



Nottinghamshire

**POLICE & CRIME COMMISSIONER**

# **JOINT AUDIT AND SCRUTINY PANEL**

**Tuesday 17 June 2014 at 2.00 pm**

**COUNTY HALL**  
**WEST BRIDGFORD**  
**NOTTINGHAM**

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## **Membership**

Stephen Charnock (Chair)  
Leslie Ayoola  
John Brooks  
Peter McKay  
Philip Hodgson

## **A G E N D A**

1. Election of Chairman for 2014/15
2. Apologies for absence
3. Declarations of Interest by Panel Members and Officers (see notes below)
4. To agree the minutes of the previous meeting held on 18 February 2014
5. IPCC Investigations
6. IPCC Lessons Learned Feedback
7. Professional Standards Reporting Procedure ('Whistle Blowing')
8. Regional Procurement Anti-Fraud and Corruption Policy – review of compliance update (October – March)
9. Internal Audit Annual Assurance Report 2013-14

10. Draft Annual Governance Statements 2013-14
11. Police and Crime Plan (2013-18) – 12 month monitoring report
12. Verbal update on progress of Statement of Accounts
13. External Audit Plan 2013-14
14. Internal Audit of Crime Recording undertaken by Baker Tilly
15. Audit of Implementation of Former Police Authority's Anti-Social Behaviour (ASB) Scrutiny Report Recommendations
16. Internal Audit Progress Report
17. Audit and Inspection Report
18. Panel Work Plan and Meeting Schedule

#### **FOR INFORMATION ITEMS**

PCC Update Report

Performance & Insight Report

#### **NOTES**

- Members of the **public are welcome to attend** to observe this meeting
- For **further information** on this agenda, please contact the Office of the Police and Crime Commissioner on 0115 9670999 extension 801 2005 or email [nopcc@nottinghamshire.pnn.police.uk](mailto:nopcc@nottinghamshire.pnn.police.uk)
- A **declaration of interest** could involve a private or financial matter which could be seen as having an influence on the decision being taken, such as having a family member who would be directly affected by the decision being taken, or being involved with the organisation the decision relates to. Contact the Democratic Services Officer: [sara.allmond@nottsc.gov.uk](mailto:sara.allmond@nottsc.gov.uk) for clarification or advice prior to the meeting.

**NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER**  
**County Hall, West Bridgford, Nottingham, NG2 7QP**

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**MINUTES**  
**OF THE MEETING OF THE**  
**NOTTINGHAMSHIRE POLICE AND CRIME COMMISSIONER**  
**JOINT AUDIT & SCRUTINY PANEL**  
**HELD ON THURSDAY 18 FEBRUARY 2014**  
**AT COUNTY HALL, WEST BRIDGFORD**  
**NOTTINGHAM**  
**COMMENCING AT 2.00 PM**

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**MEMBERSHIP**

(A - denotes absent)

Mr Stephen Charnock (Chair)  
Mr Leslie Ayoola  
A Mr John Brooks  
Dr Phil Hodgson  
Mr Peter McKay

**OFFICERS PRESENT**

Sara Allmond	Democratic Services, Notts County Council
Adrian Benselin	KPMG (External Audit)
John Cornett	KPMG (External Audit)
Kevin Dennis	Chief Executive, OPCC
Chris Eyre	Chief Constable, Notts. Police
James Molloy	Interim Chief Finance Officer, OPCC
Margaret Monckton	ACO Resources, Notts. Police
Lisa Pearson	Office Manager, OPCC
Paddy Tipping	Police and Crime Commissioner
Angela Ward	Baker Tilly (Internal Audit)

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from John Brooks

**2. DECLARATIONS OF INTERESTS BY MEMBERS AND OFFICERS**

None

### **3. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 12<sup>th</sup> December 2013 were agreed as an accurate record and signed by the Chairman, with the following change to page five, third paragraph to now read:-

“The whole estate would be looked at to improve the working environment for employees and also some new cars were being provided. It was anticipated that the size of the estate would be reduced and the remaining estate would be improved.”

### **4. POLICE AND CRIME COMMISSIONER – UPDATE REPORT**

Paddy Tipping introduced his report which provided an overview of current performance, key decisions made and his activities.

The Panel were advised that the target had been to reduce crime by 10% during 2013/14, but this target would not be met. It was anticipated that crime would be down but only marginally. All Forces were facing tough times so Nottinghamshire was not in a unique position. There were some concerns regarding the accuracy of crime recording across the forces and there was a large piece of work being undertaken to investigate the issue.

Police and Crime Commissioners would be taking on the responsibility for services for victims from April 2015. A transition period was being planned meaning the Commissioner would take on the work from October 2014.

Regional collaboration work was ongoing and there was firm agreement to work with two other forces on ICT, with an additional force still considering its options.

In relation to crime prevention successful bids had been put for money from the innovation fund. Discussion were taking place with partners on how to work together to deliver the projects.

During discussions, the following points were raised:-

- There was far too much effort required to get the accounting and reporting right rather than investigating the incident. In future the focus would be on the victim and their experience, targeting the offender and delivering the right service.
- The Crime Investigation Bureau was an independent service to validate the data and it cost £600,000 per year which was felt by some to be too high but not by all. It was questioned whether it was something internal audit could look into.

- The results of the data were used to target resources as effectively as possible. However, this needed to be at the right level for the public to feel comfortable with and receive assurance on not wholly driven by the data.
- The force spent a large amount of time and effort in supporting vulnerable people but this was not counted within the performance figures.
- In relation to shop theft DCC Sue Fish was working with the British Retail Consortium to develop reporting standards across the stores. The Co-op were trialling these in Nottinghamshire and if it worked in the trial other stores had agreed to implement them.
- Central Police Station would be moving but not until 2015 at the earliest. One option being considered was to relocate on the present site in conjunction with partners.
- A piece of work had been undertaken relating to the fact that there were a disproportion number of young black males as first time entrants into the youth justice system. There were a number of recommendations which were being implemented. As this was a historical problem it would take time to work through.
- In relation to the A19 decision the Force had not yet decided whether or not to appeal the decision.

#### **RESOLVED 2014/001**

It was resolved that internal audit would be commissioned to undertake a review into crime recording to seek assurance on the accuracy and reliability of the data to maintain public confidence.

To note the report

### **5. FINANCIAL REPORTS FOR 2014-15**

Paddy Tipping introduced the report and advised the Panel that there would be a 1.96% rise in Council Tax for 2014-15. The Force would continue to recruit PCs and PCSOs. Savings of £12.5 million needed to be made and firm savings had been identified to cover approximately half of this amount so far. Further reductions would be needed year on year to 2020 so the force were pre-planning by developing a new target operating model.

There would be further closures of police stations required and firm proposals were hoped to be received by 31<sup>st</sup> March 2014. It was anticipated that there would be a smaller number of large police stations with community points and shared services. Most contact with the force was now made via telephone so the need for contact points was being investigated.

During discussions, the following point was clarified:-

- The reserves were set at a minimum of 2%, with the general reserves being more than that. There were also earmarked reserves for the Medium Term Financial Plan which is for invest to save schemes. The reserves were currently healthy and were being constantly monitored. Any costs for A19 could be covered from the reserves if required without taking the reserves to below the 2% threshold.

#### **RESOLVED 2014/002**

That the Panel had received assurance on the financial information provided within the reports.

### **6. INTERNAL AUDIT PROGRESS REPORT**

Angela Ward introduced the report which provided an update on progress against the Internal Audit Plan and the findings from audits completed.

#### **RESOLVED 2014/003**

That the Panel had received assurance from the audits being undertaken and planned.

### **7. AUDIT & INSPECTION**

Margaret Monckton introduced the report which provided the Panel with an update on the status of audits and inspections taking place in Force as well as identifying any future audits and inspections expected.

During discussions the following point was clarified:-

- Whilst HMIC would provide an agenda for any inspection, this often changed during the inspection, depending on what they were finding. There was dialogue with HMIC regarding the inspections and there were often pilot inspections first which the Force were often keen to be involved with.

#### **RESOLVED 2014/004**

That the Panel had received assurance that recommendations from past audits, inspections and reviews were being taken forward and implemented.

### **8. RISK ASSURANCE AND AUDIT PLAN 2014/15 REPORT (2013/14 q4)**

Margaret Monckton introduced the report which provided an updated picture of risk assurance, progress in managing risk and proposals for the internal audit plan for 2014/15.

During discussions the following points were raised:-

- Flags were needed for if risks were materialising
- A shelf life for the assurance was also needed so it was clear when it needed to be revisited.
- A large scale cyber incident was unlikely to be Nottinghamshire specific. Work was being undertaken regarding this risk. The controls in place were already good and any cyber attack would likely need a national response.

#### **RESOLVED 2014/005**

1. That the Panel had received assurance that the potential risks to the achievement of the PCC's and Force's objectives were being managed and progress had been made in managing specific threats and opportunities.
2. That the proposed internal audit plan for 2014/15 be approved.

#### **9. BUSINESS CONTINUITY MANAGEMENT REPORT**

Margaret Monckton introduced the report regarding business continuity management. The Chief Officer Team had a desktop exercise planned for later in the year regarding this.

#### **RESOLVED 2014/006**

That the Panel received assurances regarding the business continuity plans the Force had in place.

#### **10. FREEDOM OF INFORMATION MONITORING, REVIEW AND ASSURANCE**

Lisa Pearson presented the report which provided the Panel with assurance that the Office of the Police and Crime Commissioner was complying with the Freedom of Information Act.

#### **RESOLVED 2014/007**

That the Panel received assurances regarding how the freedom of information requests process was managed by the Office of the Police and Crime Commissioner.

#### **11. FORCE REPORT ON INFORMATION MANAGEMENT FREEDOM OF INFORMATION AND DATA PROTECTION UPDATE**

Margaret Monckton introduced the report which provided the Panel with assurance that Nottinghamshire Police were complying with the Freedom of Information Act and Data Protection legislation.

## **RESOLVED 2014/008**

That the Panel note the monitoring statistics for 2012 and 2013 in relation to Freedom of Information and Data Protection Subject Access Requests and received assurance regarding how the process was managed by the Force.

### **12. ANTI-FRAUD AND CORRUPTION POLICY – REVIEW OF COMPLIANCE (APRIL – SEPTEMBER)**

Margaret Monckton introduced the report regarding compliance with the anti-fraud and corruption policy.

## **RESOLVED 2014/009**

1. That the Panel noted that EMSCU's Commercial Director had received no reports of any fraudulent activity following any audit of procurement activity undertaken by the Force.
2. That the Panel noted that EMSCU's Head of Procurement Services (to which the Policy directs any individual wishing to report any suspicion of fraudulent activity) had advised that there had been no reports of any fraudulent activity in relation to procurement activity undertaken within Nottinghamshire Police.
3. That the Panel noted that EMSCU's Commercial Awareness training programme launched in December 2013 which was to be delivered on an ongoing basis, included content on the prevention of fraud and corruption in the procurement process.

### **13. A) VERBAL UPDATE ON THE AUDIT AND SCRUTINY PANEL WORKSHOP**

The Chair informed the Panel ...that a date had been set for the workshop of 25<sup>th</sup> March 2014. A questionnaire had been circulated and members were asked to complete this before the workshop.

## **RESOLVED 2014/010**

To note the verbal updated.

### **B) EXTERNAL AUDIT PROGRESS REPORT**

John Cornett introduced the report with provided the Panel with an update on progress on the work of external audit as part of the 2013/14 Audit Plan. The Plan could not be brought to the meeting as guidance was still be waited for. There was a suggestion from CIPFA that last years accounts were inappropriate so the format needed to be changed. Once the guidance was received workshops would be held with all clients at no additional cost.



A19 and how to reflect the potential costs and transactions in 2013/14 was a risk as it depended on how far through the process this was at the end of the financial year. This would impact on the value for money conclusion as this depends on the decision of whether or not to appeal. The value for money focus had changed and would need to be a positive statement that there were measures in place. This meant some work would be required.

**RESOLVED 2014/011**

That the Panel had received assurances from the work undertaken by the external auditors

**14. REVIEW OF THE JOINT AUDIT AND SCRUTINY PANEL TERMS OF REFERENCE**

The Chair asked for a volunteer from the Panel to be part of the review into the Committee Terms of Reference

**RESOLVED 2014/012**

That Peter McKay would be part of the review into the Committee Terms of Reference.

**15. WORK PLAN AND SCHEDULE OF MEETINGS**

The work plan and schedule of meetings was considered by the Panel.

**RESOLVED 2014/013**

That the work plan and schedule of meetings be noted.

The meeting closed at 4.05 pm

CHAIR



<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>IPCC Investigations, recommendations and actions</b>
<b>Report Author:</b>	<b>DCI Windmill-Jones</b>
<b>E-mail:</b>	<b>michael.windmill-jones@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Nicola.thomas@nottinghamshire.pnn.police.uk</b>
<b>Agenda Item:</b>	<b>5</b>

## **IPCC INVESTIGATIONS**

### **1. Purpose of the Report**

- 1.1 To inform the PCC in respect of complaint and conduct matters which have been referred by Nottinghamshire Police to the IPCC during the period 1 October to 31<sup>st</sup> March 2014, together with relevant recommendations and actions.

### **2. Recommendations**

- 2.1 That the Panel receive assurance from the processes in place relating to IPCC investigations as detailed within the report.

### **3. Reasons for Recommendations**

- 3.1 To provide the PCC with relevant information and oversight in respect of cases that Nottinghamshire Police refers to the IPCC

### **4. Summary of Key Points**

- 4.1 The Force has referred 17 cases to the IPCC during the relevant period 1 October 2013 to 31<sup>st</sup> March 2014. This compares to 22 in the previous period (1 April to 30 Sept 2013). Details of the referrals made in the relevant period is attached to this report at Appendix A.
- 4.2 Of the 17 referrals made in the relevant period, 15 were mandatory referrals in line with IPCC statutory guidance, and two were voluntary referrals. 15 of the 17 referrals made were referred back to the force PSD for a local investigation. The remaining 2 were determined by the IPCC to be suitable for a supervised investigation. None of the 17 referrals were determined to require an independent IPCC investigation.
- 4.3 During the relevant period six public complaints that had previously been referred to the ipcc were finalised. One was a supervised investigation and five of were locally investigated. With regard to the supervised investigation, the complaint was not upheld. This matter had also been presented to the

CPS who determined that no criminal charges should be brought. Of the five locally investigated referrals (all in respect of police officers) :

- one was resolved by way of local resolution
- two were not upheld following a PSD investigation
- two complaints were upheld following a PSD investigation.

