ASB and where the landlord is unresponsive to the victim's complaints, take steps or provide support to encourage appropriate action. Page 61
- Recommendation 16: The Chief Executive of the Police Authority to brief the PCC on the issues arising out of this scrutiny especially those which pertain to the victim, so he can take this into account when he develops his strategy for supporting victims in 2013. Page 63
- Recommendation 17: The Force and Partners to consider enhancing training for frontline staff in interpersonal skills especially victim

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empathy to improve victims encounter and satisfaction levels. Page 63

- Recommendation 18: Police, Partners and Victim Support should consider establishing Focus Groups (for victims and reluctant neighbour witnesses) as part of mainstream activity. Page 63
- Recommendation 19: The Force should consider introducing procedures which would allow officers attending repeat victims of neighbourly ASB to be brief on the history of incidents. Page 63
- Recommendation 20: Police and Partners should explore whether there are improved technological solutions available to aid evidence gathering in tackling neighbourly ASB. Page 64
- Recommendation 21: Members would advocate that all frontline staff tasked to resolve neighbourly ASB incidents should receive joint partnership training in the new ASB powers and best practice solutions both civil and criminal. Page 65
- Recommendation 22: A Briefing/Crib sheet should be prepared for all attending VPP/CPP meetings to alert Partners as to the range of powers at their disposal. Page 65
- Recommendation 23: Police and Partner Training providers should use the Case Studies considered as part of this scrutiny process to test if there are any gaps in the new ASB tools and powers. Page 65
- Recommendation 24: VPP chairs should receive bespoke partnership training to better equip them with extensive knowledge of partners tools and powers and ASB case management. Page 66
- Recommendation 25: An annual Best Practice event should be organised and attended by Police and Partnership practitioners (e.g. Community Safety Managers and Neighbourhood Police Inspectors) to consider innovative solutions to tackling neighbourly ASB. Page 66
- Recommendation 26: Partners should consider providing legal expertise to assist Private Landlords and smaller Housing Associations by providing advice over legal proceedings for breaches of tenancy and: Page 67

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- a. Help with the identification of the landlord (land registry check) Page 67
- b. Encourage the landlord to take appropriate enforcement action Page 68
- c. Advise landlords on drafting suitable terms and conditions of their tenancy agreement which specifically tackle breaches of ASB. Page 68
- d. Assist landlords with advice and support on how to enforce short-hold tenancy agreements e.g. taking statements and preparing civil enforcement cases. Page 68

Recommendation 27: Chief Executive of the Police Authority to write to the Home Office and Local Authorities requesting that Local Authorities and the Police be granted powers to control irresponsible landlords who fail to take enforcement action against tenants causing neighbourly ASB. Page 68

Recommendation 28: Police and Partners should seek to liaise with Housing Associations and Private Landlords if applicable to provide advice on the suitability of relocation of persistent and prolific offenders who have caused neighbourly ASB. Page 68

Recommendation 29: Police and Partners to consider introducing an offender management program around tenants evicted or moved for causing neighbourly ASB to ensure that there are control measures in place (as far as permissible) to prevent neighbourly ASB with new neighbours. Page 68

Recommendation 30: In order to support Recommendation 26, Police and Partners to consider ways in which an offender's history of neighbourly ASB can be tracked across districts. Page 68

Recommendation 31: Notwithstanding the proposed changes to the current ASB Tools and Powers, the Force to liaise with the CPS to make arrangements to establish a dedicated Solicitor to prosecute ASBO breaches who should be provided with the civil evidence leading to the ASBO and evidence of the breach. Page 69



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Recommendation 32: The Police to lead a Partnership task and finish group to address the mental health issues identified in this scrutiny and in consultation with the Health and Wellbeing Board make recommendations to the PCC on possible solutions. Page 71

- Full scrutiny panel report

<b>REPORT AUTHOR:</b>	Supt Richard Fretwell
<b>OTHER CONTACTS:</b>	101 ext 805 3001

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

Project Manager: Supt Richard Fretwell



## 1. NEIGHBOURHOOD POLICING

Objective:

To include:

- ⊕ Safe and Confident Neighbourhood Strategy (SCN) gap analysis
- ⊕ HMIC Inspection Report 2008 – Neighbourhood Policing & Development Citizen Focus
- ⊕ Neighbourhood Watch
- ⊕ Community Safety Accreditation Scheme (CSAS)

2. To comply with the equality Act 2010, which are: a. Promoting good relations between different groups. B. To eliminate unlawful discrimination. C. Promote quality of opportunity.

Task	Task Objective	Target	Lead	Update	Status / Issues
Community Safety Accreditation Scheme (CSAS)	1.01 Establish the Community Safety Accreditation Scheme within the service and establish a process for applications and subsequent launch. (SCN 2.16)	01/06/2012	Supt Fretwell	<p>PD - 04/04/2012 – PD is to prepare a paper on the approach to CSAS and the CSAS administrative requirements for the next Neighbourhood Policing Meeting on the 04/05/2012</p> <p>PD – 27/06/2012 – PD/PW conducted a fact finding visit to Essex Police as the leading force in regards to CSAS. From this visit an options paper for the Citizen Focus group it to be prepared by 20<sup>th</sup> August 2012</p> <p>PD – 14/09/2012 – An options paper has been drafted and is being presented to the Citizen Focus group for consideration.</p>	<a href="#">Policy Document</a> <a href="#">Guidance Notes</a> <a href="#">FAQ</a> <a href="#">CSAS Delivery Plan</a>

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Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>PD 14/09/2012 – A delivery plan has been established showing the steps required to ensure the current schemes are compliant and meeting their aims and objectives.</p> <p>PD 21/11/2012 – The current schemes now have valid agreements in place, are operations with the correct exercisable powers cards and monthly reporting is in progress. PS is now working on the standardisation of data sharing agreements.</p> <p>PD 21/11/2012 – Gedling have completed an application form and are currently considering a draft agreement. Bassetlaw are holding</p>	

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Task	Task Objective	Target	Lead	Update	Status / Issues
				a board meeting to decide if they wish to proceed with CSAS	
	1.02 Establish an accurate profile of each Neighbourhood, so we understand the profile of the communities, especially the hard to reach groups and IAGs. Utilising tools such as Mosaic. (SCN 3.23)	March 2013	Jo Hall	<p>PD 04/04/2012 – PD is to contact Jo Hall and confirm when the Force Internet upgrade will be completed. Also confirm that Jo is still the lead on this topic.</p> <p>JH 10/04/2012 We have been working on the new intranet and the website rebuild is our next major project after the social media pilot.</p> <p>We are going to put forward a plan in which we recommend holding a public consultation on what members of the public, and</p>	

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Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>specifically those who represent groups with protected characteristics, would like to see from a new force website. We will also be connecting with our Neighbourhood Policing Teams to ask them how they would like us to proceed - some of which has already been done with suggestions received.</p> <p>We don't yet have a timescale, as we have no web manager and this is likely to fall to me to manage. Once consultation has been done, we will need to go out to tender, and we expect the full rebuild to take around six months. I would expect to see a new website launched in March 2013, if we want</p>	

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

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Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>to do this properly and take the opportunity we have to make sure we have the best website of all the forces in the UK</p> <p>PD – 14/09/2012 – An audit was conducted comparing the current site to the current structure. The outcome demonstrated that the current site is out of date and does not reflect the current structure.</p> <p>PD – 14/09/2012 – Corporate Communications have confirmed that the March 2013 delivery date will not now be met. A new delivery date is being discussed.</p>	

# Neighbourhood Policing Delivery Plan

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Task	Task Objective	Target	Lead	Update	Status / Issues
				PD 21/11/2012 – A new date for the new force website of July 2013 has been announced	

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

Project Manager: Supt Richard Fretwell



## 3. PROBLEM ORIENTED PARTNERSHIPS (PROBLEM SOLVING)

Objective:

⊕ To establish effective problem solving as a routine practice throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
Establish a consistent structured approach to Problem Solving.	2.01 Develop Neighbourhood Portal at the primary system for the recording of Problem Solving within the force.	December 2012	Inspector Nick Butler	PD - 04/04/2012 – Gerald Nupa has been recruited as the developer on this project. A meeting has been arranged between PD and SF to agree the PID and deliverables. From this a further meeting will be held with the Problem Solving Working Group to agree details including the target delivery date.  PD – 27/06/2012 – Gerald has now been abstracted from the Portal project to work on the PNC. While progress has been made it has been slow.	ON HOLD
	2.02 Establish a process whereby completed projects are correctly signed off by a supervisor to be agreed and introduced	December 2012	Inspector Nick Butler		ON HOLD
	2.03 Produce guidance document for Neighbourhood Portal which includes minimum standards (SARA)	December 2012	Inspector Nick Butler	PD – 02/11/2011 – This task has now been picked up by Sandra Wenbourne who will report back at the next Problem Solving Working Group meeting TBC.	ON HOLD



# Neighbourhood Policing Delivery Plan

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## 3. PROBLEM ORIENTED PARTNERSHIPS (PROBLEM SOLVING)

Objective:

⊕ To establish effective problem solving as a routine practice throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
				<a href="#">Terms of reference February 2011.doc</a> <a href="#">Commissioning Document</a>	
	2.04 Re-launch and market	December 2012	Inspector Nick Butler		ON HOLD
	2.05 Conduct an assessment of problem solving within Neighbourhood Policing and advise on the training of Portal	December 2012	<b>Inspector Nick Butler</b>		ON HOLD
	2.06 A rewards process is to be introduced for outstanding Problem Solving	December 2012	Inspector Nick Butler		ON HOLD

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

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Neighbourhood Policing Engagement	4.12 Develop a corporate newsletter for dissemination to KINS and the community	01/04/2012	Jo Hall/Insp Buler	PD - 14/09/2012 – A draft version of the newsletter was presented at the NHP/ASB board. It was decided that additional work was required to ensure standardisation across the force	
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# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

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	5.06 A process needs to be implemented that ensures that incident report to officers working on Operation Animism or Cacogen are recorded and action taken.	End of May 2012	Paul Winter	<p><b>PD 04/04/2012</b> – This will be resolved by asking officers to submit a working sheet on the principal ASN non crime number. This will be reviewed by the Neighbourhood Policing Sergeant.</p> <p>This process needs to be reviewed for reassurance that this is taking place.</p> <p><b>PD 24/07/2012</b> – An audit process needs to be considered</p>	Completed
	5.08 We were asked to look at how partnership data is shared as there was a perception that this may be some what adhoc		Richard Fretwell	<p><b>PD – 04/04/2012</b> – We may need to review what information is taken to each partnership tasking meeting. We will supply HMIC with the routinely prepared ASB reports from the CSP's and CDP that capture the date</p> <p><b>PD – 24/07/2012</b> – This will now be reviewed along side the E-CINS project in respect of data sharing</p> <p><b>PD – 18/09/2012</b> – This is now being covered by the redrafting of data sharing agreements by GL.</p>	Completed
	5.10 We were asked to consider if the increased use of MIC appointments might help us to make further in roads into managing ASB demand	01/01/2013	Richard Fretwell	<b>PD 04/04/2012</b> - We need to respond to HMIC to explain why we do not consider that more MIC appointments will be appropriate for dealing with ASB. We need to ensure that our Animism and	

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

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				<p>Cacogen cars are deployed effectively to any un-resourced ASB calls. The key point is that MIC is a delayed response and Animism/Cocogen is an immediate response to ASB</p> <p><b>PD 24/07/2012</b> – A pilot project is underway at Mansfield using PCSO's for ASB MIC operations. This is due to be rolled out force wide in the next couple of weeks</p> <p><b>PD - 18/09/2012</b> – This is now live in Mansfield, Ashfield and BNS and is due to go live in county south. PW is in discussion with PB with respect to rolling it out in the City.</p>	
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# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

Project Manager: Supt Richard Fretwell



## 4. ASB

Objective:

ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
To develop the ASBRAC model (Vulnerable/Complex Persons Approach)	5.01 Ensure all relevant partners are in attendance (HMIC REF 2.4.1)	Nov 2012	Supt Fretwell	<p><b>Sept 2010</b> – ASBRAC style meeting to occur across the Force. Need to look at recommendations within Richard Antcliff's report (section 4 relates) around partnership involvement and progress. <a href="#">\\nas1fhq2k8\users\3000917\ASB Strategy\ASB Delivery plan\ASBRAC Commuity Protection.doc</a></p> <p><b>14.01.11</b> Chasing up what recommendations have been taken forward in the City to see if viable to be extended in the County. Revised target date of April 2011 when the new 2 BCU structure commences.</p> <p><b>14/02/11</b> This action and those following are being taken forward by partners to lead- Chris Hooper is to submit a paper to SNB and CDP Board requesting working party be established to deliver the business with appropriate governance. ACC Scarrott progressing with Chris Hooper directly.</p> <p><b>11.03.11</b> No further update, awaiting paper submission re partnership working</p> <p><b>PD - 25/07/2011</b> – This item has been placed on the agenda for the Neighbourhood Policing Board Meeting to</p>	

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

Project Manager: Supt Richard Fretwell



## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>be held on the 08/08/2011.</p> <p><b>PD – 25/07/2011</b> – It is now apparent the paper will not be forthcoming. All areas now have a partner meeting covering ASBRAC responsibility. There is a requirement to ensure this is the case.</p> <p><b>PD – 10/08/2011</b> – This will be confirmed at the next NHP Board meeting.</p> <p><b>PD – 09/12/2011</b> – An audit of the types of partnership meeting has been conducted and will be assessed to ensure they fit the criteria of an ASBRAC</p> <p><b>RF – 12/01/2012</b> – All areas now have a multi agency forum where ASB cases are taken and discussed. These are minuted meetings which show an audit trail of how the situation is being problem solved. Work is now on-going on how this is delivered corporately as there are differences in each area. There is now a County and City group that are working on the whole area of vulnerability and the partnership approach to multi agency forums. This working group is next meeting on the 23<sup>rd</sup> February. This group is linked in to the MASH working group (Multi agency safeguarding hubs) who are discussing a new approach to dealing with vulnerability.</p>	

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## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>Whilst each area now has a working forum, the landscape is changing so I am grading this as AMBER as changes to the current set up may be required.</p> <p><b>PD 04/04/2012</b> – The City are moving to complex persons panels that deal with vulnerability and complex needs. A separate partnership meeting will be held to deal with medium risk domestic violence.</p> <p>Andy Peacock has been appointed Project Manger to find a consistent approach through out the county similar to that in the City in respect to vulnerability but also looking to link into the MASH project.</p> <p><b>PD - 18/09/2012</b> – This needs to link to the E-CINS and MASH projects. It also links to the common risk assessment matrix that all partners will use to assess vulnerability and to the vulnerable/complex persons multi agency working group to progress through partnership.</p> <p><b>RF – 21/11/2012</b> – MASH is due to go live soon. There is a necessity to look at how VPP's link to the MASH. RF is to meet with the SICO (Lynn Pallet) and Clare Beader to agree a way forward in linking</p>	

# Neighbourhood Policing Delivery Plan

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Project Manager: Supt Richard Fretwell



## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				VPP's to MASH..	
Establish common ASB risk assessment tool that both Police and Partners use.	5.02 Re draft the existing risk assessment to enable partners to use the tool either at the point of call handling or subsequently. Those identified as vulnerable will receive joint visits from partners and a joint risk assessment to avoid duplication.	Nov 2012.	Richard Antcliff New Lead – Supt Fretwell / Andy Peacock (SNB)	<p><b>09.12.10</b> The tool enables us to identify which agencies can help the victim. "Effective ASB Case management principles" guidance has been adopted by Police and City Council, being rolled out across the wider partnerships. SNB/CDP Board paper to be submitted ASAP to commission Forcewide working group</p> <p><b>14.01.11</b> As part of overall partnership approach papers are to be submitted by Richard Antcliff and Gerald Connor to CDP Board/SNB to request working group to work across the partnership. Ch Insp Anderson to chase up paper.</p> <p><b>14.02.11</b> partnership papers have not been submitted to SNB/CDP Board, Ch Insp Anderson raised this at Citizen Focus Board (10.02.11) ACC Scarrott to liase with Chris Hooper at the Fire Service. Target date revised due to delay in paper submission.</p> <p><b>11.03.11</b> No further update, awaiting paper submission re partnership working</p> <p><b>PD – 25/07/2011</b> – The paper is not</p>	



# Neighbourhood Policing Delivery Plan

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## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>forthcoming however an improved risk assessment is being progressed by Superintendent Pollard which allow for more open questions to be asked and risk assessments to be conducted at the first port of call.</p> <p><b>PD - 10/08/2011</b> – The ASB procedure document has now been changed to reflect the conducting of Risk Assessment by the first officer attending.</p> <p><b>PD – 02/11/2011</b> – The Risk Assessment being conducted by the first officer attending is now embedded in the force</p> <p><b>PD – 09/12/2011</b> – The risk assessment form is being reviewed in time for the next Citizen Focus Board in January 2012</p> <p><b>RF – 21/02/2012</b> – The Police use a standard risk assessment tool. Some other partners have now started to adopt this. Others are using one from the NPJA. They are using this to feed in to the multi agency forums. This is part of the work stream for the joint vulnerability group. As yet, I am not aware of the time scale involved to complete this but will have further clarity from the meeting on the 23<sup>rd</sup> February. Currently graded as AMBER as the work is underway and as partners are involved</p>	

# Neighbourhood Policing Delivery Plan

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Project Manager: Supt Richard Fretwell



## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>and driving this then there are no potential blockages with buy in.</p> <p><b>PD - 04/04/2012 – See 5.01 for update.</b></p> <p><b>PD – 18/09/2012 – See 5.01 for update</b></p> <p><b>RF – 21/11/2012 – RA</b> will chair a meeting on the 28/11/2012 where it will be decided which Risk Assessment Matrix will be used.</p>	
	5.03 Ensure audit of ASB Risk Assessment Procedure	Jun 2012	Dominique Black	<p><b>Sept 2010</b> A series of audit tests will be devised to be undertaken within DM. This will include performance management by first line DM managers.</p> <p><b>09.12.10</b> Audit has been implements to ensure call quality and identification of vulnerability.</p> <p><b>14.01.11</b> An audit of the ASB Risk assessment process has been drafted, not just the DM element, an initial audit will be conducted in January and presented at NHP/ASB mtg <b>01.02.11</b>. Revised target date set as this was dependent on the introduction of the RA procedure to allow sufficient time to lapse so a meaningful audit can be conducted.</p> <p><b>14.02.11</b> Karen Ward has completed a small audit, which has been passed to Ch</p>	