The two upheld complaints led to two officers attending a formal gross misconduct hearing and receiving final written warnings and the other was an organisational issue in respect of the condition of police cells in 2012, rather than any misconduct by an individual.

- 4.4 During the same relevant period 13 internal conduct matters that had previously been referred to the IPCC were also finalised. One was investigated independently by the IPCC and was upheld as a misconduct matter for which the officer attended a formal disciplinary meeting and received management advice. Four matters were resolved (all in respect of police officers) following a supervised investigation as follows:

- 1 supervised case had no case to answer
- 1 supervised case had a case to answer for misconduct and a sanction of management advice
- 1 supervised case resulted in criminal charges and was found guilty of misuse of police systems. The officer resigned prior to court proceedings
- 1 supervised case had a case to answer for gross misconduct and resigned prior to the police hearing.

The remaining 8 finalised matters were concluded following a local investigation; all were found to have a case to answer and were concluded as follows:

- 3 led to the dismissal of a police staff members for gross misconduct
- 2 led to the dismissal of police officers for gross misconduct
- 3 led to management action for police officers in respect of misconduct.

- 4.5 The investigations referred to the IPCC in the relevant period have covered a variety of themes, and are attached at Appendix A.

## **5. Financial Implications and Budget Provision**

- 5.1 While there are no specific financial implications in respect of the above cases, it should be noted that all police forces have had their budgets top-sliced to allow for additional funding to the IPCC in order for them to conduct more investigations independently.

## **6. Human Resources Implications**

- 6.1 PSD resources are under constant review, ensuring that the department has both the capacity and capability to meet demand. Where additional resources have been required these have been authorised and temporary staff recruited where necessary.

## **7. Equality Implications**

- 7.1 No specific implications

## **8. Risk Management**

- 8.1 It is essential the public have confidence in the service Nottinghamshire Police provide.
- 8.2 Where it is identified mistakes have been made there needs to be an open and transparent process, ensuring the circumstances are reviewed either independently or managed by the IPCC or supervised and any recommendations for change are implemented, with robust governance and accountability.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 Clearly the IPCC Investigations ensure the public can have confidence in the independence, accountability and integrity, that in the most serious of cases, most notably Death or Serious Injury, that there will be independent scrutiny of the forces actions.
- 9.2 The responsibility of the force to ensure mandatory and voluntary referrals are made in a timely fashion and that all appropriate support is given to the IPCC investigators, ensure we deliver a professional service that supports the organisations 'Vision', 'Values' (PROUD) and 'Plan' 'To cut crime and keep you safe', 'To spend your money wisely' and 'Earn your trust and confidence', ensuring all relevant parts of the organisation are given help to improve our service and ultimately achieve the force priorities.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 None

## **11. Details of outcome of consultation**

- 11.1 None

## **12. Appendices**

- 12.1 Appendix A - Cases referred to the IPCC 1 October to 31<sup>st</sup> March 2014.



Appendix A

Referred To IPCC1	Reason Referred	Date Of IPCC Decision	IPCC Decision
03/10/2013	Death - suicide	07/10/2013	Local
07/10/2013	Death - apparent suicide	08/10/2013	Local
02/10/2013	Serious injury - fractured skull and bleed to brain after falling in cell	03/10/2013	Local
25/10/2013	Serious assault - knee strike	29/10/2013	Local
15/11/2013	Voluntary - impartiality	03/12/2013	Local
26/11/2013	Serious injury - car accident, multiple fractures & dislocation of right arm	28/11/2013	Local
29/11/2013	Discriminatory behaviour likely to lead to discipline - racial stereotyping	04/12/2013	Local
10/12/2013	Corruption - fraud	10/12/2013	Supervised
07/01/2014	Voluntary - Notts Police being institutionally racist	10/01/2014	Local
18/12/2013	Death - RTC	13/01/2014	Supervised
22/01/2014	Serious injury - fracture to elbow	28/01/2014	Local
22/01/2014	Perverting the course of justice by fabricating evidence	31/01/2014	Local
14/01/2014	Serious assault - left ankle fractured	24/01/2014	Local
24/01/2014	Death - Road Traffic Incident	24/01/2014	Supervised
24/10/2013	Unauthorised showing of photo of crime scene to a member of public	25/10/2013	Local
23/02/2014	Death within 24 hours of Police contact	28/02/2014	Local
24/02/2014	Serious sexual offence - Sexual text messages	25/02/2014	Supervised
14/03/2014	Voluntary - Baton discharge	17/03/2014	Local
17/03/2014	Serious sexual offence - historic allegation of rape (1980)	24/03/2014	Local





<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>FORCE IMPROVEMENT ACTIVITY, LESSONS LEARNED MONITORING, IPCC LESSONS LEARNED REPORT</b>
<b>Report Author:</b>	<b>DCI Windmill-Jones</b>
<b>E-mail:</b>	<b>michael.windmill-jones@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Nicky.kamionko@nottinghamshire.pnn.police.uk</b>
<b>Agenda Item:</b>	<b>6</b>

## **IPCC LESSONS LEARNED FEEDBACK**

### **1. Purpose of the Report**

- 1.1 To inform the PCC in respect of force improvement activity, lessons learned monitoring, and the implementation of learning from the ipcc 'lessons learned' bulletins during the relevant period – October 2013 to March 2014.

### **2. Recommendations**

- 2.1 That the Audit and Scrutiny Panel notes the report.

### **3. Reasons for Recommendations**

- 3.1 To provide the PCC with relevant information and oversight in respect of how Nottinghamshire Police responds to lessons learned as a result of public Complaints and internal conduct matters.

### **4. Summary of Key Points**

- 4.1 The DCI Head of Complaints and Misconduct Unit (CMU) is the Professional Standards Directorate (PSD) lead for organisational learning. Where PSD investigate a public complaint or conduct matter, or are asked to review a particular incident to determine whether it was appropriately dealt with, the investigation also considers whether there is any learning that can be used to improve future organisational responses. We capture that information on the Organisational Learning tab of our recording system which is called Centurion.
- 4.2 Following these investigations, if the learning is for an individual through management action, an action plan or additional training, this will be progressed following disclosure to the officer's or staff member's line management.
- 4.3 Where the learning is consider relevant to the wider organisation then this will be shared by PSD with the most appropriate lead department, such as

Learning & Development, Custody or Contact management, and will also be communicated on the PSD intranet site.

- 4.4 If there is any learning which requires fast-time action that will be progressed with the appropriate department and the recipient asked to reply back with any action taken by a given deadline. The requests and responses will also be attached to the Centurion record.
- 4.5 Where appropriate PSD will conduct reviews to ensure that any immediate or recommended changes have been effectively implemented.
- 4.6 In addition, the CMU DCI also reviews the 'Learning the Lessons' bulletins from the IPCC and circulates them to all Heads of Departments. Identifying and implementing best practice from the 'Learning the Lessons' bulletins helps to manage risk and maintain or improve the service we provide, thus impacting positively on the trust and confidence from those we protect and serve.
- 4.7 The effective implementation of all relevant learning is also monitored through the force 'Professional Standards and Integrity' board, chaired by the DCC. Membership of this board includes representation of the OPCC. The quarterly PSD newsletter 'Integrity Matters' and the PSD intranet site are also used to further communicate or refresh key messages regarding organisational learning for all staff and officers.
- 4.8 In the relevant reporting period, October 2013 to March 2014, there has been one recommendation from an IPCC investigation in relation to the way an officer dealt with an allegation of 'common assault' by a stranger which included;
  - a) Use of a 'Violent crime handover package'
  - b) Guidance for Real Time Intelligence Unit staff
  - c) Setting of time scales for investigations within officers PDRs
  - d) Devising a force policy on use of Blackberrys

These are all currently being progressed through the process as described above and will be monitored through the Standards and Integrity Board.

- 4.9 Other learning is included on the PSD intranet site along with a link to the IPCC 'Learning the Lessons' bulletins. The last bulletin was Bulletin 20 in January 2014 concerning 'General Policing issues' which has been circulated to all Heads of Departments.
- 4.10 The issues covered in the bulletin include;
  - Contact Management- sharing information when conducting cross border activity- conducting welfare checks on vulnerable people
  - Call handling-call grading' how we respond to mental health callers
  - Child Abuse- dealing with historic reports
  - Detaining young people in custody-overnight detention, strip searches

These are also being progressed through the process as described above and will be monitored through the Standards and Integrity Board.

## **5. Financial Implications and Budget Provision**

5.1 No specific financial implications have been identified.

## **6. Human Resources Implications**

6.1 No specific implications.

## **7. Equality Implications**

7.1 No specific internal equality implications are identified. Learning around improving services to the vulnerable, the young and in respect of mental health services will enhance equality of service across the local communities.

## **8. Risk Management**

8.1 The process as described ensures that learning is embedded in a way that reduces and mitigates against risk

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1. Strategic Priority Theme 1: Protect, support and respond to victims, witnesses and vulnerable people

## **10. Changes in Legislation or other Legal Considerations**

10.1 None

## **11. Details of outcome of consultation**

11.1 None

## **12. Appendices**

12.1 Appendix A IPCC BULLETIN 20



# LEARNING THE LESSONS

[www.ipcc.gov.uk/learning-the-lessons](http://www.ipcc.gov.uk/learning-the-lessons)

*Ask yourself:  
Could it  
happen here?*

## Bulletin 20: General

Learning the Lessons bulletins summarise investigations conducted by the Independent Police Complaints Commission (IPCC) or police forces where learning opportunities are identified. Police forces facing similar situations to those described can use the experience of other forces to improve their policies and practices. The bulletin challenges forces to ask “Could it happen here?”.

### Issues covered in this bulletin:

#### Arrest and detention

Planning  
PNC checks on mobile devices  
Risk assessment  
Sharing information with other forces

1  
2  
1  
1

#### Child abuse

Dealing with historic reports  
Acting on information from CEOP  
Recognising risk  
Handovers

5  
6  
5  
6

#### Call handling

Call grading  
Delays to deployment  
Dealing with a request for a welfare check  
Mental health

3, 4  
3, 4  
3  
4

#### Custody

Dealing with young people  
Searching medical coverings  
Use of smocks  
Bailing detainees

7  
8  
9  
7

*Find out  
more online*

Learning reports available online include the recommendations made in each case, full details of action taken by each of the forces involved, and details of any criminal or misconduct outcomes.

*Contacting us*

Please email [learning@ipcc.gsi.gov.uk](mailto:learning@ipcc.gsi.gov.uk) with any queries or to join our mailing list.

## Case summaries:

### Arrest and detention

#### 1 Control of a detained person

While a man was waiting to stand trial for supplying class A drugs, officers uncovered information indicating that he had committed a further offence of conspiracy to import class A drugs. Officers began planning for the man's arrest.

As the arrest was due to take place in another force area, a control room operator was asked to notify the other force. The other force had no record of receiving this information.

Taking into consideration the intelligence they had about the man, including his conviction history, age, physical appearance and their recent contact with him, the officers assessed the risk the man posed to himself and the officers as low. They also did not consider that the risk had changed significantly since their last contact with him.

The officers did not check with the other force's intelligence bureau to check whether they had any useful intelligence to inform the risk assessment. Had they done so, they would have identified that the man had recently reported that he had been burgled and that keys to the cars they hoped to seize while at his property had been stolen.

Officers did not conduct a formal documented risk assessment on any of the people due to be arrested or their addresses. They also did not consider there to be an added risk connected to the change in offence for which the man was due to be arrested. As the man was on bail, for supplying class A drugs, and being monitored by an electronic tag, he was unlikely to be bailed following this arrest.

Early one morning, four officers attended the man's home to arrest the man and search his property. Two of the officers had dealt with the man when he was previously arrested and had some knowledge of his demeanour.

Officers took the man, who was alone in the house, into the kitchen area and arrested him.

Officers conducted a dynamic risk assessment of the situation, taking into consideration the man's physical build, the fact that he was barefoot, naked under his dressing gown, sitting at a table, compliant with all requests and had never acted in a violent or confrontational way. As a result, the officers felt that handcuffing him would be an unjustified use of force.

While officers searched the property, the man was allowed to move around the kitchen and make himself cups of tea as he had on previous occasions when the police dealt with him.

Nearly two hours into the search, the man stood up, unnoticed by the officer. When the officer looked up, he noticed that the man was holding a large kitchen knife

in his hand. The man then swung the blade round towards his own body, before he used two hands to plunge the knife into his own chest. Despite receiving first aid at the scene, the man died of his injuries.

#### Key questions for policy makers/managers:

- **What steps has your force taken to ensure that all relevant information is shared with other forces during cross-border activity?**
- **Does your force's risk assessment process prompt officers to consider the psychological risk associated with an arrest?**
- **Does your force always advise officers attending search operations to deploy with the appropriate personal protective equipment?**

#### Key questions for police officers/staff:

- **If you are carrying out an arrest in another force area would you always ensure that you have access to any relevant information from the force working in that area to inform the risk assessment process?**
- **Do you always treat a suspect as an unknown risk no matter how many times they have been dealt with previously by the police?**
- **Do you always ensure that suspects are detained in the safest room of the house, to reduce the risk of harm to the officers and suspect?**
- **Do you always ensure that a suspect is not allowed to freely move around their home once detained to prevent them from being able to pick up concealed items such as weapons?**

#### Action taken by this police force:

- **The risk assessment in the record of search booklet has been amended to require the incident log, or equivalent incident reference numbers, from both forces, to be included for any cross-border enquiry. This is to prove that both parties have communicated.**
- **Learning from this case has been incorporated into a review of standard operating procedures, a new risk assessment toolkit and officer safety training.**
- **All officers involved in this case, and based in the same unit, have also been debriefed on the key learning.**



[Click here for a link to the full learning report](#)

### 2 Conducting PNC checks by PDA

Police were called to a railway station to deal with a man suspected of travelling without a ticket.

After obtaining the man's name, one of the officers conducted a Police National Computer (PNC) check on his personal digital assistant (PDA). The PDA showed a "wanted/missing" marker against the man's name.