# Neighbourhood Policing Delivery Plan

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Project Manager: Supt Richard Fretwell



## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>Insp Anderson for presentation at NHP Board. Decision to be made as to how an audit is conducted in the future.</p> <p><b>11.03.11</b> Decision to be made from NPB as to how the audit is conducted in the future.</p> <p><b>PD – 25/07/2011</b> – This has been added as an agenda item at the next NPB on the 08/08/2011</p> <p><b>PD – 10/08/2011</b> – The meeting on the 08/08/2011 was cancelled and the above item carried over to the next meeting.</p> <p><b>RF – 21/02/12</b> – Local audits have been completed, however a standard force audit process is not. This will be on the agenda for the next NHP / ASB working group on the 29/02/12.</p> <p><b>PD - 04/04/2012</b> – DM now do QE2 quality Assurance processes the lead for this is Ted Anthill. However a force audit of compliance to ASB/Hate Crime policy is still required. A meeting is to be arranged with DB</p> <p><b>PD – 24/07/2012</b> – Paul Cook will complete an ASB compliance audit ready for the HMIC Inspection in September</p>	

# Neighbourhood Policing Delivery Plan

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## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				2012 <b>PD – 18/09/2012</b> – Awaiting update of the audit findings from Paul Cook.	
Develop a multi agency case management system for ASB vulnerable persons and offenders	5.04 Develop a case management system that can be accessed by partners / case managers that ensures multi agency forums can easily track who is being managed, who is involved and who is case managing.	Jan 2013	Supt Fretwell	<b>RF – 21/02/12</b> – Each area has a multi agency forum but all record the process to case-manage vulnerable people differently. The Police record their cases on the CRMS system which is beneficial as it allows for some form of case-management. However, partners do not have access to this and its use is therefore limited in the multi agency forum. Insp Andy Clarke has done some scoping work through the MPAC / ACSP performance group where they have visited other areas to view case-management systems. I have spoken to Andy Peacock (SNB lead) for this and we are looking at ways of progressing this piece of work.  <b>PD – 27/06/2012</b> – RF/PD attended an overview of E-CINS at Derbyshire with a representative from the City Council, where the system was being rolled out force wide. This system appeared to meet all the requirements listed above. Further visits were also conducted with Sussex and Staffordshire forces, where the system was used to conduct partnership meetings	

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## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
				<p>discussing vulnerable and repeat victims of ASB. Work is still in progress to assess other systems against E-CINS. When completed a business case will be drafted.</p> <p><b>PD – 24/07/2012</b> – A draft business case has been established and circulated for comment to key individuals.</p> <p><b>PD – 14/09/2012</b> – The business case will now be discussed at the next Local Policing Board.</p> <p><b>PD – 18/09/2012</b> – Ashfield District Council put a bid in to the Performance Group of the CSP for funding to purchase E-CINS and other partners to manage vulnerable person's panels. The bid was agreed an a working group set up chaired by Rebecca Whitehead to look at implantation. This also links to the force wide project group chaired by RF</p> <p><b>PD – 21/11/2012</b> – Ashfield District Council and Mansfield District Council are due to go live with E-CINS in January 2013. The Police will use this as a feasibility study to assess the system.</p>	
Develop a training package in line with the	5.05 A training package is to be developed to address the findings in the white		Supt Burrows/Supt Fretwell and L &	<b>PD – 18/09/2012</b> – Awaiting the release of the white paper.	

# Neighbourhood Policing Delivery Plan

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## 4. ASB

Objective:

⊕ ASB Strategic Approach

Task	Task Objective	Target	Lead	Update	Status / Issues
recommendations as laid out in the White Paper	paper		D		

## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
To implement the recommendations of	6.01 In order to resolve neighbourly ASB incidents more speedily, Police	April 2013	Supt Fretwell	The police will deal with the incident as they see fit. If a more	

# Neighbourhood Policing Delivery Plan

Commenced: 08 / 2011

Project Manager: Supt Richard Fretwell



## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
the ASB Scrutiny Panel	and Partners should place a greater emphasis on securing evidence for other aspects of ASB if present e.g. harassment as opposed to noise nuisance			serious offence is prevalent then the officer should deal with that but take all of the circumstances in to account. This will require a reminder to all staff.	
	6.02 The Force and Partners to review the appropriateness of offering mediation to neighbours where ASB is generated by one party only	April 2013	Supt Manley / Supt Beasley	This is linked to the RJ project. There needs to be an element of the work stream that looks at how mediation can be used appropriately and whether police officers are the best people to carry this out.	
	6.03 Police, PCSO's and Partners to be made aware of the limitations and Case Law relating to statutory nuisance	Nov 2013	Peter Moyes	This is being looked at along with all the new proposed powers to tackle ASB. Mr Moyes is chairing a partnership force wide group that are looking at how the new powers will be implemented and how police and partners will be trained.	
	6.04 Local Authority Building Control Officers should place a greater emphasis on ensuring compliance with E2 of the requirements of the Building Regulations 2000 by undertaking sample sound insulation testing for new and converted buildings in respect of dwellings/flats with adjoining walls. In doing so,	April 2013	NYK	This is clearly the remit of the local authority and something that the office of the PCC could look at.	

# Neighbourhood Policing Delivery Plan

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Project Manager: Supt Richard Fretwell



## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	they will be designing out potential for noise ASB.				
	6.05 Where ASB noise appears to be aggravated by poor sound insulation between adjoining properties, Local Authorities should consider taking enforcement action against builders who may have breached Building Regulations. Environmental Health Officers should assess and make the referral	April 2013	NYK	As above	
	6.06 Notwithstanding the forthcoming changes to the Code of Practice regulating the use of CCTV, and with regard to the importance with which communities place on tackling ASB, Members would invite Partners to review whether they should be more proactive in the use of operations to secure evidence.	April 2013	Supt Fretwell	There needs to be a strengthened link between partnership tasking and the availability of equipment to tackle issues. Many CSP's have mobile CCTV equipment that is utilised to good effect but this is not consistent across the board. The use of technical equipment does need to be proportionate and may well involve RIPA. It needs to be remembered that there are proposed changes to RIPA legislation which will mean all cases have to be authorised by the police.	
	6.07 Local authorities and Housing Associations should review their	April 2013	NYK	This is clearly within the local authority world and could be	



# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	statutory sound recording equipment and consider replacing it with more state of the art technology if existing equipment is no longer fit for purpose			considered by the office of the PCC. There are obvious funding issues around the cost of such equipment.	
	6.08 The current police attendance policy relating to repeat victims (i.e. within one hour) seems ineffective and a waste of resource: the Force should review the policy and consider establishing a tagging system which would trigger a grade 1 attendance in certain ASB cases fro the purposes of improving the prospect of securing evidence	April 2013	Supt Pollard	This has been reviewed and does not appear to be achievable. The implication of an incident being graded as 1 is that officers could use blues and twos and the incident will probably not be life threatening. This will be reviewed further in line with the current work stream about MIC appointments.	
	6.09 The level of RIPA authorities in certain parts of the County and feedback from victims, suggests that Local Authorities could be more proactive in RIPA controlled operations. Local Authorities should consider being more proactive in this area to help speed up evidence	April 2013	Supt Fretwell	We need to consider any changes to RIPA legislation and the impact this may have upon the police as local authorities may well not be able to accomplish this recommendation. There is definitely scope to review the problem solving meetings and ensure there is a joined up approach between police and partners. Evidence of good practice is easily found but is the approach consistent?	

# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	6.10 Police and Local Authorities should not discourage victims from installing CCTV; instead they should seek to provide advice to ensure that suitable equipment is installed and located appropriately to avoid breaches of privacy.	April 2013	Supt Burrows	There would be benefit in providing a clear guide to officers and PCSO's on the use of privately owned CCTV systems and the advice they can give. This is to be completed.	
	6.11 Police and Partners should consider increasing the number of Operations to tackle neighbourly ASB cases which have continued for some time where securing evidence through existing means has proved difficult.	April 2013	Supt Burrows	This is linked to partnership problem solving meetings and the need for a joined up approach to gathering and presenting evidence.	
	6.12 Police and Partners should consider establishing a dedicated Victim Support ASB case worker to support high risk vulnerable ASB victims and work with neighbours and witnesses to build community cohesion, trust, and confidence and reduce fear of giving evidence.	April 2013	Supt Fretwell	Agreed. There is scope for the office of PCC to prioritise this in next years budget.	
	6.13 Repeat visits to neighbourly ASB victims incurs a huge cost to Police, Partners, healthcare and most importantly the victim; the Police and Partners should therefore consider new ways to speed up the	April 2013	Supt Fretwell	This can be achieved in line with a review of partnership problem meetings to streamline processes and ensure joined up approach.	

# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	evidence gathering process.				
	6.14 Police and Partners to review and consider adopting the working practices of the City Community Protection's twin track approach (civil and criminal) to resolving neighbourly ASB cases	April 2013	Richard Antcliff	This is currently being progressed (5 step model) for consistent approach across City and County.	
	6.15 The Police and Partners should establish a procedure for identifying repeat victims of neighbourly noise ASB and where the landlord is unresponsive to the victim's complaints, take steps or provide support to encourage appropriate action.	April 2013	Supt Burrows	The city are about to start a pilot process that will speed up the dealing of noise issues. The county have several areas that are trialling new ways of dealing with noise issues as the volume of incidents and associated problems are clearly an issue. It is anticipated that the proposed powers in the draft ASB bill will assist in dealing with noise problems. Linked to the working group chaired by Peter Moyes re implementation and training. Also links to the development of the 5 step problem solving model.	
	6.16 The Chief Executive of the Police Authority to brief the PCC on the issues arising out of this scrutiny especially those which pertain to the victim, so he can take this into	N/A	N/A	N/A for this action plan.	

# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	account when he develops his strategy for supporting victims in 2013				
	6.17 The Force and Partners to consider enhancing training for frontline staff in interpersonal skills especially victim empathy to improve victims encounter and satisfaction levels	April 2013	L and D	There is some mileage in this recommendation. A business case will need submitting to ACC Fish.	
	6.18 Police, Partners and Victim Support should consider establishing Focus Groups (for victims and reluctant neighbour witnesses) as part of mainstream activity	April 2013	Ch Supt Khan	There has been a victims group established. This could be strengthened to include victims of ASB.	
	6.19 The Force should consider introducing procedures which would allow officers attending repeat victims of neighbourly ASB to be brief on the history of incidents.	April 2013	Supt Pollard	This should happen routinely but the process needs reviewing to ensure that this consistently takes place.	
	6.20 Police and Partners should explore whether there are improved technological solutions available to aid evidence gathering in tackling neighbourly ASB	April 2013	Paul Dickinson	Action to contact other forces and establish if any different technology being used so we are not missing any opportunities.	
	6.21 Members would advocate that all frontline staff tasked to resolve	Nov 2013	Peter Moyes	Force wide group in place to track implementation and training for	

# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	neighbourly ASB incidents should receive joint partnership training in the new ASB powers and best practice solutions both civil and criminal			both police and partners.	
	6.22 A Briefing/Crib sheet should be prepared for all attending VPP/CPP meetings to alert Partners as to the range of powers at their disposal	April 2013	Supt Fretwell	This is achievable and to be worked up.	
	6.23 Police and Partner Training providers should use the Case Studies considered as part of this scrutiny process to test if there are any gaps in the new ASB tools and powers	April 2013	Supt Fretwell	We have been involved in the consultation process. Richard Antcliff has been on the national group advising re the new powers.	Complete
	6.24 VPP chairs should receive bespoke partnership training to better equip them with extensive knowledge of partners tools and powers and ASB case management	April 2013	Supt Fretwell	See 6.22	
	6.25 An annual Best Practice event should be organised and attended by Police and Partnership practitioners (e.g. Community Safety Managers and Neighbourhood Police Inspectors) to consider innovative solutions to tackling	April 2013	Supt Fretwell	The county have two partnership events a year where best practice is discussed. The next one will include ASB and problem solving. Supt Burrows will review what exists on the City and explore opportunities to do the same.	

# Neighbourhood Policing Delivery Plan

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	neighbourly ASB.				
	<p>6.26 Partners should consider providing legal expertise to assist Private Landlords and smaller Housing Associations by providing advice over legal proceedings for breaches of tenancy and</p> <p>a. Help with the identification of the landlord</p> <p>b. Encourage the landlord to take appropriate enforcement action</p> <p>c. Advice landlords on drafting suitable terms and conditions of their tenancy agreement which specifically tackle breaches of ASB</p> <p>d. Assist landlords with advice and support on how to enforce short-hold tenancy agreements e.g. taking statements and preparing civil enforcement</p>	April 2013	NYK	There is some mileage in strengthening this area of partnership business. There is a clear link to the new ASB powers which are aimed at making dealing with problem tenants easier and this recommendation can be built in to the training and development needs across the partnership.	
	6.27 Chief Executive of the Police Authority to write to the Home Office and Local Authorities requesting that Local Authorities and the Police be granted powers to control irresponsible landlords who fail to	N/A	N/A	N/A for this plan	

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	take enforcement action against tenants causing neighbourly ASB				
	6.28 Police and Partners should seek to liaise with Housing Associations and Private Landlords if applicable to provide advice on the suitability of relocation of persistent and prolific offenders who have caused neighbourly ASB	April 2013	Supt Fretwell	This is worthy of pursuing. There is some evidence where this happens but this is inconsistent. There are forums that meet to discuss these issues that could be used to strengthen this area of business.	
	6.29 Police and Partners to consider introducing an offender management program around tenants evicted or moved for causing neighbourly ASB to ensure that there are control measures in place (as far as permissible) to prevent neighbourly ASB with new neighbours	April 2013	Supt Fretwell	This is worthy of progressing and links to the above task.	
	6.30 In order to support Recommendation 26, Police and Partners to consider ways in which an offender's history of neighbourly ASB can be tracked across districts.	April 2013	Supt Fretwell	This is being considered in both the city and county around case management systems. Ashfield and Mansfield have purchased a system called E-CINS to do this and the City are in the process of purchasing it for a years pilot project.	
	6.31 Notwithstanding the proposed changes to the current ASB Tools	Nov 2013	Peter Moyes	To be actioned in the group chaired by Mr Moyes who also sits on the	

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## 6. ASB Scrutiny Panel Recommendations

Objective:

⊕ To implement the recommendations throughout Nottinghamshire

Task	Task Objective	Target	Lead	Update	Status / Issues
	and Powers, the Force to liaise with the CPS to make arrangements to establish a dedicated Solicitor to prosecute ASBO breaches who should be provided with the civil evidence leading to the ASBO and evidence of the breach			LCJB.	
	6.32 The Police to lead a Partnership task and finish group to address the mental health issues identified in this scrutiny and in consultation with the Health and Wellbeing Board make recommendations to the PCC on possible solutions	April 2013	Supt Fretwell	This needs agreeing through the SNB and CDP as this actually appears to fit in to the realms of the office of the PCC?	



**AGENDA ITEM: 11**

**REPORT OF THE NOTTINGHAMSHIRE POLICE & CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date: 14<sup>th</sup> February 2013**

**Report of: The Chief Executive**

**Current Audit and Scrutiny Arrangements - Nottinghamshire**

**PURPOSE OF THE REPORT**

- 1.1 This report informs Members of Audit and Scrutiny Committee of the current or planned scrutiny and HMIC inspection arrangements across the Force and Local Authorities.
- 1.2 The report also informs Members that the Nottingham Office of Police and Crime Commissioner (NOPCC) is currently developing its methodology to ensure that appropriate areas suitable for scrutiny and audit are identified and selected.

**INFORMATION AND ADVICE**

- 2.1 The Police and Crime Commissioner must secure the maintenance of the Police Force for Nottinghamshire and ensure that the Force is efficient and effective. The Commissioner must hold the Chief Constable to account to ensure that good value for money is obtained when exercising all functions.
- 2.2 The Police and Crime Commissioner is under a statutory obligation to publish its approach to the Governance of policing and crime in Nottinghamshire. On 22<sup>nd</sup> November 2012 the Commissioner approved a governance framework indicating that there will be an Audit Plan which will take account and be aligned Her Majesty's Inspectorate of Constabulary (HMIC) national inspection programme and any local scrutiny review programme agreed by the Commissioner.
- 2.3 The Police and Justice Act 2006 introduced a requirement on all councils operating executive arrangements to ensure that it has an overview and scrutiny committee with powers to review or scrutinise decisions made, or other action taken in connection with the discharge by the responsible authorities of their crime and disorder functions and make reports or

recommendations to the local authority or the Cabinet with respect to the discharge of those functions.

## **LOCAL AUTHORITY SCRUTINY**

- 3.1 Enquiries have been made with all eight Local Authorities. In summary whilst there are some examples of crime and disorder reviewed by committees responsible for scrutiny, these have either concluded or will be prior to any scrutiny work being undertaken by the PCC Audit and Scrutiny Committee. In general, future programs for 2013-14 will not be considered until after April 2013.
- 3.2 It should be noted that Local Authorities operating with limited resources have a wide range of issues to consider beyond crime and disorder issues. Some Local Authorities welcome the possibility of undertaking joint scrutiny.

## **HMIC**

- 4.1 A follow up Custody Inspection is expected in the next few months.
- 4.2 The HMIC Framework & Plan 2012-13 identifies the program of work for 2012-13. HMIC is aligning itself to complement and support changes brought about following the enactment of the Police Reform and Social Responsibility Act 2011 (PRSR).
- 4.3 The program for 2013-14 is not yet available but enquiries with HMIC indicate this will not be available until after April 2013. However, the programme will include Valuing the Police 3, focusing upon the austerity challenge as HMIC has an annual requirement to undertake this programme.
- 4.4 Paragraph 2 of Schedule 4A to the Police Act 1996 as amended by the PRSR Act 2011 identifies that following consultation, HMIC must lay before Parliament an inspection programme or inspection framework approved by the Secretary of State and must send a copy to the PCC.
- 4.5 The HMIC now has a new operating model in respect of monitoring and inspections. A large proportion of HMIC's work will continue to involve the inspection of and reporting on the 43 forces in England and Wales which are funded by the Home Office. However, the manner in which it intends to do this will change.
- 4.6 HMIC will adopt a risk-based approach following the Government's Ten Principles of Inspection (see **APPENDIX A**) in which it will monitor forces<sup>1</sup> and, in all but exceptional cases, it will only inspect:

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<sup>1</sup> HMIC's approach to monitoring forces in England and Wales, published alongside this plan on the HMIC website

- if it has been commissioned to do so by the Home Secretary – either specifically or through approval of our inspection programme; or
  - if it has been commissioned to do so by a PCC.
- 4.7 However, HMIC may charge PCCs reasonable costs for the inspections that they commission (as outlined in the 2011 Police Reform and Social Responsibility Act), and the acceptance of a commission will be subject to HMIC capacity at the time. The final decision on the charging process is yet to be made.
- 4.8 It is likely that HMIC will also continue its long history of collaborative working with the other criminal justice inspectorates (of the Crown Prosecution Service, Prisons, and Probation).