As the man was acting in an irate, awkward and evasive manner, the officers walked him freely without handcuffs to a nearby police van. They placed him in the back of the van before carrying out a further PNC check via radio. This further check showed that the "wanted/missing" marker displayed on the PDA was a "locate trace" marker added

to the PNC by another force who wanted to locate the man to issue him with a harassment warning.

On receiving this new information the man was released from the police van, and the PNC check was explained to him. As no offences had been committed he was allowed to leave.

The man later made a complaint against police alleging unlawful arrest and incivility.

#### Key questions for policy makers/managers:

- **If your force encourages officers to use PDAs to conduct PNC checks do you advise them to make a secondary check via radio, in sight of the person, where warning markers are shown, without detaining the person in a vehicle?**

#### Action taken by this force:

- **The force advised officers in similar circumstances to make the secondary PNC check via radio in sight of the person being checked rather than detain them in a vehicle, where possible.**
- **The force has asked its communications department to look at the use of PDAs to carry out PNC checks to see if a solution to this problem can be found.**
- **Officers were reminded that when they make a mistake they should be open and honest and offer an appropriate apology.**

[This case was investigated locally by the force]



[Click here for a link to the full learning report](#)

## Call handling

### 3 Conducting a welfare check on a vulnerable man

Around 1pm, police received a request from social services to conduct a welfare check on an 83-year-old man who had not been seen by his carers for two days.

A Computer Aided Dispatch (CAD) message was generated and the call was graded as “significant”. It was downgraded by a supervisor, in breach of standard operating procedures, to “extended” (requiring a response within 48 hours). This was to enable her to make enquiries to identify additional information, such as details of any illnesses the man had, or information about any follow-up investigation already undertaken by social services. She planned to reassess the grading but was distracted and further enquiries were never made.

Shortly after the call was downgraded a police community support officer (PCSO) from the neighbourhood policing team was assigned to the call. After receiving no response from the intercom system, the PCSO used a fob key to enter the building through the communal doorway.

When the officer received no response from within the property or from neighbours, an appointment was scheduled for someone else to attend the address at 6pm. It was felt that if the man had been at a hospital appointment, for example, he would be back by this time.

When the CAD reappeared there was a delay in resourcing it as the officer initially assigned was assigned to deal with four other calls that were graded “immediate”. As the officers made an arrest in response to the fourth call they were then deassigned from the CAD relating to the welfare check.

Around 1.40am the next day, the supervisor scheduled an appointment for someone to attend the man’s property later that morning because he felt that, at that time of the morning, it might be a couple of hours before officers could attend, and it would be inappropriate to force entry given the time of day.

An officer arrived around 8.40am and tried to enter the building using the intercom. The officer was unaware that other officers had access to a fob key. The officer was unable to enter the building using the intercom.

An appointment was scheduled for that afternoon, however social services called and expressed concern that police had still not gained entry to the property. The officer who attended that morning was reassigned and after gaining entry to the block and speaking to neighbours, he forced entry and found the man had collapsed. The man was taken to hospital but died the next day.

#### Key questions for policy makers/managers:

- **How does your force ensure that these types of call do not get lost in the CAD system and are resourced in a timely manner?**
- **If a call gets lost in the CAD system or is left unresourced for a considerable period, does your CAD system send out automatic notifications to alert control room supervisors?**
- **Where specific teams have access to key fobs that allow entry through communal doorways in blocks of flats, are all officers aware of how to access them?**
- **What is in place in your force to make sure that once incidents like this are reported, they are searchable on computer systems, and supervisors can ensure they are properly resourced and handled effectively?**
- **Does your force have a memorandum of understanding with social services that sets out how welfare checks should be dealt with?**
- **In your area, when the expectation is that entry will be forced, do social services staff routinely attend immediately as part of a welfare check?**
- **Does your force provide officers with clear guidance on when entry should be forced where there is genuine fear for welfare?**

#### Key questions for police officers/staff:

- **If you need to gain access to blocks of flats, or housing for the elderly or vulnerable, do you check first to see if the care provider or relatives have a key to gain access?**
- **If you are unable to complete an assigned task due to other calls do you advise the control room and/or your supervisor so that the call can be reassigned?**

#### Action taken by this force:

- **The force has reminded all staff about the criteria for amending the grading of CADs.**

**Outcomes for the officers/staff involved:**

- The supervisor who downgraded the call, resulting in the delay in conducting the welfare check, received a written warning.
- The officer who attended but did not gain entry through the communal door, received management action for his failure to make sufficient enquiries when carrying out the welfare check.



[Click here for a link to the full learning report](#)

**4 Recognising the threat**

One evening, a force received a call from a young pregnant woman who reported that she was being intimidated by a neighbour and she was worried that he might try to force entry to her property.

The call was graded as a '2' (priority response) meaning that officers should be deployed within ten minutes and attend within 30 minutes. The caller was also classified as vulnerable.

Thirty minutes later, police still had not responded and the woman called police again to report that the man had been calling her and threatening to harm her and her son. The woman was advised that police would attend when a unit was free.

Twenty minutes later, the man called police to make a complaint about the woman. The man was not making much sense and the intelligence system showed warning markers for mental disorder and firearms.

The ambulance service later called to say that they were at the woman's property, that the woman was vulnerable, and that police needed to attend.

Later that evening, the police received a second call from the man, who said he had uncovered a drugs ring.

Officers arrived at the man's property soon after. After talking to the man they also spoke with the woman. Shortly after, they reported that all was in order and that the man had mental health issues. The log was then closed. The man called again later to repeat the same allegations about uncovering a drugs ring, but the call was downgraded based on the officers' previous contact with the man.

Around ten minutes later, the man called the police to say that he had killed someone. He gave the woman's name but refused to give his address. The call handler terminated the call and then closed it noting that the man had mental health issues and had already been seen by police that day.

The man called back ten minutes later and repeated that he had killed someone. He repeated the woman's name but terminated the call before answering all of the call handler's questions.

The call handler then downgraded the call.

Despite the downgrading, a dispatcher sent officers to the man's address.

When officers finally gained entry to the property, they discovered the body of his partner.

**Key questions for policy makers/managers:**

- What training do you give to call handlers to help them spot and respond to callers with mental health issues?
- How do you ensure that calls from people with mental health issues are dealt with appropriately?
- How do you ensure that supervisors are alerted when officers are not dispatched to deal with calls within the appropriate timescales?
- Does your force require supervisors to confirm in the incident log that they are aware of delays to deploying officers in response to calls?
- What steps does your force take to monitor the quality of calls, including those that have been closed?

**Key questions for police officers/staff:**

- If you were one of the officers who attended the man's property, what action would you have taken if you had found that the allegations he had made were not true and you suspected that he had mental health problems that could make him a danger to himself or others?

**Action taken by this force:**

- The force has developed a training package to improve the way that calls from people with perceived mental health issues are handled.
- All controllers are now required to work through a series of workbooks, and to complete a mandatory e-learning package on NCALT.
- The force has taken steps to ensure that controllers are able to draw on all available resources to deal with calls requiring immediate attention.
- The force's quality assessment team regularly dip-sample certain categories of call and check whether the call was correctly closed.

**Outcomes for the officers/staff involved:**

- The controller who failed to deploy officers when the man admitted to killing the woman, and then graded the call as a '2', received management advice around assessing calls.
- The controller who closed the second call from the man when he admitted to killing the woman, instead of referring the matter to a supervisor, as is required by force policy when the matter includes a threat to life, received a 12-month written warning.
- The call handler who terminated the second call after the man said he had killed someone resigned from the force before the investigation could be completed.
- The controller who downgraded calls from the man and failed to deploy resources despite the man's admission of murder received a 12-month written warning.



[Click here for a link to the full learning report](#)

**Child abuse****5 Acting on a report of child abuse**

A man called police to report that he had been sexually abused and raped between the ages of 10 and 15 and that he was reporting the matter now because he was



concerned that the man involved was now abusing another young person.

Officers raised a crime report in respect of the historic offences committed against the man, and a separate incident log was created to record the man's concerns about the young person.

Officers decided early on that the matter should be referred to social services but no referral was ever made.

Despite the concerns raised, no immediate action was taken to safeguard the wellbeing of the young person at risk and to prevent them from being subjected to further abuse. The man responsible for the abuse was not arrested until some 59 days after the matter was first brought to the attention of the police.

The supervisor responsible for the officer leading the investigation remained unaware that there was an ongoing risk to a young person. This was despite regular communication with the investigating officer, as he had not read the incident log that contained this information or properly performed his management and supervisory duties.

Force policy requires the duty detective inspector to be notified of all rape allegations within 48 hours and to review all undetected and/or no further action rape offences before finalisation (and in any case no later than 28 days after the initial reporting). The first review by a detective inspector in this case did not take place until nearly 12 weeks after the matter was initially reported to police.

Following his arrest, the man was granted street bail by the arresting officers and went on to have contact with the young person he had been abusing.

The man was subsequently charged with 19 charges of rape and sexual activity and the taking of indecent images of children. He pleaded guilty to all charges and received a 12-year prison sentence.

#### Key questions for policy makers/managers:

- **How does your force ensure that officers do not overlook current risks when dealing with historic reports of sexual abuse?**
- **How does your force ensure that supervisory officers are kept informed of all similar allegations and are able to discharge their supervisory responsibilities and ensure that appropriate action is taken to respond to them?**

#### Action taken by this force:

- **The force has recognised that there is a need for enhanced safeguarding training across the force and work has been carried out to define the minimum training requirements for the different roles that exist within the force.**

#### Outcomes for the officers/staff involved:

- **The investigating officer received a final written warning for her failure to make a referral regarding the young man to social services and for the overall breakdown in communication between her and her supervisor regarding the safeguarding concerns**

relating to the young man.

- **The supervisor received management advice for his failure to read the crime report update that detailed the safeguarding concerns for the young man; for his failure to properly supervise the investigating officer; and for the overall breakdown in communication between him and the investigating officer in respect of the safeguarding concerns relating to the young man.**



[Click here for a link to the full learning report](#)

## 6 Acting on information from CEOP

After carrying out research into a number of child abuse images, the Child Exploitation and Online Protection Centre (CEOP) passed intelligence to a force which included the name, address and contact number for one of the suspected offenders.

Social workers at CEOP graded the risk to the children in these images as 'critical'. This was because they had reasonable cause to believe that a child was suffering, or at risk of suffering, significant harm; and immediate intervention was required.

Over the next two weeks, the force attempted to work on the intelligence provided by CEOP, to confirm the identities of the children involved.

Although CEOP was confident it had provided enough information for officers to obtain a warrant for the address, confusion over the identity of the offender, and whether children were still at the property, meant that officers did not take immediate action to visit the property and identify whether any children were still at risk.

An officer checking a local computer system was eventually able to identify a man linked to the property as being one of the men in the images.

Despite this positive identification, a number of days passed before officers executed the warrant due to staffing levels.

CEOP staff remained concerned that the matter was not being dealt with quickly enough and continued to push the force and social services for updates.

As a result of staff leave and other commitments, responsibility for the case had been passed between a number of individuals within the force.

An intelligence pack was eventually handed over to the Criminal Investigation Department (CID) who obtained a section 8, Police and Criminal Evidence Act (PACE) warrant for the address.

The man identified in the photo was arrested and charged with ten offences against his stepchildren, including three offences against one of the children who was still resident at the property. The latest offence had taken place three to five days before the warrant was executed.

#### Key questions for policy makers/managers:

- **What steps does your force take to ensure that officers**

who are allocated investigations fully understand the nature and significance of any intelligence received?

- How does your force ensure that the handover of information between teams or departments is properly managed?
- What safeguards does your force have in place to ensure that similar information received from CEOP would be dealt with more effectively?

#### Action taken by this force:

- If either the CEOP designated point of contact in the force, or the contact at CEOP, considers intelligence to be time-critical, it will be sent to the duty detective superintendent for the serious crime division to be managed.
- All duty cover detective superintendents and Force Intelligence Bureau staff have been made aware that real-time or high-risk intelligence must be co-ordinated and responded to by the duty cover senior detective.
- Detective inspectors have also been made aware of the importance of having direct contact with the source of any intelligence to ensure that any handovers are effective.



[Click here for a link to the full learning report](#)

## Custody

### 7 Detaining a young man in custody

A 15-year-old young man was arrested for robbery late one evening and was held in custody overnight, pending interview the next day.

Around lunchtime the next day, the young man was interviewed in the presence of his mother and his solicitor. After the interview was completed, he was returned to his cell and the case was referred to the Crown Prosecution Service (CPS) for a charging decision.

Officers were aware that the young man suffered from attention deficit hyperactivity disorder (ADHD) and Asperger's syndrome, and that when he was arrested previously, he had been found carrying a penknife.

When officers observed the young man scratching at the cell floor and doors with an object they decided to enter the cell to remove it. As the man had learning difficulties, the officers felt it would be hard to communicate with him so decided to restrain him before carrying out a strip search to find the object.

Officers entered the cell, held his arms in a 'one-armed bar' (holding the wrist with one hand and lifting the arm up and away from the body, while placing the other hand on the shoulder), and also removed his trousers, assisted by a female detention officer. During restraint, the young man sustained an injury, and yelled out to officers in pain, before telling them where the item was.

The young man remained on the floor and continued to complain about the pain in his arm. One of the officers examined his arm but could not see any sign of an injury.

The officers then left the cell, and twenty minutes later,

one returned to check on the young man. The injury to the young man's arm was now more apparent so an ambulance was called.

The young man was later diagnosed with a fracture to his elbow.

#### Key questions for policy makers/managers:

- Are all your cells equipped with CCTV, which can be observed by officers and recorded?
- In a similar case, would you encourage your officers to bail the suspect, pending receipt of advice from the CPS, particularly where the detainee is young or vulnerable?
- Do you encourage officers to automatically bail detainees (where appropriate) if the CPS fails to meet the time limits agreed for providing advice?
- Have you provided your custody staff with training or guidance to help them understand the effects of ADHD, or Asperger's syndrome or other autism spectrum disorders on detainees, to help them communicate or act in an appropriate manner and minimise the stress to the detainee?
- Do you provide guidance to officers about strip searching, which includes who should be involved, how it should be carried out, and considerations to apply when strip searching young or vulnerable people?