## **Summary**

- 4.8 The HMIC inspection plan for 2013-14 is not yet available. The PCC has an opportunity to influence the national program through the HMIC consultation process. The PCC can commission the HMIC to undertake bespoke work albeit at a cost not yet determined.
- 4.9 The HMIC has statutory powers of access to information which may not be made available to the NOPCC Audit and Scrutiny Committee.

## **OTHER OPTIONS CONSIDERED**

- 5.1 A few Local Authorities appear willing to consider joint scrutiny work i.e. City and Gedling. Given that Local Authorities have not yet considered or agreed their scrutiny programs for 2013-14 one option for the Commissioner to consider is to lead the way by determining the issues for consideration based on the risk assessment and strategic priorities and invite relevant authorities to work jointly.
- 5.2 There is an opportunity for the Commissioner to consider commissioning the HMIC to inspect Policing aspects not covered by any national program where their statutory powers will secure access to sensitive data.
- 5.3 With limited resources it is recognised that in order to ensure an effective Audit and Scrutiny process, there has to be an appropriate selection criteria introduced which identifies the main threats, harm and risks (THR) in respect of the Commissioner's main statutory responsibility i.e. to ensure an effective, efficient Police service which provides value for money.
- 5.4 There are external THR elements to consider and risk assess e.g. Strategic Policing Requirements, Local Policing and Crime Plan Priorities, issues and lessons to be learned arising from IPCC findings, HMIC inspection findings, media issues affecting reputation and factors which may impact partnership working.

- 5.5 In addition, there are internal issues such as policies and procedure, staff performance, finance, operational activity and implementation of previous scrutiny recommendations all to consider and risk assess.
- 5.6 With so many issues to consider, NOPCC is currently developing a methodology and selection framework that will collate and review a wide range of external and internal THR's so that are all risk assessed and mitigated so that only those THRs suitable for Audit and Scrutiny are selected.
- 5.7 This work will be finalised and reported on at the next Audit and Scrutiny meeting on 17<sup>th</sup> June 2013.

## **REASONS FOR RECOMMENDATIONS**

- 6.1 This report should provide Members with assurance that a suitable methodology is being developed to ensure that duplication is avoided where possible, joint scrutiny work considered before endorsing the annual forward audit and scrutiny plan.

## **RECOMMENDATIONS**

- 7.1 The Committee to note the contents of this report.

### **Background Papers and Published Documents**

- Draft Police and Crime Plan 2013-2017
- Force Performance and Insight Reports - December 2012
- Police Reform and Social Responsibility Act 2011
- Police Act 1996
- HMIC Framework & Plan 2012/13

For any enquiries about this report please contact:

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## APPENDIX A

### The Government's ten principles of inspection

The principles of inspection in this policy statement place the following expectations on inspection providers and on the Departments sponsoring them:

1. The ***purpose of improvement***. There should be an explicit concern on the part of inspectors to contribute to the improvement of the service being inspected. This should guide the focus, method, reporting and follow-up of inspection. In framing recommendations, an inspector should recognise good performance and address any failure appropriately. Inspection should aim to generate data and intelligence that enable Departments more quickly to calibrate the progress of reform in their sectors and make appropriate adjustments.
2. A ***focus on outcomes***, which means considering service delivery to the end users of the services rather than concentrating on internal management arrangements.
3. A ***user perspective***. Inspection should be delivered with a clear focus on the experience of those for whom the service is provided, as well as on internal management arrangements. Inspection should encourage innovation and diversity and not be solely compliance-based.
4. ***Proportionate to risk***. Over time, inspectors should modify the extent of future inspection according to the quality of performance by the service provider. For example, good performers should undergo less inspection, so that resources are concentrated on areas of greatest risk.
5. Inspectors should encourage rigorous ***self-assessment*** by managers. Inspectors should challenge the outcomes of managers' self-assessments, take them into account in the inspection process, and provide a comparative benchmark.
6. Inspectors should use ***impartial evidence***. Evidence, whether quantitative or qualitative, should be validated and credible.
7. Inspectors should ***disclose the criteria*** they use to form judgments.
8. Inspectors should be ***open about their processes***, willing to take any complaints seriously, and able to demonstrate a robust quality assurance process.
9. Inspectors should have regard to ***value for money***, their own included:
10. Inspectors should ***continually learn from experience***, in order to become increasingly effective. This can be done by assessing their own impact on the service provider's ability to improve and by sharing best practice with other inspectors.

**AGENDA ITEM: 12**

**REPORT OF THE NOTTINGHAMSHIRE POLICE & CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date: 14<sup>th</sup> February 2013**

**Report of: The Chief Finance Officer**

**Scrutiny Terms of Appointment Report**

<b>1. PURPOSE OF THE REPORT</b>
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- 1.1 To approve the proposed terms of appointment for Scrutiny review groups.

<b>2. RECOMMENDATIONS</b>
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- 2.1 Members of the Panel are requested to approve the Terms of Appointment as detailed within this report for Scrutiny review groups.

<b>3. REASON FOR THE RECOMMENDATION</b>
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- 3.1 To ensure good governance.

<b>4. BACKGROUND</b>
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- 4.1 The Audit and Scrutiny Panel is responsible for the oversight of the work of the Scrutiny review groups and for ensuring implementation of the recommendations made in the final reports of the Scrutiny review groups.
- 4.2 Attached at **Appendix A** are the proposed terms for appointment of members for the Scrutiny review work.

## **5. FINANCIAL IMPLICATIONS AND BUDGET**

- 5.1 Based upon the proposed terms of appointment the Office of the Police & Crime Commissioner has included £2,000 within its member's allowances budget. It is envisaged that the current budget for re-imbursement of travel expenses will cover any claims made during the year by Scrutiny review members.

## **6. POLICE & CRIME PLAN & POLICY IMPLICATIONS**

- 6.1 The work undertaken by Scrutiny will support the achievement of the Police & Crime Plan strategic priorities.

## **7. CONSULTATION**

- 7.1 Through this report to the Audit & Scrutiny Panel.

## **8. APPENDICES AND BACKGROUND PAPERS**

- 8.1 **Appendix A – Scrutiny Terms of Appointment**

**Report Author: Charlotte Radford**



## **Scrutiny Terms of Appointment**

### **Work plan of Scrutiny**

The Police & Crime Commissioner will decide on the work plan for the Scrutiny review groups. It is envisaged that there will be two scrutiny reviews each year and that the Audit & Scrutiny Panel will have oversight of the work being undertaken through progress reports and responsibility to ensure that the recommendations within the final Scrutiny reports are implemented.

### **Members of Scrutiny**

Up to 5 members will be appointed to undertake the work required by the Police & Crime Commissioner. These members will be appointed by the Commissioner from people working in the field of the scrutiny review and those with experience of undertaking detailed scrutiny reviews.

Members of the Audit & Scrutiny Panel may be appointed to the Scrutiny working group up to a maximum of one member per scrutiny review.

### **Allowance and Travel expenses**

Members appointed to Scrutiny review groups will be paid a one-off allowance of £200 upon completion of the scrutiny review and the production of the final report. This allowance is intended to cover incidental costs as a result of being a scrutiny member.

In addition to this, members of the Scrutiny review groups will be entitled to claim for travel expenses incurred for attending meetings and undertaking the required work as follows:

<b>Travel Expense</b>	<b>Amount that can be claimed</b>
Public Transport	On production of ticket/receipt
Mileage	At the HMRC rate – currently 45p per mile

No further expenses will be re-imbursed.



**AGENDA ITEM: 13**

**REPORT TO THE OFFICE OF THE PCC**

**Meeting:** Audit & Scrutiny Panel  
**Date of Meeting:** 14<sup>th</sup> February 2013  
**Report of:** ACO (Resources)

**Title:** Risk Register Review

<b>1. PURPOSE OF REPORT</b>
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- 1.1 To present the Force Strategic Risk Register to the Commissioner's Audit and Scrutiny Panel for review.

<b>2. RECOMMENDATION</b>
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- 2.1 That the Audit and Scrutiny Panel scrutinise the Force Strategic Risk Register.

<b>3. REASONS FOR RECOMMENDATIONS</b>
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- 3.1 The Audit and Scrutiny Panel is required to review the adequacy of the Force's corporate risk management arrangements, including regular review of the Strategic Risk Register, in order to support the Commissioner in the execution of their duty to hold the Force to account.
- 3.2 The Force has introduced a new Corporate Risk Management Policy. The Policy sets out a formal quarterly risk review cycle, implemented by way of the supporting Procedure.