#### Outcomes for the officers involved:

- The custody officer received management action for allowing the strip search to be conducted in front of a female detention officer, for his failure to complete the custody record correctly following the search, and for leaving the detainee in the cell after he had sustained an injury.
- The detention officer left the force before she could receive management action.



[Click here for a link to the full learning report](#)

### 8 Medical coverings

A man wearing a plastic support boot on his right leg was brought into custody when he breached the conditions of his bail.

The man was uncooperative when he was brought into custody so the custody sergeant was only able to collect limited information during the risk assessment process.

There were 14 local intelligence warning markers on the custody handling system, relating to this man. The most recent marker related to the man secreting items in his underwear. The custody sergeant however, decided not to place the man on constant supervision or carry out a strip search as he did not want to risk injuring him or causing further problems for his health. The custody sergeant had viewed the intelligence markers in a format that displayed them in a random order and did not scroll down the entire list to view all the available information. He therefore did not see the most recent intelligence marker outlined above.

The man was examined by the force's healthcare provider and was deemed fit to be detained. The nurse

advised that he should be given plenty of water to keep him hydrated as he was intoxicated, but no action appeared to have been taken to address this.

Some time later, an officer carrying out a cell check spotted that the man was in need of medical assistance and an ambulance was called.

When the plastic support boot was removed from the man's leg, in the presence of paramedics, a quantity of tablets was discovered, including 13 empty blisters. It is now known that the tablets recovered were diazepam tablets. One of the empty boxes showed that the diazepam tablets were prescribed to the man from a local pharmacy. There was also one red/white capsule with PGN 300 marked on it.

The man was subsequently taken to hospital.

Around this time, the inspector took the decision to release the man from custody. There was some confusion which led to custody staff not releasing him from custody on the IT system and the custody record not being endorsed accordingly. This breakdown in communication had a knock-on effect when the officers, who took the man home, were incorrectly served with regulation notices.

As part of his treatment, he was given naloxone, which is often used where there is a suspicion of a methadone overdose, or to prevent or reverse the effects of opiates and opioids (for example heroin, methadone, and codeine). Naloxone is an opioid blocker and can lead to withdrawal symptoms (including stomach cramps, nausea or shivering) in an opiate/methadone addict, like this man. Repeat doses of naloxone are commonly required when the opioid involved is methadone, as the effect of the naloxone can stop before the methadone has cleared the body, leading to the potential for a relapse several hours later if a methadone overdose has been taken.

Despite being advised by doctors about the seriousness of his condition, the man decided to discharge himself from medical care.

Officers drove the man home, as they knew that there was someone there who could look after him.

Despite denying taking any substances while in custody, the man reportedly admitted to friends on leaving the hospital that he had done so.

Early the next morning, the ambulance service received a call to say that the man had been found dead at his home address.

Post mortem toxicology showed high levels of methadone in the man's system.

[This case was investigated locally by the force]

#### Key questions for policy makers/managers:

- **Has your force provided officers with similar guidance on how to deal with detainees who arrive in custody with**

**medical coverings or other medical assistance aids?**

- **What other steps has your force taken to help minimise the risk associated with medical coverings or other medical assistance aids?**
- **What steps has your force taken to ensure that warning markers and significant information is clearly visible to officers using force IT systems?**
- **How do you ensure that your healthcare provider provides clear instructions to staff working in custody?**
- **If someone is released from hospital back into police custody after receiving treatment, would you place the responsibility on the detainee to provide details of any treatment or aftercare required to assist with the risk assessment process, or do you require officers to ask the hospital to provide any relevant information?**

#### Action taken by this force:

- **During the course of this investigation, the force made contact with the National Policing Improvement Agency (NPIA) to identify whether guidance had been issued about searching medical coverings. NPIA were able to ascertain that no such guidance existed, and as a result, developed new advice for forces on dealing with individuals with medical coverings and other medical assistance aids, which was then shared nationally.**

#### NPIA advice on dealing with individuals who present in custody with 'medical coverings' and other medical assistance aids

For the purpose of this advice, medical coverings are defined as:

- plaster casts;
- removable casts / support boots / air-cast pots;
- heavy bandages.

Other medical assistance aids could include:

- neck braces;
- wheelchairs;
- prosthetic limbs;
- crutches.

When any person comes into police custody it is highly important to ensure that a thorough, searching, intelligence led and properly recorded initial risk assessment is undertaken. If the risk assessment indicates that the detainee may be concealing an item which could potentially cause themselves or police officers or staff harm, then it will be appropriate to ensure that a search of the detainee and their belongings take place.

If the detainee presents in custody with some sort of medical covering or other medical assistance aid it may be appropriate for custody staff to question and probe during the initial risk assessment as to:

- whether the medical covering is genuine and/or if the assistance aid is required constantly; and
- whether the detainee may be secreting something which could cause harm or be of

significance to their arrest within the medical covering or other medical assistance aid.

Any such questioning/probing should be undertaken with reference to the initial risk assessment and any warning markers shown on the Police National Computer (PNC). In such cases it would be advisable to consult with a medical professional.

Through questioning it may be that the detainee offers to remove the covering (if applicable and it would be advisable to have a medical professional in attendance) or surrenders items that they should not have in their possession.

If concerns remain and no information or consent is forthcoming from the detainee, the custody officer should consider what a proportionate response to the risk identified is. Removal of a medical covering should be as a last resort and in any case a fixed cast should never be removed within a custody environment and removable cast only by a medical professional. Officers should also be aware of the impact of removing a medical assistance aid upon a detainee – for example removal of a wheelchair or crutches could prevent the detainee being able to use the cell toilet independently.

In a case where a custody officer considers that there is a significant risk to the individual due to the concealment of an item which could cause them harm, it would be advisable for the detainee to be held under constant observation/supervision.

More information about this case is available in the learning report for this case which is available on our website at [www.ipcc.gov.uk/learning-the-lessons](http://www.ipcc.gov.uk/learning-the-lessons)



[Click here for a link to the full learning report](#)

## 9 Use of smocks

In the early hours of the morning, a man called police to report that his ex-partner had smashed a window at his home.

Police attended, and described the woman as uncooperative, aggressive, unsteady on her feet, and behaving in a way that was likely to affect local residents or passers-by. As a consequence, the officers decided to put her in the back of their police vehicle to try and find out what had happened.

Despite there being grounds to suspect that the woman had been involved in committing an offence, she was not immediately arrested and cautioned.

When the woman's behaviour deteriorated, to the point that the officers felt it was likely to cause offence, alarm or distress to people walking past the vehicle, they decided to arrest her for a Section 5 Public Order Act offence.

When officers moved to handcuff the woman she

reportedly kicked one of the officers in the face. Officers then handcuffed her and pulled her from the vehicle.

The woman continued to be aggressive and uncooperative when she was brought into custody, and the custody sergeant was unable to complete the risk assessment process. Officers suspected that she was under the influence of alcohol. Before she was taken to a cell the sergeant gave the instruction for the woman to be stripped and placed in a smock as he had concerns that she may try to harm herself if left with her clothing.

During the time the woman was in custody, five of the 13 detainees had also been placed in smocks. Records showed that each of these detainees had previously attempted to self harm. A previous death of a man in the custody suite was felt to have contributed to the over-use of smocks.

When officers tried to remove the woman's clothes she continued to struggle and be abusive. Officers restrained her to prevent her from kicking out. One officer used a hammer-fist strike when the woman attempted to bite her, but this was not recorded in the custody record.

Eventually the woman's clothing was removed, in the presence of male officers and the woman was left naked in the cell. While the woman was naked, officers (including male officers) checked the cell every 30 minutes. However, the investigation found that the custody record did not always record the name of the person who physically checked the cell.

Eventually, the woman was provided with paper knickers, sanitary items and a smock.

The woman was subsequently taken to hospital for treatment for the injuries she had sustained to her eye after being hit by the officer.

When the woman was returned to the station, she was charged with assaulting a police officer and a Section 5 Public Order Act offence.

### Key questions for police officers/staff:

- How would you have ensured that the woman's dignity could be safeguarded whilst she was naked in the cell and observations were being carried out?

### Key questions for policy makers/managers:

- Does your force provide staff with guidance on how and when to use smocks or custody safety suits, and does your force take other steps to ensure that they are not overused?
- Does your force routinely record the use of force by custody staff?
- Does your force insist that the individuals who carry out cell checks are responsible for updating the custody record?

### Action taken by this force:

- The force has reminded all staff of their responsibilities in relation to recording use of force.
- The force custody inspector has circulated guidance

on the use of safety smocks.

- The force has undertaken a detailed audit looking at the reasons and rationale for the use of smocks and custody safety suits.

**Outcomes for the officers/staff involved:**

- The custody sergeant who booked the woman in custody received management action for failing to conduct a risk assessment, for not informing the woman of her rights and for not providing her with the reason for her detention.



*[Click here for a link to the full learning report](#)*



<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>PROFESSIONAL STANDARDS REPORTING PROCEDURE ('WHISTLE BLOWING')</b>
<b>Report Author:</b>	<b>DCI Windmill-Jones</b>
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<b>Other Contacts:</b>	<b>D/I Tracey Reynolds/ Mrs Pat Stocker</b>
<b>Agenda Item:</b>	<b>7</b>

## **PROFESSIONAL STANDARDS REPORTING PROCEDURE ('WHISTLE BLOWING')**

### **1. Purpose of the Report**

- 1.1 To inform the PCC regarding the above procedure and outline how the organisation in general and the Professional Standards Directorate manages and deals with those members of the organisation who make reports concerning breaches of Professional Standards. In particular how they can be provided with support and confidentiality, when appropriate and necessary.

### **2. Recommendations**

- 2.1 That the Panel receive assurance from the processes in place relating to whistle blowing as detailed within the report.

### **3. Reasons for Recommendations**

- 3.1 To provide the PCC with relevant information and oversight in respect of how Nottinghamshire Police ensures that appropriate systems are in place to both encourage and support officers and staff to report concerns in respect of unethical behaviour or 'wrong doing'.

### **4. Summary of Key Points**

- 4.1 There can be no more important qualities for members of the police service than that they are honest and act with integrity. Without these key attributes public trust and confidence will be eroded. The reputation of any organisation must always be considered as one of its most cherished assets.
- 4.2 The Procedure for Professional Standards Reporting aims to create a climate where staff feel a genuine commitment to openness and transparency when reporting breaches of Professional Standards, their motivation arising from a desire to maintain the integrity of the police service and in the knowledge that such action will be universally acknowledged as 'doing the right thing'.
- 4.3 This force professional standards reporting procedure defines how Nottinghamshire Police will protect and support its staff by providing a broad



range of options for reporting breaches of Professional Standards and providing consistent and meaningful support to colleagues who report concerns.

- 4.4 Staff have a clear responsibility to report suspected breaches of Professional Standards by others in Nottinghamshire Police and should feel that they can report such breaches openly and with the support of their colleagues and managers in line with our PROUD Values and Code of Ethics
- 4.5 The procedure identifies guiding principles and some examples of what activity or conduct should be reported, before outlining the different mechanisms for making such reports which can be done anonymously, confidentially or in an open report.
- 4.6 Professional Standards Directorate have a key part to play in this procedure once information comes into the Directorate, including agreeing a 'Statement of Expectations' with the member of staff and including offering support from a group of trained 'Supporters'.
- 4.7 The 'Supporters' have been established as part of this procedure to offer support on a one to one basis. The volunteer police officers and police staff have been given training and an input from PSD as to the procedure and they do not work within PSD, but can be utilised where necessary as a conduit for the staff member in terms of the progression and updates of any enquiry. This is in addition to any welfare support.
- 4.8 For any officers and staff who are concerned coming forward to report any suspicion of 'wrong doing' or unethical behaviour, the force has provided an anonymous and confidential e-reporting system called 'Integrity Messenger'. This system allows two-way communication with the force counter-corruption unit while preserving the anonymity of the referee for as long as they feel the need. It also allows rapport and confidence to be built which may lead to the referee providing personal details in due course.
- 4.9 In the relevant period (1 October 2013 to 31 March 2014) 38 referrals were made to the counter corruption unit through Integrity Messenger. This compares to 15 referrals in the previous six months.

## **5. Financial Implications and Budget Provision**

- 5.1 No specific financial implications are noted

## **6. Human Resources Implications**

- 6.1 No specific HR implications are noted



## **7. Equality Implications**

- 7.1 This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; ECHR; Employment Act 2002; Employment Relations Act 1999 and other legislation relevant to policing.
- 7.2 This procedure is robust and the evidence shows there is no potential for discrimination and that all opportunities to promote equality have been taken.

## **8. Risk Management**

- 8.1 It is essential the public have confidence in the service Nottinghamshire Police provide.
- 8.2 The overwhelming majority of individual members of police personnel including Police Officers, Police Staff and members of the Special Constabulary within the Nottinghamshire Police are dedicated, hard working, compassionate, and deliver policing services with a high degree of integrity. Regrettably, there are a small number of police personnel that are guilty of and vulnerable to, unethical behaviour, dishonesty and corruption. The harm they do far outweighs the numbers they represent
- 8.3 We all have a part to play in enhancing the integrity and reputation of the Force. This process starts with recognition that we are all individually accountable for our actions and responsible for our behaviour

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 By having a Professional Standards Reporting Procedure we are able to set out ways that staff can make reports concerning breaches of Professional Standards and ensure we support the organisations 'Vision', 'Values' (PROUD) and 'Plan' 'To cut crime and keep you safe', 'To spend your money wisely' and 'Earn your trust and confidence', ensure all relevant parts of the organisation are given help to improve our service and ultimately achieve the force priorities.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 None

## **11. Details of outcome of consultation**

- 11.1 None

## **12. Appendices**

- 12.1 Appendix A 'Professional Standards Reporting Procedure'.