<b>4. SUMMARY OF KEY POINTS</b>
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- 4.1 With the introduction of the new Corporate Risk Management Policy and updated Procedure, the Force has thoroughly revised its Strategic Risk Register. This will be formally reviewed and updated as part of a quarterly cycle that culminates in presentation to the Audit & Scrutiny Panel. The Chief Officer Team will have responsibility for approving the first Strategic Risk Register to be reviewed under the new Policy, prior to its presentation to the Panel at its first meeting after 1 April 2013 and at each meeting of the Panel thereafter.

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NOTTINGHAMSHIRE POLICE**

- 4.2 **Appendix I** to this report provides a summary of the provisional Force Strategic Risk Register, based on analysis carried out during Quarter 3 (October to December 2012). The first full review cycle under the new Policy is currently taking place.
- 4.3 The Strategic Risk Register is aligned to the objectives set by the Commissioner in the draft Police and Crime Plan and those set by the Chief Constable in the draft Policing Plan.
- 4.4 The Force currently uses a web-based risk management system provided by Orchidsoft as its risk register. The system is hosted by Leicestershire Police and is accessed via the Force intranet. The Orchid risk management system is also used by Derbyshire Constabulary and Lincolnshire Police.

<b>5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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- 5.1 The annual maintenance cost for use of the Orchid Risk Management System is currently £5,700, with an additional £3,833.33 paid to Leicestershire Police for hosting the system (of which £2,000 is allocated for an annual security penetration test).

<b>6. HR IMPLICATIONS</b>
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- 6.1 Roles and responsibilities for corporate risk management are set out in the Policy. These form part of the current responsibilities of the individuals concerned. There are no additional HR implications arising from the introduction of this Policy.

<b>7. ORGANISATIONAL RISKS</b>
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- 7.1 Within the Strategic Risk Register the Force will keep under regular review the risk that the organisation is not able to demonstrate that it practises good corporate governance. The introduction of this new Policy and revised Procedure are key controls to that risk, with their effectiveness being evaluated through regular self assessment against the Alarm National Performance Model for Risk Management in Public Services. This self assessment will also be used to prepare the risk management component of the Force's Annual Governance Statement. In addition, the Force's internal auditors (RSM Tenon) will carry out periodic audits of the Force's risk management framework.

<b>8. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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- 8.1 The process for identifying, managing and monitoring corporate risk is described in the Procedure, which has been revised to support the new

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NOTTINGHAMSHIRE POLICE**

Policy. The requirement to present regular reports to the Commissioner's audit committee is stated within the Procedure, as follows:

"The Strategic Risk Register Summary report, once approved, can then be presented to the audit committee of the PCC."

- 8.2 The Force has made it a priority in its Policing Plan 'To spend your money wisely', with a key commitment to practising good corporate governance. An effective risk management framework is an essential element of good corporate governance.

<b>9. DETAILS OF CONSULTATION</b>
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- 9.1 As part of the process for developing the Force's Corporate Risk Management Policy and Procedure, senior managers and others with responsibility for aspects of risk management within the Force and Police Authority were consulted. Some minor amendments were made following this consultation, as detailed in the Equality Analysis.

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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- 10.1 PS152 Corporate Risk Management Policy
- 10.2 PD592 Corporate Risk Management Procedure
- 10.3 Corporate Risk Management Policy Equality Analysis

<b>REPORT AUTHOR:</b>	Paul White, Strategic Support Officer
<b>OTHER CONTACTS:</b>	Simon Tovey, Head of Business & Finance Julie Mair, Acting Organisational Development Manager

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To cut crime and keep you safe			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to sustain continued reductions in crime and disorder	Performance	<p>In place:</p> <ul style="list-style-type: none"> <li>Corporate Performance Review (CPR) &amp; Tasking &amp; Co-Ordination</li> <li>Community Safety Partnerships (CSPs)</li> <li>Partnership Plus (County) &amp; High Priority Areas (City)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Revised Performance Management Framework</li> <li>Intelligence restructure</li> </ul>	ACC (Local Policing)	Low <b>&lt;NEW&gt;</b>
	The Force is able to reduce the impact of substance misuse as a driver of crime and ASB	Performance	<p>In place:</p> <ul style="list-style-type: none"> <li>Drugs Intervention Programme (DIP)</li> <li>Community Safety Partnerships (CSPs)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Substance Misuse Strategy</li> <li>Intelligence restructure</li> </ul>	ACC (Local Policing)	Medium <b>&lt;NEW&gt;</b>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To cut crime and keep you safe			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to reduce the local threat from organised crime groups and gangs	Performance	<p>In place:</p> <ul style="list-style-type: none"> <li>• EMSOU SOC</li> <li>• OCG mapping</li> <li>• Vanguard Plus multi-agency gang &amp; youth violence team (City Division)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>• Intelligence restructure</li> </ul>	ACC (Local Policing)	<b>Medium</b> <b>&lt;NEW&gt;</b>
	The Force is able to maintain the capacity, contribution, capability, consistency and connectivity to meet the Strategic Policing Requirement (SPR)	Community impact	<p>In place:</p> <ul style="list-style-type: none"> <li>• East Midlands Special Operations Unit (EMSOU): <ul style="list-style-type: none"> <li>➢ Major Crime</li> <li>➢ Serious Organised Crime</li> <li>➢ Counter Terrorism</li> </ul> </li> <li>• Local Resilience Forum (LRF)</li> <li>• Regional public order policing (Leics police lead)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>• Proceeds of Crime Act framework</li> <li>• Intelligence restructure</li> </ul>	ACC (Crime, Justice & Protective Services)	<b>Low</b> <b>&lt;NEW&gt;</b>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To cut crime and keep you safe			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	<b>The Force and its partners are able to continue to reduce reoffending</b>	Performance	In place: <ul style="list-style-type: none"> <li>Integrated Offender Management (IOM)</li> <li>Reducing Reoffending Board (LCJB)</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>IOM restructure</li> <li>'Supporting Families' (County) &amp; 'Priority' Families (City) programmes</li> </ul>	ACC (Crime, Justice & Protective Services)	Medium <b>&lt;NEW&gt;</b>
	<b>The Force is able to maintain a safe and secure road network</b>	Performance	In place: <ul style="list-style-type: none"> <li>Nottinghamshire Strategic Road Safety Partnership</li> <li>Automatic Number Plate Recognition (ANPR) capability</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>Use of Restorative Justice for road traffic offences</li> </ul>	ACC (Crime, Justice & Protective Services)	Medium <b>&lt;NEW&gt;</b>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To spend your money wisely			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to resource its Policing Plan	Strategic direction	In place: <ul style="list-style-type: none"> <li>• Medium Term Financial Plan (MTFP)</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>• Strategic risk register</li> <li>• Efficiency savings plan</li> <li>• Target Operating Model development</li> </ul>	DCC	Medium <b>&lt;NEW&gt;</b>
	The Force is able to recruit, manage, train and develop its diverse workforce so that it has the right people, with the right skills, in the right place at the right time	Efficiency	In place: <ul style="list-style-type: none"> <li>• Attendance Management Policy (2012)</li> <li>• Positive action recruitment strategy</li> <li>• HR policy review</li> <li>• Attendance management training for managers</li> <li>• East Midlands Collaborative HR Shared Service Centre</li> <li>• Succession planning framework</li> <li>• Leadership development</li> <li>• Line manager development</li> </ul>	ACO (Resources)	Medium <b>&lt;NEW&gt;</b>



## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To spend your money wisely			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to secure the health, safety and wellbeing of its workforce, and others who might be affected by its activities	Health & safety	<p>In place:</p> <ul style="list-style-type: none"> <li>Health &amp; Safety Policy &amp; Governance</li> <li>Fire evacuation procedures</li> <li>East Midlands HR Shared Services Occupational Health Unit</li> <li>Employee Assistance Provider (CiC)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Fire safety system improvements in custody</li> <li>Stress management training for managers</li> </ul>	ACO (Resources)	Low <NEW>
	The Force is able to demonstrate that it practices good corporate governance	Reputation	<p>In place:</p> <ul style="list-style-type: none"> <li>Corporate risk management policy &amp; procedure</li> <li>Programme &amp; project management process</li> <li>Business Continuity Strategy 2011-14</li> <li>Corporate meeting structure</li> <li>Strategic planning process</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Annual Governance Statement process</li> <li>Partnership working policy &amp; procedure</li> <li>Policy framework</li> </ul>	ACO (Resources)	Low <NEW>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To spend your money wisely			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to operate within its annual budget	Finance	In place: <ul style="list-style-type: none"> <li>Budget monitoring</li> <li>Overtime Management and Working Procedure (2005)</li> <li>Contingent liability in accounts (for A19 tribunals)</li> <li>Insurance policies</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>Improved overtime recording processes</li> <li>Improved financial reporting process</li> </ul>	ACO (Resources)	Low <NEW>
	The Force is able to continue to reduce its impact on the environment	Environment	In place: <ul style="list-style-type: none"> <li>Environmental Management Policy &amp; Strategy</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>Fuel site review</li> <li>Carbon Management Plan</li> </ul>	ACO (Resources)	Low <NEW>
	The Force is able to provide its officers and staff with the equipment and services they need to carry out their jobs efficiently and effectively	Service delivery	In place: <ul style="list-style-type: none"> <li>Strategic Commercial Unit (Nottinghamshire, Derbyshire, Northamptonshire)</li> </ul>	ACO (Resources)	Low <NEW>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To spend your money wisely			
Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	The Force is able to provide its officers and staff with the Information and Communication Technology (ICT) they need to carry out their jobs efficiently and effectively	Service delivery	<p>In place:</p> <ul style="list-style-type: none"> <li>• Programme / project management process</li> <li>• Mobile data capability</li> <li>• Force website &amp; social network accounts</li> <li>• Mobile data / remote working projects</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>• Nottinghamshire / Derbyshire Information Services Collaboration</li> <li>• Integrated business system administrators</li> <li>• Force website improvement</li> </ul>	ACO (Resources)	Medium <b>&lt;NEW&gt;</b>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To earn your trust and confidence			
Orchid ref	Risk description	Impact category	Key controls	Responsible officer	Risk rating
	The Force is able to provide effective protection, support and response to victims and witnesses	Service delivery	In place: <ul style="list-style-type: none"> <li>• Citizen Focus Board</li> <li>• Victim satisfaction surveys</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>• Response &amp; demand review</li> <li>• Track My Crime system</li> </ul>	ACC (Local Policing)	Medium <NEW>
	The Force's criminal justice processes are efficient, effective and, where necessary accessible	Service delivery	In place: <ul style="list-style-type: none"> <li>• Local Criminal Justice Board (LCJB)</li> <li>• File Review Unit (temporary)</li> </ul> To be implemented: <ul style="list-style-type: none"> <li>• Regional criminal justice structure</li> <li>• Athena (Crime, Case &amp; Custody system)</li> <li>• Archive &amp; exhibits programme</li> </ul>	ACC (Crime, Justice & Protective Services)	Medium <NEW>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To earn your trust and confidence			
Orchid ref	Risk description	Impact category	Key controls	Responsible officer	Risk rating
	The Force is able to provide effective protection, support and response to vulnerable people	Service delivery	<p>In place:</p> <ul style="list-style-type: none"> <li>Local Safeguarding Adults &amp; Childrens Boards (City &amp; County)</li> <li>Multi Agency Public Protection Arrangements (MAPPA)</li> <li>Multi Agency Risk Assessment Conferences (MARACs)</li> <li>Multi Agency Safeguarding Hub (MASH) – County</li> <li>Nottingham &amp; Nottinghamshire Safeguarding Adults Multi Agency Policy, Procedure &amp; Guidance</li> <li>Nottinghamshire &amp; Nottingham City Safeguarding Children Boards' Safeguarding Children Procedures</li> <li>Child Sex Offender Disclosure Scheme (Sarah's Law) Policy and Procedure</li> <li>HBV team (City)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Public Protection restructure</li> <li>Integrated Multi Agency Safeguarding Hub (MASH) – City &amp; County</li> </ul>	ACC (Crime, Justice & Protective Services)	<div>Low</div> <div>&lt;NEW&gt;</div>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To earn your trust and confidence			
Orchid ref	Risk description	Impact category	Key controls	Responsible officer	Risk rating
	The Force is able to work in partnership to tackle the issues that matter most to local communities	Confidence	<p>In place:</p> <ul style="list-style-type: none"> <li>Community Safety Partnerships (CSPs)</li> <li>Neighbourhood Policing policy</li> <li>ASB Policy</li> <li>Citizen Focus Board</li> <li>Equality, Diversity &amp; Human Rights Strategy 2010-13</li> <li>Public Engagement team (Corporate Communication)</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Tailored services for our diverse communities (project)</li> <li>Integrated shared service centres</li> </ul>	ACC (Local Policing)	<b>Medium</b> <b>&lt;NEW&gt;</b>
	The behaviour of officers and staff reflects the Force's PROUD values and commitment to <i>Policing for you</i>	Reputation	<p>In place:</p> <ul style="list-style-type: none"> <li>PROUD values</li> <li>Police (Conduct) Regulations</li> <li>Police staff misconduct policy</li> <li>Social &amp; Digital Media Policy</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>Force Code of Conduct</li> </ul>	DCC	<b>Low</b> <b>&lt;NEW&gt;</b>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

Strategic priority		To earn your trust and confidence			
Orchid ref	Risk description	Impact category	Key controls	Responsible officer	Risk rating
	The Force's systems and processes are effective in preserving the confidentiality, integrity and availability of its data and information	Reputation	<p>In place:</p> <ul style="list-style-type: none"> <li>• Information Management Policy</li> <li>• Information Security Policy</li> <li>• Information Sharing Policy</li> </ul> <p>To be implemented:</p> <ul style="list-style-type: none"> <li>• Information Assurance Maturity Model (IAMM) programme</li> <li>• Protective monitoring solution</li> </ul>	DCC	<p>Medium</p> <p>&lt;NEW&gt;</p>

## Force Strategic Risk Register Summary 2012/13 Quarter 3 (December 2012)

### Explanatory note

The Force Strategic Risk Register details identified risks to the achievement of the Force's principal aims and objectives. It is managed in line with the Corporate Risk Management Policy and Procedure.

This report provides a summary of current strategic risks, as follows:

- The **Orchid ref** is the unique reference number allocated to each risk within the Orchid Risk Management System
- The **Risk description** provides a simplified outline of the risk.
- The **Impact category** is the area of business most affected by the risk should it materialise
- **Key controls** are the main policies, structures, systems and processes that are in place or in process of implementation to mitigate the risk
- Each risk is assigned to a member of the Chief Officer Team as **Responsible Officer**
- The **Risk rating** is determined by the current risk score, graded as High (Red), Medium (Amber) or Low (Green), and the arrow shows direction of travel





**AGENDA ITEM: 14**

**REPORT OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

**Meeting:** Joint Audit & Scrutiny Panel  
**Date of Meeting:** 14 February 2013  
**Report of:** Chief Executive

**Office of the Police and Crime Commissioner's Draft Strategic Risk Review and Update**

**1. PURPOSE OF REPORT**

- 1.1 To present the Office of the Police and Crime Commissioner's Draft Strategic Risk Register to the Joint Audit and Scrutiny Panel.

**2. RECOMMENDATION**

- 2.1 Welcomes the draft strategic risk register for discussion and review.
- 2.2 Agrees to the final strategic risk register to be submitted to the next meeting of the panel.

**3. REASONS FOR RECOMMENDATIONS**

- 3.1 The financial code of practice for Police and Crime Commissioners requires them to set up a Joint Audit Committee with the Chief Constable.
- 3.2 The Audit and Scrutiny panel have a responsibility to scrutinise and review the Police and Crime Commissioner's Risk Register. Appendix A contains the draft Strategic Risk Register for the panel's consideration.

**4. SUMMARY OF KEY POINTS**

- 4.1 The Commissioner has provided his first Policing and Crime Plan and this is subject to public consultation at the moment. The consultation period on the plan will end on 15 February 2013.

**-NOT PROTECTIVELY MARKED-**

- 4.2 The Commissioner will need to take account of the findings of the consultation on the Police and Crime Plan before the risk register is finalised.
- 4.3 In addition, work is being completed by the Office of the Police and Crime Commissioner to identify future new risks and opportunities, which may impact on the delivery of the plan's priorities and objectives.

<b>5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION</b>
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- 5.1 Any changes to the police funding formula, police grant, precept and community safety grant may have an impact on the resourcing of the Police and Crime Plan going forward. This is a key strategic risk that has been identified.

<b>6. HR IMPLICATIONS</b>
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- 6.1 None.

<b>7. ORGANISATIONAL RISKS</b>
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- 7.1 Please see Appendix A.

<b>8. POLICY IMPLICATIONS AND LINKS TO POLICE AND CRIME PLAN PRIORITIES</b>
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- 8.1 The successful management of risk is a key component of the Commissioner's governance arrangements and the successful delivery of the Police and Crime Plan.

<b>9. DETAILS OF CONSULTATION</b>
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- 9.1 Consultation is currently being undertaken on the Police and Crime Plan. The findings of this consultation will need to be taken into account when the final risk register is completed. Future consultation work needs to be undertaken with Nottinghamshire Police to ensure there is a synergy between the Force's operational and the Commissioner's risk plans.