PD 462	PROFESSIONAL STANDARDS REPORTING
Type of Document:	Procedure
Version:	2.0
Registered Owner:	HQ (PSD) Detective Supt Jackie Alexander
Author:	HQ (PSD) DCI Mick Windmill-Jones
Effective Date:	April 2014
Review Date:	*****
Replaces document (if applicable)	N/A
Linked Documents:	PS178 Security Incident Reporting Policy PDD 639 Security Incident Reporting Procedures

## Functional owner

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Post:** \_\_\_\_\_

**Authorised (Head of Dept/FEG)**

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Post:**

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**SECTION 1 VERSION CONTROL**

Version No.	Date	Post Holder/Author	Post	Reason for Issue
1.0	June 2003	Supt Mick Leyton	HQ (PSU)	First Edition
1.1	Sept 2005	Supt Mark Pollock	HQ (PSU)	Amended to new template
1.2	June 2007	D/Supt Foster	HQ (PSD)	Amended
1.3	February 2008	D/Supt Beasley	HQ (PSD)	Reviewed and Amended
1.4	March 2010	D/Supt Beasley	HQ (PSD)	Reviewed and Amended
1.5	April 2012	D/Supt Alexander	HQ (PSD)	Reviewed and Amended
2.0	March 2014	Pat Stocker	ISM	Amalgamated with Confidential Reporting Policy
		Inspector Tracey Reynolds		Reviewed and Amended

## SECTION 2 BACKGROUND

There can be no more important qualities for members of the police service than that they are honest and act with integrity. Without these basic attributes the public can never be expected to trust the police and have the confidence in them that is necessary for a system of policing by consent. The reputation of any organisation must always be considered as one of its most cherished assets.

The overwhelming majority of individual members of police personnel including Police Officers, Police Staff and members of the Special Constabulary within the Nottinghamshire Police are dedicated, hard working, compassionate, and deliver policing services with a high degree of integrity. Regrettably, there are a small number of police personnel that are guilty of and vulnerable to, unethical behaviour, dishonesty and corruption. The harm they do far outweighs the numbers they represent.

We all have a part to play in enhancing the integrity and reputation of the Force. This process starts with recognition that we are all individually accountable for our actions and responsible for our behaviour.

The Procedure for Professional Standards Reporting aims to create a climate where staff feel a genuine obligation to openness and transparency when reporting breaches of Professional Standards, their motivation arising from a desire to maintain the integrity of the police service and in the knowledge that such action will be universally acknowledged as right.

This procedure defines how Nottinghamshire Police will protect and support its staff by providing a broad range of options for reporting breaches of Professional Standards and providing consistent and meaningful support to colleagues who 'Do the right thing'.

Chris Eyre

Chief Constable

## **SECTION 3 AIMS / OBJECTIVES**

The purpose of this procedure is to set out the ways in which individuals within Nottinghamshire Police can report breaches of Professional Standards in a supportive and confidential environment.

These procedures apply to Nottinghamshire Police Officers, Police Staff, Partners, Agents and Approved Persons working for or with the Police.

### **Breaches of Professional Standards may include:**

- A criminal offence;
- A miscarriage of justice;
- Breaches of a legal obligation
- Malpractice;
- Dishonesty;
- Unethical behaviour;
- Breaches of the Police Officer / Police Staff codes of conduct; and
- Deliberate concealment of information in respect of any of the above.

Staff have a clear responsibility to report suspected breaches of Professional Standards by others in Nottinghamshire Police and should feel that they can report such breaches openly and with the support of their colleagues and managers.

This procedure may be used by staff to make Professional Standards Reports and compliments but does not replace the following:

- Grievance Procedure
- Police (Conduct) Regulations 2012
- Police (Complaints and Misconduct) (Amendment) Regulations 2008.
- Police (Performance) Regulations 2012
- Police Staff Discipline Code
- Unsatisfactory Performance Procedure
- Gifts, Gratuities and Hospitality Procedure
- Health and Safety Procedure

## **SECTION 4 DETAILS**

### **GUIDING PRINCIPLES**

#### **Confidentiality**

Colleagues and working partners are often the first to recognise that there may be something suspicious or out of character in another person's behaviour, lifestyle or actions. It is acknowledged that some may be uncomfortable in raising their concerns and may feel such action would be disloyal. The individual's decision to voice their concerns is a difficult one and will ultimately rely on the trust they have in the system and processes to protect them. The Police (Conduct) Regulations 2012 make it a breach of the Professional Standards to fail to report such activity.

This procedure makes it clear that individuals can speak out without fear of victimisation, discrimination or disadvantage. Nottinghamshire Police gives its reassurance that the protection of the identity of the provider of any information will always take priority regardless of the outcome of any subsequent investigation. In line with the Force's commitment, it also expects all individuals, who have suspicions or concerns, to raise them in the appropriate manner.

Professional Standards Reports may be made confidentially. Confidentiality, when requested, will be given the highest priority. Individuals should be aware that the legal rules governing 'disclosure' will apply to cases under this procedure as they apply to all others. Where confidential information has been received this will be handled for disclosure purposes in a similar way to criminal intelligence.

When an 'open' Professional Standards Report is made all documentation relating to it will carry protective marking, limiting access to those who have a legitimate need to see it. In confidential cases, knowledge of the identity of the person who has made the report will be kept to a minimum based upon strict need to know criteria and upon the terms and extent of the consent given.

Individuals who make Professional Standards Reports may be required to give evidence and support a criminal prosecution and/or misconduct proceedings where appropriate.

## **REPORTING PROCEDURES**

### **What to Consider Before Making a Report**

It may not always be apparent as to whether a particular activity should be or is worthy of being reported. It is always preferable to report too much than too little and no matter how irrelevant it may seem at the time, the smallest piece of information may be of significant value.

Disclosures made anonymously are sometimes less powerful and as a rule more difficult to investigate and substantiate. The confidential reporting facility does not prevent the providers of information from making themselves known if they wish.

The sooner a concern is raised, the easier it is to establish the facts and capture any evidence.

Although no one is expected to prove the truth of an allegation beyond doubt themselves, there must be some demonstrable basis for believing it to be true and those reasons should be provided with any information, no matter how tenuous.

Accuracy and detail of information is crucial to the effective and timely investigation of any suspicion or allegation.

If the person making the submission is not the originator of the information, it is recommended that some level of provenance is provided.

### **Types of Activity/Conduct to Report**

These procedures are intended to cover any serious concerns an individual may have that falls outside the scope of existing internal procedures or they feel is more appropriately dealt with by the Professional Standards Department (PSD). These concerns may be broadly referred to as suspected corrupt activity or wrongdoing and include:

- Criminal association / inappropriate relationships
- Criminal offences and other dishonesty
- Miscarriages of justice
- Unmanageable debt
- Drug related matters
- Recruitment and vetting issues
- Disclosure of information
- Misuse of force systems
- Breaches of security
- Business interests
- Abuse of trust / Exploitation of position or role
- Sexual or physical abuse
- Malpractice or ill treatment towards any Nottinghamshire Police employee or member of public
- Disregard for legislation, including health and safety at work
- Breach of financial or contract procedure rules
- Any activity amounting to improper or unethical conduct
- Any activity likely to bring the Force into disrepute
- That information of any of the above has been, or is likely to be, concealed

## **MECHANISMS FOR REPORTING WRONGDOING**

Where a member of staff has reason to believe they have information relating to a breach of Professional Standards, it should be reported as soon as possible.

There are a number of ways in which staff can make such reports:

### **1. Confidential Telephone Line**

A confidential phone reporting system is available to all staff:

Ext 800 2755 or Direct Dial number 0115 9672755

### **2. Confidential IT Reporting Facility 'Integrity Messenger'**

Integrity Messenger is confidential and available through the force intranet. It affords individuals the opportunity to raise concerns or provide information or intelligence anonymously regarding the Professional conduct of other members of Nottinghamshire Police.

No attempts will be made to identify the anonymous providers of information.

Information generated by the confidential reporting system may be used as grounds for further enquiries and form the basis for consideration to investigate.



The information received via the confidential reporting facility will be stored and controlled by the PSD Counter Corruption Unit (CCU).

Any information used to progress an investigation will be suitably protected and sanitised to protect the identity of the source, if given.

### **3. Reporting Direct to Line Management**

Disclosure of information, either verbally or in written form, to the Line Manager has the advantage of enabling an immediate response and direct feedback to the individual. The Line Manager will request a written report as soon as possible and in all cases within twenty-four hours of a verbal report.

Where the breach of Professional Standards is believed to involve the person's line manager, or where for any reason it is felt more appropriate to report it to another manager, this may be done.

#### **• Role of Line Management**

All members of staff and in particular line managers will be required to ensure that:

- An environment where members of staff are confident in coming forward to make such reports is developed and maintained;
- Such reports are responded to promptly, genuinely and with sensitivity;
- The individuals actions are acknowledged as right and their approach to them is both supportive and positive;
- Protection from victimisation or harassment is provided;
- Positive and robust action is taken in cases of victimisation or harassment;
- Action is taken to prevent any other adverse repercussions;

### **4. Concerns raised through Staff Associations**

The Police Federation, Superintendents' Association, Unison and other Support Associations can act as an agent through which members can relay their concerns in a confidential way.

The Staff Associations and other support associations in this process offer independent advice. They are bound by their own internal rules regarding confidentiality and the need for a members consent prior to the forwarding of information.

#### **• Role of Staff Associations and Unison**

The Police Federation, Superintendents' Association and Unison are experienced in providing support for their members in these circumstances. In addition to offering advice and guidance on an individual basis, they can also act on behalf of their members to highlight perceived organisational shortcomings.

### **5. Concerns brought to the attention of the Professional Standards Directorate**

Contact may be made verbally, in writing, by E-mail, fax or by a personal face-to-face meeting with a member of the Professional Standards Directorate.

Reports can be made anonymously. However, such information will be treated with caution and corroboration sought at the earliest opportunity. When made in person, the information will be treated in confidence on a 'need to know' basis, and the person's identity protected as far as possible.

Where a report is made to the PSD via a third party, it may necessitate a meeting between the person reporting and a PSD officer.

#### • **Role of the Professional Standards Directorate**

The PSD will have the following responsibilities:

- Provide a secure system for recording and monitoring Professional Standard Reports
- Provide support, guidance and advice at every stage of the process
- Monitor the progress of each case from beginning to conclusion
- Collate, analyse and disseminate intelligence where appropriate
- Ensure confidentiality issues are properly managed
- Ensure ongoing assessment of case papers identifying criminal and misconduct issues
- Identify and allocate a 'Supporter' as appropriate
- Ensure that the person reporting is updated
- Facilitate structured debriefs as required and support organisational learning by identifying good practice.

## **6. Other Reporting Mechanisms**

It is recognised that there are a number of other routes through which Professional Standards Reports might informally come to notice for e.g. the Regional Occupational Health Unit and Human Resources

When reports are brought to notice in this way, the role of receiving staff will be to provide support, and ensure confidentiality is respected as far as possible. They should then help the individual concerned to identify the most suitable way of formally reporting the breach of Professional Standards.

#### • **Role of the Regional Occupational Health Unit**

The Occupational Health Unit can provide information, advice and support to managers and individuals on a range of health, safety and welfare matters. Support in this context may be offered to the individual member of staff, their partner and Division/Department.

## **SUPPORTING PERSONNEL**

Irrespective of which reporting option is selected, it is vital that the initial response is positive, robust and supportive.

In many cases the person making the Professional Standards Report may be a confidential source or a witness and/or a victim of crime. Where it is clear that the person making the report is a victim of a crime then the principles of the code of practice for victims will be applied.

### **1. Support of the Individual**

Where open reports have been made i.e. the identity of the individual and the fact of the report is known to his or her colleagues, appropriate support will be given to the individual from the outset of the case and will continue until the issue is fully resolved. This includes pro-active management support and action, staff association involvement and advice on access to support services.

When confidential reports have been made knowledge of the identity of the person who has made the report will be kept to a minimum based upon strict need to know criteria and upon the terms and extent of the consent given.

When appropriate, selected and trained members of staff will be assigned to work with a person who makes a Professional Standards Report on a 'one to one' basis to act as a 'Supporter'.

### **2. Supporters and their Role**

Selected and trained members of staff are available to be assigned, as appropriate, to work with a person who makes a Professional Standards Report on a 'one to one' basis to act and to act as a Supporter.

A Supporter, who will not be a member of the PSD, can provide the reporting staff member with an increased level of independent support and confidence, providing information and understanding regarding both generic processes and relevant case specific issues whilst not being directly involved in the matters subject of investigation. The Supporter will act as the contact between the individual and the organisation.

The Supporter will help develop an ongoing assessment concerning the person reporting breaches of Professional Standards and where appropriate facilitate the introduction of other support services where necessary, for example Occupational Health. Senior local line managers should ensure that sufficient time outside core duties is made available, both to the individual reporting and their Supporter, to meet the individual needs of each case.

The PSD will maintain a register of qualified Supporters so that a suitable Supporter can be easily identified and contacted.

The role of the Supporter has been introduced to allow the person reporting an opportunity to benefit from independent support, over and above that provided by traditional means.

The overarching responsibility of the Supporter will be to provide continuous support and to monitor the person's general well being.

The Supporter shall:

- Support the person reporting breaches of Professional Standards.
- Consider and, where necessary, offer advice to the person reporting breaches of Professional Standards.
- Help ensure that the procedure is being adhered to.
- Help develop a support assessment concerning the person reporting breaches of Professional Standards.
- Facilitate the introduction of other support services where necessary, for example Regional Occupational Health and Confidential Care (CIC).

The Supporter is to be given time to help the person reporting breaches of Professional Standards and attend key meetings.

## **THE REPORTING PROCESS**

In every case reported that falls within the terms of this procedure a confidential written report, outlining the circumstances and initial action taken, will be forwarded immediately to the Head of the PSD. In serious cases the person receiving the report must inform the Head of PSD immediately by telephone or in person.

Initial action will remain the responsibility of the Line Manager and may include preservation of the scene/evidence. In all cases of doubt, PSD should be contacted.

The Head of PSD will be responsible for assessing the nature of the report and will decide upon the appropriate course of action to be undertaken.

Where it is decided that the matter should be investigated an Investigating Officer (IO) will be appointed within PSD. The investigation could be undertaken by either:

- The Independent Police Complaints Commission either Independently, Managed or supervised as appropriate.
- By an external police force
- Nottinghamshire Police

### **1. Statement of Expectation**

The Statement of Expectation is a living agreement between the Investigating Officer from the PSD and the reporting staff member and will apply in both open and confidential cases.

The agreement is a summary of what the staff member can expect from Nottinghamshire Police and what Nottinghamshire Police can expect from the staff member. The aim is to ensure that all parties are clear about the agreed course of action and any help and

assistance that can be offered. Any matter causing concern can also be discussed and recorded.