<b>10. BACKGROUND PAPERS AND RELEVANT PUBLISHED DOCUMENTS</b>
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- 10.1 None

<b>REPORT AUTHOR:</b>	Kevin Dennis, Police and Crime Commissioner Chief Executive
<b>OTHER CONTACTS:</b>	

**-NOT PROTECTIVELY MARKED--**

**-NOT PROTECTIVELY MARKED-**

## OPCC Strategic Risk Register Summary (February 2013)

Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	Changes to funding formula, police grant, precept and community safety fund	Resources	<ul style="list-style-type: none"> <li>Monitoring through national associations for Police and Crime Commissioners</li> <li>Policing Minister has agreed to review the formula</li> <li>Provide information to agree a need for change</li> <li>Police and Crime Commissioners to continue to set out the case and lobby Government for a better deal</li> </ul>	Charlie Radford	RED
	Sustainable confirmed reduction in crime and disorder	Performance	<ul style="list-style-type: none"> <li>NOPCC Governance Structure</li> <li>Bi-lateral meetings with Chief Constable and Deputy Chief Constable</li> <li>Monthly extended performance meetings with Force Chief Officers</li> <li>Regular meetings with Chairs of CSPs and LCJBs</li> <li>Partnership accountability through commissioning and Police and Crime plan performance monitoring arrangements</li> </ul>	Phil Gilbert	GREEN

## OPCC Strategic Risk Register Summary (February 2013)

Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	Learning and embedding Force Lessons from HMIC, IPCC and internal audit	Performance	<ul style="list-style-type: none"> <li>Regular Force monitoring of recommendations and actions to NOPCC and Audit/Scrutiny Panel.</li> <li>Follow up work completed through internal audit and by other assurance and compliance mechanisms</li> <li>Police and Crime Commissioner and Deputy Police and Crime Commissioner engagement plan with the Force and partners</li> <li>Audit and Scrutiny panel to agree timescales for completion of actions</li> </ul>	Karen Sleigh	AMBER
	Managing public expectation and improving understanding of Commissioner's responsibilities		<ul style="list-style-type: none"> <li>PCC Communication strategy and regular media articles and events</li> <li>PCC statutory requirement to produce Annual Report</li> <li>PCC Consultation and Engagement Strategy</li> <li>PCC website contains Executive decision log</li> <li>PCC partnership and newsletter</li> <li>Development and establishment of public meeting structure</li> <li>Establishment of stakeholder boards for City and County</li> </ul>	Sallie Blair	GREEN

## OPCC Strategic Risk Register Summary (February 2013)

Orchid ref	Risk description	Impact category	Key risk controls	Responsible officer	Risk rating
	Resourcing of the Police and Crime Plan		<ul style="list-style-type: none"> <li>• Short to Medium Term Efficiency plan is in place up until March 2015</li> <li>• Plan to meet £21.1 million of efficiencies for 2015/16 and 2016/17 to be finalised.</li> <li>• Collaboration projects have been requested to deliver future savings of 3.5-7%</li> <li>• Zero base budget review</li> </ul>	Charlie Radford	RED
	Recruitment of Police Officers and PCSOs	Performance	<ul style="list-style-type: none"> <li>• Recruitment and positive action events</li> <li>• Recruitment strategy and timetable in place</li> <li>• Sufficient resources provided to HR to manage recruitment and deliver training</li> <li>• Regular monitoring of recruitment through NOPCC governance structure</li> </ul>	ACO Resources	AMBER
	Force ability to provide effective policing support and response to vulnerable people	Confidence	<ul style="list-style-type: none"> <li>• Force and partner multi agency working, MAPPA, MARACS, MASH and VPP protection panels</li> <li>• Deputy Police and Crime Commissioner strategic lead for domestic abuse and public protection</li> <li>• Deputy Police and Crime Commissioner attendance at Force Public Protection Board Meeting</li> <li>• Ongoing monitoring of domestic abuse scrutiny recommendations.</li> <li>• On going auditing and scrutiny of</li> </ul>	Phil Gilbert	RED

**AGENDA ITEM: 15**

**REPORT OF THE NOTTINGHAMSHIRE POLICE & CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date: 14<sup>th</sup> February 2013**

**Report of: The Chief Finance Officer**

**Recruitment of Audit & Scrutiny Panel Members Report**

<b>1. PURPOSE OF THE REPORT</b>
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- 1.1 To propose a process for the recruitment of Members to the Audit & Scrutiny Panel.

<b>2. RECOMMENDATIONS</b>
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- 2.1 Members are requested to agree to the proposed process for recruitment of Panel Members.

<b>3. REASON FOR THE RECOMMENDATION</b>
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- 3.1 To ensure the Audit & Scrutiny Panel continues.

<b>4. BACKGROUND</b>
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- 4.1 Current Members of the Audit & Scrutiny Panel were recruited on a temporary basis for six months to allow the Police & Crime Commissioner to be involved in the recruitment process.
- 4.2 The appointment of current Panel Members will expire on 21<sup>st</sup> May 2013. And currently only 3 of the 5 required members have been appointed.
- 4.3 Attached at **Appendix A** is the proposed process for the recruitment of 5 Panel members.

## **5. FINANCIAL IMPLICATIONS AND BUDGET**

- 5.1 The annual allowance of £900 per member has already been built into the Office of the Police & Crime Commissioners budget.

## **6. POLICE & CRIME PLAN & POLICY IMPLICATIONS**

- 6.1 This complies with the requirements of good governance and the Accounts and Audit Regulations.

## **7. CONSULTATION**

- 7.1 With the existing Panel members through this report.

## **8. APPENDICES AND BACKGROUND PAPERS**

- 8.1 **Appendix A – Proposed process for the recruitment of Audit & scrutiny Panel Members**

**Report Author: Charlotte Radford**



**Proposed process for the recruitment of**  
**Audit & Scrutiny Panel Members**  
**2013**

**Introduction**

In accordance with the Audit & Scrutiny Panel Terms of Reference there should be 5 Panel members appointed from outside Nottinghamshire Police Force and the Police and Crime Commissioner's Office.

Attached at **Annex 1** is the Person Specification for Audit & Scrutiny Panel Members.

Below is the proposed timetable for the recruitment process.

**Timetable**

1. Agree advertisement for recruitment	By 15 <sup>th</sup> March 2013
2. Place Advertisement	W/C 25 <sup>th</sup> March 2013
3. Closing date for applications	26 <sup>th</sup> April 2013
4. Short-listing	W/C 29 <sup>th</sup> April 2013
5. Interviews	W/C 6 <sup>th</sup> May 2013
6. Appointment	wef 22 <sup>nd</sup> May 2013

**Resources Required**

**Advert:** The Chief Finance Officer will produce a draft advert which will be circulated to current Panel members for comment.

**Short-listing:** Any current Panel Members wishing to apply will not be eligible to be part of the short-listing process. Other members not applying will be invited to participate in the short-listing process together with the Chief Finance Officer and the ACO Resources.

**Interviews:** These will be chaired by the Police & Crime Commissioner and will include the Chief Finance Officer and the ACO Resources.

**Appointment:** Will be subject to vetting.



**AGENDA ITEM: 16**

**REPORT OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER**

**Meeting: Joint Audit & Scrutiny Panel**

**Date of Meeting: 14<sup>th</sup> February 2013**

**Report of: the Chief Executive**

**TITLE: PANEL WORK PLAN AND MEETING SCHEDULE**

**1. PURPOSE OF REPORT**

1.1 To provide the Panel with a programme of work and timetable of meetings

**2. RECOMMENDATION**

2.1 To consider and make recommendations on items in the work plan and to note the timetable of meetings

**3. REASONS FOR RECOMMENDATIONS**

3.1 To enable the Panel to manage its programme of work.

**4. SUMMARY OF KEY POINTS**

4.1 The Panel has a number of responsibilities within its terms of reference. Having a work plan for the Panel ensures that it carries out its duties whilst managing the level of work at each meeting.

**5. FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

5.1 None

**6. HR IMPLICATIONS**

6.1 None

**-NOT PROTECTIVELY MARKED-**

<b>7. POLICY IMPLICATIONS AND LINKS TO POLICING PLAN PRIORITIES</b>
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7.1 None

<b>8. DETAILS OF CONSULTATION</b>
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8.1 None

<b>9. APPENDICES AND BACKGROUND PAPERS</b>
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9.1 None

<b>REPORT AUTHOR:</b>	Sara Allmond
<b>OTHER CONTACTS:</b>	

**-NOT PROTECTIVELY MARKED--**

## JOINT AUDIT AND SCRUTINY PANEL WORK PLAN

<b><u>17<sup>th</sup> June 2013 – 10am</u></b>	Annual Audit Report Draft Governance Statement <b>Standard items:-</b> Update on implementation of previous Scrutiny Recommendations Internal Audit Progress Report Audit & Inspection Report Force Risk Register OPCC Risk Register
<b><u>10<sup>th</sup> September 2013 – 2pm</u></b>	Accounts External Audit Report Outcome of Scrutiny Report <b>Standard items:-</b> Update on implementation of previous Scrutiny Recommendations Internal Audit Progress Report Audit & Inspection Report Force Risk Register OPCC Risk Register
<b><u>12<sup>th</sup> December 2013 – 10am</u></b>	Audit Progress Reports Scrutiny Report – interim report <b>Standard items:-</b> Update on implementation of previous Scrutiny Recommendations Internal Audit Progress Report Audit & Inspection Report Force Risk Register OPCC Risk Register
<b><u>18<sup>th</sup> February 2014 – 2pm</u></b>	Draft Audit Plan Outcome of Scrutiny Report Future Scrutiny Topics <b>Standard items:-</b> Update on implementation of previous Scrutiny Recommendations Internal Audit Progress Report Audit & Inspection Report Force Risk Register OPCC Risk Register

## **MEETING DATES AND AGENDA PUBLICATION DATES**

<b><u>Agenda publication</u></b>	<b><u>Date of Committee</u></b>
6 <sup>th</sup> February 2013	14 <sup>th</sup> February 2013
7 <sup>th</sup> June 2013	17 <sup>th</sup> June 2013
2 <sup>nd</sup> September 2013	10 <sup>th</sup> September 2013
4 <sup>th</sup> December 2013	12 <sup>th</sup> December 2013
10 <sup>th</sup> February 2014	18 <sup>th</sup> February 2014