The Statement of Expectation will include:

- How the two parties will contact each other, the frequency etc,
- Updates
- Other points of contact if required, line manager, Supporter etc.
- A support discussion/assessment
- Confidentiality
- The requirement for a debrief
- How the investigation will be progressed, subject to the Harm test

This document will be reviewed and updated as appropriate.

The Statement of Expectations will form a key informative document within the debriefing process and should evidence changes in direction or policy throughout the investigation from both the investigators and reporting staff member's perspective.

## **2. Investigation Updates**

The person making the report will be kept updated every 28 days unless agreed otherwise by the investigating officer. These may be more frequent where significant or frequent developments occur in the investigation.

Where confidential reporting has taken place the wishes of the staff member making the report should be established at the outset. If they wish to be kept informed, this should be facilitated as far as it is practicable without compromising confidentiality or imposing undue burdens on the investigation.

## **3. Inclusion Meeting**

When an investigation into an open report under this procedure is initiated, consideration will be given to holding a meeting between the Investigating Officer and a local line manager nominated by the Divisional/Departmental Disciplinary Single Point of Contact (SPOC). The purpose of this meeting will be to inform managers of the investigation and discuss any matters arising. This is called an 'Inclusion Meeting'.

In complex or sensitive investigations the Head of the PSD will call the Inclusion Meeting with the SPOC.

A log of decisions made will be recorded by the PSD.

## **4. Amnesty from Misconduct Proceedings**

Limited and defined amnesty for misconduct offences may be given for staff who are able to give evidence of criminal activity, and serious breaches of discipline. Criteria to be considered include:

- The evidence being given is essential
- The evidence is needed to support a successful prosecution
- The member of staff concerned has not taken part in the criminal offence or the serious breach of discipline or gained from it.

## **5. Witness Protection Issues**

It is anticipated that issues of witness protection will only rarely arise and only in the most serious cases. A threat assessment will be undertaken at an early stage and the appropriate facilities and tactical options will be made available and tailored to meet the requirements of the individual, commensurate with the threat assessment. Trained officers specifically tasked with managing witness protection issues would deal with these cases.

## **6. Debriefing of Persons Involved**

Debriefing is a fundamental part of the Professional Standards Reporting process. This provides an opportunity to identify both good and bad practice, enabling the individual to raise outstanding issues and concerns.

Reviews of the Statement of Expectations will be will take place throughout the course of an investigation by the Investigating Officer with the reporting staff member.

At the end of the case a full debrief must be undertaken which will include making reference to the Statement of Expectations.

## **SECURITY / DATA MANAGEMENT**

Although the providers of information may be asked if they are prepared to have their identity disclosed, the presumption will always be that they wish to remain anonymous.

The subsequent use and/or dissemination of intelligence based upon information received in confidence will be suitably protected with the application of the appropriate handling instructions.

Any information entered into Integrity Messenger is encrypted.

Information received from Integrity Messenger or Confidential Telephone Line will be afforded the physical and protective security measures required for RESTRICTED material enhanced by ensuring that access levels and individuals involved are tightly controlled and small in number.

In compliance with the Management of Police Information (MoPI) Guidance and the Data Protection Act, the Professional Standards Department undertakes to share information

received via the confidential reporting facilities with Professional Standards Departments of other forces and law enforcement agencies where appropriate.

In providing such a mechanism Nottinghamshire Police is subject to the provisions within the Public Interest Disclosure Act 1998 which affords workers protection from reprisals if they disclose information. To ensure the protection from the Act the person providing the information must act in good faith (reasonably believing that what they disclose is true and that the disclosure is in the public interest) and must not themselves benefit or profit from it.

## **DATA PROTECTION**

The Data Protection Act 1998 provides for the regulation of the processing of information relating to individuals, including the obtaining, holding, use and disclosure of such information.

Any information relating to an individual or their actions generated by the confidential reporting system will be subject to relevant legislation and treated accordingly.

It is the responsibility of the system owner to ensure that all aspects of the Data Protection Act are complied with.

The usual conditions of data retention and disposal will apply.

## **SECTION 5 LEGISLATIVE COMPLIANCE**

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; European Convention of Human Rights; Employment Act 2002; Employment Relations Act 1999, and other legislation relevant to policing.

<b>For Information</b>	
<b>Public</b>	
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>R. Adams, Commercial Director, East Midlands Strategic Commercial Unit</b>
<b>Report Author:</b>	<b>G.Unwin, Procurement Policy Manager</b>
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<b>Agenda Item:</b>	<b>8</b>

## **REGIONAL PROCUREMENT ANTI-FRAUD & CORRUPTION POLICY – REVIEW OF COMPLIANCE (Oct 2013 – March 2014)**

### **1. Purpose of the Report**

- 1.1 The East Midlands Strategic Commercial Unit (EMSCU) published their policy entitled Prevention of Fraud and Corruption in the Procurement Process (the Policy) on 16<sup>th</sup> May 2013 – see Appendix A. The policy is written for all three partner Forces and whilst written to be applicable to procurement activity conducted by EMSCU for contracts with a total value of £25k and above, the principles are equally applicable to lower level procurements. The three partner Forces are Nottinghamshire Police, Derbyshire Constabulary and Northamptonshire Police.
- 1.2 The report informs the Audit and Scrutiny Panel of the level of compliance against the EMSCU Fraud and Corruption Policy for the period October 2013 until March 2014.

### **2. Recommendations**

- 2.1 It is recommended that the Panel notes the following:
- 2.2 That EMSCU's Commercial Director has received no reports of any fraudulent activity following any audit of procurement activity undertaken by the Force.
- 2.3 That EMSCU's Head of Procurement Services (to which the Policy directs any individual wishing to report any suspicion of fraudulent activity) has advised that there have been no reports of any fraudulent activity in relation to procurement activity undertaken within Nottinghamshire Police.
- 2.4 That EMSCU's Head of Supplier Services will write to Suppliers before the end of June 2014 to re-iterate the Force position in relation to Gifts, Gratuities and Hospitality. The relevant Force procedure states that Police Officers and Staff should not accept the offer of any gift, gratuity, favour or hospitality as to do so might compromise their impartiality or give rise to a perception of such compromise.



- 2.5 That EMSCU's Commercial Awareness training programme which was launched in December last year is being delivered on an ongoing basis, includes content on the prevention of fraud and corruption in the procurement process.

### **3. Reasons for Recommendations**

- 3.1 To give the Panel confidence that there is policy, guidance and training in place to mitigate the risk of fraudulent activity occurring during the procurement process.

### **4. Summary of Key Points**

- 4.1 Nothing further to note.

### **5. Financial Implications and Budget Provision**

- 5.1 Not applicable

### **6. Human Resources Implications**

- 6.1 Not applicable

### **7. Equality Implications**

- 7.1 Not applicable

### **8. Risk Management**

- 8.1 EMSCU maintains its own Risk Register and manages and controls all identified commercial risks. Currently, there are no high risks recorded in relation to fraud and corruption.

### **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 Not applicable

### **10. Changes in Legislation or other Legal Considerations**

- 10.1 None to note at present.

### **11. Details of outcome of consultation**

- 11.1 Not applicable

### **12. Appendices**

- 12.1 The Policy is attached to this report.

## East Midlands Strategic Commercial Unit



<b>TITLE OF DOCUMENT</b>	<b>PREVENTION OF FRAUD AND CORRUPTION IN THE PROCUREMENT PROCESS</b>
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### VERSION CONTROL

Version No	Published Date	Review Date	Document Owner	Document Author	Reason for issue
1.0	16 <sup>th</sup> May 2013	16 <sup>th</sup> May 2014	Graeme Unwin (Procurement Policy Manager)	Graeme Unwin (Procurement Policy Manager)	New process
1.1	18 <sup>th</sup> Nov 2013				New Form created
1.2	23 <sup>rd</sup> Jan 2014				Minor amendment

### PROCUREMENT FRAUD

Procurement is a particularly high risk area in terms of fraud. It is important that EMCSU officers, Force officers and staff involved in the procurement process are aware of procurement fraud risks and able to recognise and report potentially fraudulent activity.

There are two basic types of procurement fraud:

- i) Collusion between procurer and supplier
- ii) Collusion between suppliers

Listed below are the specific fraud risks that fall under these two general headings (based on information provided by CIPFA), including controls for mitigating the risks.

Whilst the Force(s) Contract Procedure Rules and Standing Orders embed these controls, Force officers and staff should be conscious of the risks and the reasons for the controls.

## **COLLUSION BETWEEN PROCURER AND SUPPLIER**

The principle Risks that could exist in relation to fraud during the relationship between the procurer and the supplier are as follows -:

- A need / requirement is invented
- Matching a specification to favour a particular supplier
- Supplier introduced to selection / evaluation process by single officer
- Tender invitations only made to preferred supplier
- Provision of information is only provided to preferred supplier
- Tender documents disappear or are altered
- Inadequate records showing, for example, when tenders were received
- Undeclared interests of members of the evaluation panel or bidders
- Tender assessment criteria not established, allowing manipulation of the evaluation
- Use of non-standard contracts, including an overly complex / vague schedule of charges

Payment risks, e.g. payment for goods that were not received or were of lower quality, over ordering, duplicate invoices, suspicious invoices (no valid VAT no., mobile phone no. only, little / vague information, round sum amounts, sequential invoice nos. over extended period)

Controls:

- Specifications drafted wherever possible, as a result of the Force Procurement Business Partner consulting with users and the supply market (not just one provider), encouraging innovation by stating outcomes wherever possible, and stating 'or equivalent' wherever appropriate
- Documented policies and procedures. For example, how and in what circumstances shortlists are compiled (see Clause 7.6 and 7.14 of the Contract Procedure Rules)
- Authorisation and documentation of exceptions from policy and procedure (see Clause 8.4 of the Contract Procedure Rules and specifically Clause 7.5 – Exemptions to normal procedures/single tender action)
- Standing / Approved List membership being subject to authorisation, and adherence to submission, financial and technical criteria (see Clause 7.8 of the Contract Procedure Rules)
- Standing / Approved List / Framework Agreement usage monitored to track for example contract awards
- Equality of opportunity for all suppliers to submit tenders (see Clause 7.6 of the Contract Procedure Rules)
- Management trail – documented evidence of how suppliers were selected (see Clause 7.18 of the Contract Procedure Rules)
- Clear instructions in independently despatched tender invitation documents

- Any clarifications following the issuing of the Request for Quotation or Invitation to Tender are provided to all potential bidders
- Declaration of interests of evaluation panel members – completion of Tender Panellist Declaration form (Form Ref EMSCU 002) as per Appendix A (see Clause 2.3.2.1 of the Contract Procedure Rules)
- Declarations of interests of tenderers. The following question (or similar) should be asked in the Pre-Qualification Questionnaire or Invitation to Tender:
  - *To the best of your knowledge, does any director or senior officer of your organisation have any personal or financial connection with any member or senior officer of Nottinghamshire Police / Derbyshire Constabulary / Northamptonshire Police?*
- Procedures for tender receipt, e.g. fully auditable for every stage of the tender process using the Proactis e-tendering system, including recording, date/time stamping, opening, custody (see Clause 7.11 of the Contract Procedure Rules)
- Evaluation methodology and criteria formally established prior to issuing Request for Quotation or Invitation to Tender (see Clause 7.14 of the Contract Procedure Rules)
- Policy for post tender negotiation (see Clause 7.15 of the Contract Procedure Rules)
- Contract conditions approved by Legal Services
- Documentation of the recording, authorisation, acceptance (see Clause 7.11), notification to tenderers (see Clause 7.16) and retention of tender documents (see Clause 7.18)
- Ordering, receipt and invoicing in compliance with approved electronic system, whether National Police Procurement Hub (NPPH), Force(s) Financial System, Procurement Card

## **Valuation of works and services**

### **Risks:**

- Valuations are made at face value without checks and / or verification to supporting documentation
- Authorisation of payments is made without assurance that checks have taken place
- Inflated claims for payment
- Due damages and credits not being deducted

### **Controls:**

- Checking and sign off of interim valuation certificate
- Full supporting documentation provides completeness, for example how the valuation was compiled, calculated, that deductions (such as for defective work) are included and mitigating actions taken on delays
- Adherence to Force(s) Financial Regulations and the necessary checks of the above prior to payment certification
- Documentation and approval of decisions to deduct damages/apply credits

## **Collusion between suppliers**

#### Risks:

- Suppliers are part of a cartel and divide up contracts between them by sharing tender information
- Pressure on non-cartel members to not submit tenders

#### Controls:

- Suppliers appointed on the basis of quality as well as price – most economically advantageous tender
- Monitoring of tender activities and market awareness by Procurement Services – to identify suspicious behaviour, e.g.:
  - patterns of successful tenderers
  - high margins between tenders
  - same price, discounts, service, credit terms offered by tenderers
  - unexpected refusal to tender
- Maintain the confidentiality of tenderers

*How do you report suspected collusion between procurer and supplier or between suppliers? Inform Jayne Christer,, Head of Supplier Services, EMSCU (jayne.christer@emscu.pnn.police.uk) Tel : (03000 111 222 ext 7440)*

**TENDER EVALUATION PANELLIST  
DECLARATION REGARDING ANY CONFLICT OF INTEREST  
AND CONFIDENTIALITY UNDERTAKING**

I, (Title) (Name) (Surname)  
(Job title) (Organisation/Department)  
(Email address) (Contact phone number)

Conflict of Interest

**Conflict of Interest** refers to situations in which personal interests (which may include financial interests) may compromise, or have the appearance of, or potential for, compromising professional judgement and integrity and, in doing so, the best interests of [Nottinghamshire Police / Derbyshire Constabulary / Northamptonshire Police](#).

Examples of conflicts of interest include: *(This is not an exhaustive list)*

- Having a financial interest (e.g. holding shares or options) in a potential tenderer or any entity involved in any tendering consortium
- Having a financial or any other personal interest in the outcome of the evaluation of any tender evaluation process
- Being employed by (as staff member or volunteer) or providing services to any potential tenderer
- Being a member of a potential tenderer's management/executive board
- Receiving any kind of monetary payment or non-monetary gift or incentive (including hospitality) from any tenderer or its representatives
- Canvassing, or negotiating with, any person with a view to entering into any of the arrangements outlined above
- Having a close member of your family (which term includes unmarried partners) or personal friends who falls into any of the categories outlined above

Having any other close relationship (current or historical) with any potential tenderer

It is the individual's responsibility to ensure that any and all potential conflicts are disclosed to the EMSCU (the Chair of the Tender Evaluation Panel) in writing prior to them becoming involved in any procurement process. Individuals will be excluded from the procurement process where the identified conflict is in the EMSCU's opinion material and cannot be mitigated. The decision as to whether the identified conflict is material, and whether any mitigating arrangements are required, is to be made by the line manager of the Chair of the Tender Evaluation Panel (with support from the respective [Category Manager](#)).

Option 1:

"I do not have any conflicts of interest that prevent my full and unprejudiced participation in any procurement process.

I also declare that I will inform the EMSCU immediately, should my circumstances change in any way that effects this declaration."

**Signature**

**Date**

Option 2:

"I **do have** a conflict of interest that may prevent my full and unprejudiced participation in a procurement process. The nature of this conflict of interest is described below:

I also declare that I will inform the EMSCU as soon as is practicable, should my circumstances change in any way that effects this declaration."

**Signature**

**Date**

Confidentiality Undertakings

**"Procurement process"** encompasses any formal and informal meetings, associated discussions, meeting preparation and follow up or any other related activity.

**"Information"** means all information, facts, data and other matters of which I acquire knowledge, either directly or indirectly, as a result of my activities as an evaluator of any supplier Pre-Qualification Questionnaire or Tender submissions or tender interviews/presentations etc.

**"Documents"** means all draft, preparatory information, documents and any other material in either paper or electronic form, together with any information contained therein, to which I have access, either directly or indirectly, as a result of my participation in any procurement process. Furthermore, any records or notes made by me relating to information or documents shall be treated as Confidential Documents.

I understand that I may be invited to participate either directly or indirectly in the procurement process and agree:

1. To treat all information and documents under conditions of strict confidentiality
2. Not to disclose, make copies of, or discuss any received information with any person who is not a member of the Tender Evaluation Panel (without the prior written approval of the Chair of the Tender Evaluation Panel)
3. Not to use (or authorise any other person to use) information and documents other than for the purpose of my work in connection with the procurement process
4. To return documents to the Chair of the Tender Evaluation Panel as soon as the evaluation process is complete

Unless otherwise agreed with the Chair of the Tender Evaluation Panel, and subject to relevant legislation, this undertaking applies until the end of the contract, including any contract extensions.

This undertaking shall not apply to any document or information that becomes public knowledge otherwise than as a result of a breach of any of the above undertakings.

**Signature**

**Date**

**PLEASE FORWARD THE COMPLETED AND SIGNED FORM  
TO THE CHAIR OF THE EVALUATION PANEL**



<b>For Information &amp; Consideration</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>The Chief Financial Officer</b>
<b>Report Author:</b>	<b>Charlotte Radford</b>
<b>E-mail:</b>	
<b>Other Contacts:</b>	
<b>Agenda Item:</b>	<b>9</b>

## **INTERNAL AUDIT ANNUAL ASSURANCE REPORT 2013-14**

### **1. Purpose of the Report**

- 1.1 To provide the Police & Crime Commissioner with the assurance opinion for 2013-14 from the Internal Auditors and an update on overall performance against in 2013-14.

### **2. Recommendations**

- 2.1 Members are requested to note the opinion provided –“adequate” and the work undertaken in 2013-14.

### **3. Reasons for Recommendations**

- 3.1 This complies with the terms of reference for this committee and the principles of good governance.

### **4. Summary of Key Points**

- 4.1 Attached at **Appendix A** is the Internal Audit Annual Report providing adequate assurance for the 2013-14 financial year.

### **5. Financial Implications and Budget Provision**

- 5.1 None as a direct result of this report.

### **6. Human Resources Implications**

- 6.1 None as a direct result of this report.

### **7. Equality Implications**

- 7.1 None as a direct result of this report.

## **8. Risk Management**

- 8.1 The risks identified at a corporate level are used in allocating audit work for the year. Individual Audit reports produced throughout the year identify the level of risk for each recommendation made.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 This report complies with audit regulations and the principles of good governance.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 None

## **11. Details of outcome of consultation**

- 11.1 None

## **12. Appendices**

- 12.1 A – Internal Audit Annual Audit Report

# **Nottinghamshire Office of the Police and Crime Commissioner and the Office of Chief Constable for Nottinghamshire**

**Internal Audit Annual Report – Year ended 31 March 2014**

Presented at the Joint Audit & Scrutiny Panel  
meeting of: 17 June 2014

Patrick Green

Baker Tilly Risk Advisory Services LLP

# 1 Internal Audit Opinion

## 1.1 Context

As the provider of the internal audit service to the Nottinghamshire Office of the Police and Crime Commissioner and the Office of the Chief Constable for Nottinghamshire we are required to provide the Section 151 Officers and the Joint Audit & Scrutiny Panel an opinion on the adequacy and effectiveness of the organisation's governance, risk management and control arrangements. In giving our opinion it should be noted that assurance can never be absolute. The most that the internal audit service can provide is a reasonable assurance that there are no major weaknesses in risk management, governance and control processes.

In line with the Financial Management Code of Practice published by the Home Office, both the Office of the Police and Crime Commissioner (OPCC) and the Office of the Chief Constable (OCC) must have an internal audit service, and there must be an audit committee in place (which can be a joint committee). This annual report is therefore addressed to both the PCC and the Chief Constable, and summarises the work undertaken during 2013/14.

As your internal audit provider, the assurance and advisory reviews that Baker Tilly Risk Advisory Services LLP (Baker Tilly) provides during the year are part of the framework of assurances that assist the PCC and Chief Constable prepare informed annual governance statements.

## 1.2 Internal Audit Opinion 2013/14

### Nottinghamshire Office of the Police and Crime Commissioner

We are satisfied that sufficient internal audit work has been undertaken to allow us to draw a reasonable conclusion on the adequacy and effectiveness of the Nottinghamshire Office of the Police and Crime Commissioner's arrangements.

In our opinion, based upon the work we have undertaken, for the 12 months ended 31 March 2014 the Nottinghamshire Office of the Police and Crime Commissioner has adequate and effective risk management, control and governance processes to manage the achievement of the organisation's objectives.

### Office of the Nottinghamshire Chief Constable

We are satisfied that sufficient internal audit work has been undertaken to allow us to draw a reasonable conclusion on the adequacy and effectiveness of the Office of the Nottinghamshire Chief Constable's arrangements.

In our opinion, based upon the work we have undertaken, for the 12 months ended 31 March 2014 the Office of the Nottinghamshire Chief Constable has adequate and effective risk management, control and governance processes to manage the achievement of the organisation's objectives.

## 1.3 The Basis of the Opinion

### 1.3.1 Governance

Our opinion is based upon our internal audit work during 2013/14 in which all assignments considered the reporting arrangements relating to those areas within the governance framework.

Furthermore, we completed an advisory review of Financial Governance and compliance with elements of the Good Governance Framework and the Financial Management Code of Practice. No significant issues were noted.

### **1.3.2 Risk Management**

A specific review of Risk Management was not completed during 2013/14, therefore our opinion is based upon our internal audit work during 2013/14 in which all assignments considered the reporting arrangements relating to those areas within the risk framework. Our opinion is further informed by our knowledge and understanding of the arrangements in place, together with attendance at Joint Audit & Risk Scrutiny Panel.

### **1.3.3 Control**

Five advisory and thirteen other assurance audit reports were issued across the OPCC and Force in 2013/14. These comprised of seven Green (substantial), one Amber Green (reasonable) and one Amber Red (some) assurance opinions. The Amber Red opinion was on the Collaborative review of Governance & Financial Framework which was completed across the East Midlands Collaboration.

We concluded that the control arrangements in place for both the Office of the Police and Crime Commissioner and the Officer of the Chief Constable were adequate and effective.

### **1.3.4 Acceptance of Recommendations**

All except two recommendations (one medium priority and one low priority as part of the Health & Safety report), made during the year, were accepted by management and we have accepted management's responses in these areas.

Progress made with previous internal audit recommendation

Our follow up of the recommendations made previously, including those that were outstanding from previous years, showed that the organisation had made good progress in implementing the agreed recommendations.

### **1.3.5 Reliance Placed Upon Work of Other Assurance Providers**

In forming our opinion we have not placed any direct reliance on other assurance providers.

## 2 Our Performance

### 2.1 Wider value-adding delivery

As part of our client service commitment, during 2013/14 we have:

- Issued client updates and general briefings during the year.
- Provided benchmarking within our reports on the number and category of recommendations and assurance opinions across organisations similar to yourselves.
- Undertaken joint reviews with your collaborative partners to provide a joint assurance opinion including the Governance Framework.
- Undertaken both advisory and assurance reviews across both Corporations Sole. This included sharing best practice across the sector through our work.
- We have made suggestions throughout our audit reports based on our knowledge and experience in the public and private sector to provide areas for consideration.
- Regular contact including ad-hoc telephone calls and queries as required.

### 2.2 Conformance with Internal Audit Standards

Baker Tilly affirms that our internal audit services to the OPCC for Nottinghamshire and the OCC for Nottinghamshire are designed to conform with the Public Sector Internal Audit Standards (PSIAS) which came in to effect from 1 April 2013.

Under the standards, internal audit services are required to have an external quality assessment at least once every five years. During 2011 our Risk Advisory service line commissioned an external independent review of our internal audit services to provide assurance whether our approach meets the requirements set out in the International Professional Practices Framework (IPPF) published by the Global Institute of Internal Auditors (IIA). The PSIAS are based upon the IPPF, and therefore we are confident that the results of this review apply to our continuing services in the sector.

The external review concluded that *“the design and implementation of systems for the delivery of internal audit provides **substantial assurance** that the standards established by the IIA in the IPPF will be delivered in an adequate and effective manner”*.

### 2.3 Conflicts of Interest

We (Baker Tilly) have not undertaken any work or activity during 2013/2014 that would lead us to declare any conflict of interests.

## Appendix A: Internal Audit Opinions and Recommendations 2013/14

Audit	Opinion	Actions Agreed (by priority)		
		High	Medium	Low
Culture	Advisory	Uncategorised recommendations included		
Commissioning - Grant Applications	Advisory	Uncategorised recommendations included		
Governance – Financial Governance	Advisory	Uncategorised recommendations included		
Data Quality – Medacs	Advisory	Uncategorised recommendations included		
Crime Recording	Advisory	Uncategorised recommendations included		
Scrutiny Panel – Anti Social Behaviour	Reasonable Progress	-	-	-
Workforce Planning	Amber Green	1	-	3
Equality & Diversity	Green	-	-	3
Health & Safety	Green	-	2	1
Environmental Policy	Green	-	2	3
Absence Management	Green	-	1	4
Estates	Green	-	-	1
Payroll	Green	-	-	-
Creditors & Payments	Green	-	-	2
Finance Controls – Income & Debtors, Cash, Asset Management & Budgetary Control	Green	-	-	-
Follow Up	Good Progress	-	-	-
Collaboration - Governance & Financial Framework (This audit includes a contribution from each of the East Midlands Audit Plans and has been reported across each of these)	Amber / Red	0	5	2
Follow Up - Collaboration - Governance & Financial Framework	Good Progress	-	-	-
<b>Total</b>		<b>1</b>	<b>10</b>	<b>19</b>

We use the following levels of opinion classification within our internal audit reports:

<b>Red</b>	<b>Amber / Red</b>	<b>Amber / Green</b>	<b>Green</b>
<p>Taking account of the issues identified, the OPCC &amp; CC cannot take assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied or effective.</p> <p>Action needs to be taken to ensure this risk is managed.</p>	<p>Taking account of the issues identified, whilst the OPCC &amp; CC can take some assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective, action needs to be taken to ensure this risk is managed.</p>	<p>Taking account of the issues identified, the OPCC &amp; CC can take reasonable assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.</p> <p>However we have identified issues that, if not addressed, increase the likelihood of the risk materialising.</p>	<p>Taking account of the issues identified, the OPCC &amp; CC can take substantial assurance that the controls upon which the organisation relies to manage this risk are suitably designed, consistently applied and effective.</p>

As a practising member firm of the Institute of Chartered Accountants in England and Wales (ICAEW), we are subject to its ethical and other professional requirements which are detailed at <http://www.icaew.com/en/members/regulations-standards-and-guidance>.

The matters raised in this report are only those which came to our attention during the course of our review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. Recommendations for improvements should be assessed by you for their full impact before they are implemented. This report, or our work, should not be taken as a substitute for management's responsibilities for the application of sound commercial practices. We emphasise that the responsibility for a sound system of internal controls rests with management and our work should not be relied upon to identify all strengths and weaknesses that may exist. Neither should our work be relied upon to identify all circumstances of fraud and irregularity should there be any.

This report is supplied on the understanding that it is solely for the use of the persons to whom it is addressed and for the purposes set out herein. Our work has been undertaken solely to prepare this report and state those matters that we have agreed to state to them. This report should not therefore be regarded as suitable to be used or relied on by any other party wishing to acquire any rights from Baker Tilly Risk Advisory Services LLP for any purpose or in any context. Any party other than the Board which obtains access to this report or a copy and chooses to rely on this report (or any part of it) will do so at its own risk. To the fullest extent permitted by law, Baker Tilly Risk Advisory Services LLP will accept no responsibility or liability in respect of this report to any other party and shall not be liable for any loss, damage or expense of whatsoever nature which is caused by any person's reliance on representations in this report.

This report is released to our Client on the basis that it shall not be copied, referred to or disclosed, in whole or in part (save as otherwise permitted by agreed written terms), without our prior written consent.

We have no responsibility to update this report for events and circumstances occurring after the date of this report.

Baker Tilly Risk Advisory Services LLP is a limited liability partnership registered in England and Wales no. OC389499 at 6th floor, 25 Farringdon Street, London EC4A 4AB.



<b>For Consideration &amp; Comment</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>The Chief Financial Officer</b>
<b>Report Author:</b>	<b>Charlotte Radford</b>
<b>E-mail:</b>	
<b>Other Contacts:</b>	<b>ACO Resources</b>
<b>Agenda Item:</b>	<b>10</b>

## **DRAFT ANNUAL GOVERNANCE STATEMENTS 2013-14**

### **1. Purpose of the Report**

- 1.1 To provide members of the Audit & Scrutiny Panel with the draft annual governance statements for the annual statement of accounts 2013-14.

### **2. Recommendations**

- 2.1 Members are requested to consider the draft statements from the OPCC and Force and make comments on any additional matter they recommend to be included.

### **3. Reasons for Recommendations**

- 3.1 This complies with the principles of good governance.

### **4. Summary of Key Points**

- 4.1 Each of the legal entities is required to review governance arrangements and then produce an annual governance statement. The Police & Crime Commissioner should have regard to the statement produced by the Force and agreed by the Chief Constable when considering the accounts and governance arrangements for the Group.
- 4.2 These statements are draft documents until the final statements are published with the statement of accounts in September.
- 4.3 A further statement from the Region will also be made available.

### **5. Financial Implications and Budget Provision**

- 5.1 None as a direct result of this report.

### **6. Human Resources Implications**

- 6.1 None as a direct result of this report.

## **7. Equality Implications**

7.1 None as a direct result of this report.

## **8. Risk Management**

8.1 None as a direct result of this report.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 This is directly linked to the Joint Corporate Code for Governance and complies with best practice as recommended by the Chartered Institute of Public Finance & Accountancy (CIPFA).

## **10. Changes in Legislation or other Legal Considerations**

10.1 The production of the annual governance statements by both legal entities meets the requirements of the Accounts and Audit Regulations.

## **11. Details of outcome of consultation**

11.1 Within the force process of assurance review the Chief Officer Team, Heads of Department and Divisional Heads are consulted and complete an assurance return.

11.2 Within the OPCC the process is the same but limited to the Chief Executive and the Chief Finance Officers. The assurance returns of the Chief Constable and ACO Resources are also part of this process.

## **12. Appendices**

12.1 Two Draft Annual Governance Statements are attached:

- A- The Draft Annual Governance Statement of the Chief Constable
- B- The Draft Annual Governance Statement of the Police & Crime Commissioner



## **Nottinghamshire Police Annual Governance Statement 2013/14**

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## **1.0 Introduction**

### **1.1 Scope of responsibility**

Nottinghamshire Police is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Force has the duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised.

In discharging this overall responsibility, Nottinghamshire Police is responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

The Chief Constable of Nottinghamshire Police and the Police and Crime Commissioner (PCC) for Nottinghamshire have approved and adopted a Joint Code of Corporate Governance, which is consistent with the principles of the CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government'. A copy of the Code of Governance can be obtained from the Nottinghamshire Office of Police and Crime Commissioner (NOPCC) website at [www.nottinghamshire.pcc.police.uk](http://www.nottinghamshire.pcc.police.uk).

This Annual Governance Statement (the Statement) explains how Nottinghamshire Police has complied with the Code. The production of the Statement also complies with the Accounts and Audit (England) Regulations 2011, regulation 4(3).

### **1.2 The purpose of the governance framework**

The governance framework comprises the systems and processes, culture and values by which the Force is directed and controlled and its activities through which it accounts to, engages with and leads its communities. It enables the Force to monitor the achievement of its strategic objectives and to consider whether those objectives have led to the delivery of appropriate services and value for money.

The system of internal control is a significant part of the framework and is designed to manage risk to a reasonable level. It cannot eliminate all risk of failure to achieve aims and objectives and can therefore only provide reasonable and not absolute assurance to identify and prioritise the risks to the achievement of the Force's aims and objectives, to evaluate the likelihood and potential impact of those risks being realised, and to manage them efficiently, effectively and economically.

The systems, processes, cultures and values comprising Nottinghamshire Police's governance framework, the key elements of which are described in the following sections of this document, are subject to regular review.

The governance framework has been in place at Nottinghamshire Police from the year ending 31<sup>st</sup> March 2013 and will be up to the date of approval of the annual report and statement of accounts.

## **2.0 Annual Governance Statement**

### **2.1 Creating and implementing a vision for the local area**

#### **Strategic planning**

In November 2012 all police forces in England and Wales, except London, elected their first Police and Crime Commissioner. One of the Commissioner's key responsibilities was to issue a Police and Crime Plan to cover their period in office (2013-18), in which they make clear their priorities and the objectives they are setting for the Force. In addition, following a comprehensive strategic assessment carried out with the support of local community safety and criminal justice partners; the Commissioner has set a number of strategic themes.

In April 2013 a Strategic Plan for 2013-18 was produced and implemented which makes clear how the strategies and plans of the Force will address the Commissioner's priorities and support the achievement of the objectives in the Police and Crime Plan. It has been developed by the Chief Officer Team based on an understanding of what the Force does well, the areas where it can improve and how well equipped the Force is to meet future challenges.

The Plan is built on strong foundations established over many years of working together with other police forces and law enforcement agencies, and in partnership with criminal justice agencies, local authorities and other organisations in the public, private and voluntary sectors. It takes into account the views of local people and partner agencies as well as analysis of available evidence, and utilising the vast amount of experience and expertise within the organisation so that the Force is confident it is addressing the right issues in the right way.

To meet the challenges that lie ahead the Force has planned carefully how to use its resources, whilst retaining the flexibility to respond to new and emerging threats to the people and communities it serves.

The strategic plan articulates Nottinghamshire Police's vision to be the best performing police force in England and Wales. Clear, measurable aims have been set in terms of reduction of crime and antisocial behaviour, resource management and victim satisfaction, so the Force will know when this has been achieved.

#### **Delivery and monitoring**

A monthly Performance and Insight Pack is produced which reports against the strategic priority themes set out in the Police and Crime Plan, this includes performance against target as well as analysis of trends overtime. Additional insight is also given for those measures which are deemed to be experiencing performance that is of concern to the Force.

The Performance and Insight Pack is received by senior managers throughout the Force and is reported to the Joint Local Policing and Operational Support Board and the Corporate Services Board on a monthly basis. It is also presented to the Office Police and Crime Commissioner (OPCC) Strategic Resources and Performance Meeting to inform the OPCC of the key performance headlines for the Force. The minutes of this meeting, along with the Pack, are made available on the OPCC website so they are accessible to members of the public.

## **2.2 Working together to achieve a common purpose with clearly defined functions and roles**

### **Scheme of delegation**

The Force is subject to the OPCC's Scheme of Delegation, which details the functions delegated to the Chief Executive, the Chief Finance Officer (CFO) of the PCC the Assistant Chief Officer (ACO) Resources of the Force and the Head of Legal Services. The Force will develop its own Scheme of Delegation during 2014/15 to break down the accountabilities further for the organisation.

The Scheme enables the OPCC and the Force to function in an efficient and effective manner. It sets out the extent to which the PCC has delegated decisions to the Chief Constable, Chief Executive and CFO that are the statutory responsibility of the PCC.

The ACO has a statutory responsibility to carry out the functions of the CFO as set out in the Police Reform and Social Responsibility Act 2011, Section 114 of the Local Government Act 2011 1988 and the CIPFA Statement on the Role of the Chief Finance Officer. In carrying out the role of the CFO, the ACO ensures that the financial affairs of the Force are properly administered having regard to probity, legality and appropriate standards. The requirements for the role of the Chief Constable's CFO, along with Section 151 Officer responsibilities, are formally documented in the ACO's job description.

### **The role of the Head of Internal Audit**

In compliance with CIPFA guidance, the OPCC and the Force have appointed a Head of Internal Audit. This role is contracted out to KPMG, they are responsible of the organisation's internal audit service, on behalf of the CFO, including drawing up the internal audit strategy and annual plan and giving the annual audit opinion.

### **Policing Protocol**

The Force is compliant with the Policing Protocol, which was issued in accordance with the Police Reform and Social Responsibility Act 2011 and sets out how the functions of the PCC, Chief Constable and Police and Crime Panel will be exercised in relation to each other.

The Protocol intends to encourage an effective working relationship and mutual understanding of, and respect for, each party's statutory functions will serve to enhance policing for local communities.

### **Financial regulations**

The Force is governed by the OPCC's Financial Regulations, which detail the working financial relationship between the Commissioner and the Chief Constable and their respective Chief Financial Officers. They are part of the overall regulatory and governance framework that includes the policing protocol, codes of conduct, scheme of consent and scheme of delegation.

The Chief Constable has day to day responsibility for financial management of the Force within the framework of the agreed budget allocation and levels of authorisation issued by the Commissioner. However, these duties are delegated to the ACO Resources as the Chief Constable's Chief Financial Officer.

The ACO Resources is responsible for ensuring that the financial affairs of the Force are properly administered and that the financial regulations are observed and kept up to date. The ACO is also responsible for providing assurance to the Chief Constable, the Commissioner and the external auditor of any unlawful or potentially unlawful

expenditure by the Chief Constable or officers of the Chief Constable. They will also advise the Chief Constable on VFM in relation to all aspects of the Force's expenditure and the soundness of the budget.

The Commissioner, Chief Constable and all employees have a duty to abide by the highest standards of honesty, integrity and transparency in dealing with financial issues. This is facilitated by ensuring everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

All Divisional and Departmental Heads have formally acknowledged their responsibilities in accordance with the Force and the OPCC's Financial Regulations. There are no significant issues to be reported and no instances of non-compliance to be reported.

An annual audit against the key financial controls is conducted by the Force's internal auditors; the latest audit rated the Force's arrangements as 'substantial'.

### **Contract standing orders**

The East Midlands Strategic Commercial Unit (EMSCU) drafted Contract Procedure Rules and Standing Orders (the Orders) in 2013/14. The document updates the standing orders and also reflects how EMSCU manage strategic procurements across all three partner forces, Nottinghamshire, Derbyshire and Northamptonshire. It is intended as a guide for suppliers and staff to help those engaged in buying and providing goods and services.

The Orders set out the Business Code of Conduct for the NOPCC and the Force to advise on the minimum standards expected of all staff to ensure fairness and consistency of approach in line with sound commercial practice.

The document includes procurement policy and procedures, the aim of which are to ensure that the supply of goods, services and works are procured in accordance with relevant legislation and in the most cost effective manner. They also aim to ensure that procurement activity is undertaken in a fair, transparent and consistent manner, ensuring the highest standards of probity and accountability. Procedures define the minimum processes expected of staff engaged in the procurement of goods, services and works on behalf of the NOPCC and NP.

Agreement from all three forces is still being finalised, once formally approved these will be published on the OPCC website.

### **Partnership working**

The Force is committed to working in partnership to deliver its priorities. By working with other organisations and agencies the Force can provide the very best service to its communities. It is essential that working in partnership with others is underpinned by a common vision that is understood and agreed by all parties.

The City of Nottingham's 'Plan 2020' sets out a clear ten year strategy with a shared vision, strategic priorities and cross-cutting aims, which all partners, including the Force will contribute to. The delivery of the strategy is governed by the One Nottingham Board which brings together the leaders of key public sector organisations and stakeholders across Nottingham City with the overriding purpose of promoting and ensuring the delivery of the 2020 Vision and Sustainable Community Strategy. The One Nottingham Executive Group is responsible for driving and managing the delivery of the strategy, and the medium term action plan around delivery of the wider strategy.



Each strategic priority is owned by a theme partnership, which is accountable to the One Nottingham Executive Group. Strategic Priority Five 'Safer Nottingham' is led by the Crime and Drugs Partnership, of which the Nottinghamshire Police City Division is a key member.

One Nottingham produces an annual report in June, which reports on progress toward headline indicators set under each priority.

In the County, strategic partnerships are underpinned by a common vision and objectives, which are documented in the terms of reference for the Safer Nottinghamshire Board (SNB).

The SNB is responsible for setting strategic direction for community safety and substance misuse, ensuring the effective delivery of the Nottinghamshire Community Safety Strategy, supporting the statutory local Community Safety Partnerships (CSPs) to deliver their community safety strategies and ensuring effective performance management arrangements are in place.

The four statutory CSPs are responsible for the delivery of local community safety strategies and action plans. The SNB Delivery Groups support the SNB and CSPs to implement the community safety strategies.

The SNB's Performance Group is tasked to provide a summary of performance to the Board at each meeting together with exception reports around areas of poor performance or areas of concern in order that the Board is then able to take key decisions.

The Force's internal auditors, Baker Tilly, undertook an audit of Partnership Governance Arrangements in July 2012. The review highlighted some weaknesses in the controls and arrangements associated with the identification and monitoring of partnership activity.

It was identified that a corporate Partnership Working Policy should be developed and implemented in order to outline the key controls and arrangements to be followed establishing a partnership agreement at the beginning of a partnership and for monitoring partnership activity throughout the life of the partnership. This should include the requirement for consistent risk and financial management, documenting the vision and purpose of the partnership, roles and responsibilities of partnership members and dispute resolution.

The final audit report also recommended that a central partnership register should be established to ensure that the PCC and the Chief Officer Team are aware of exactly what partnerships are operating to enable them to proactively challenge the partnerships progress against its objectives and ensure the continued benefit of the Force's involvement. This register has now been produced and will be reported on in line with the Force Partnership Working Policy, once it is established.

Finally, it was recommended that the Force establish a consistent statement of funding sources and proper financial administration around partnership working, this has now been implemented.

These recommendations have been captured and are being monitored through the Force Action Plan. Progress is reported to the Joint Local Policing and Operational Support Board, which is chaired jointly by the ACC, Local Policing, and the ACC, Crime Justice and Protective Services, on a monthly basis.

## **Collaboration**

Collaborative opportunities are increasingly being explored and arrangements put in place within the region in order to maintain and improve service delivery whilst delivering significant cost savings.

The East Midlands Collaboration Programme (EMPCP) manages projects on behalf of East Midlands' forces. It has four portfolio areas, Specialist Crime, Operational Support, Specialist Operations and Resources, each headed by one of the region's Chief Constables and delivered by the EMPCP team.

The Commissioner's for each Force area are responsible for monitoring from a governance perspective the effectiveness and efficiency of the collaboration and considering ways in which the functions could be exercised to improve their effectiveness and efficiency. The Chief Constable's for each force are responsible for the determination of the strategic operational direction and for monitoring the effectiveness and efficiency of the collaboration from a direction and control perspective.

Each collaboration requires an agreement pursuant to Section 22a of the Police Act 1996 as amended by the Police Reform and Social Responsibility Act 2011. The agreement sets out the relationship between the parties entering into the agreement, the governance and accountability arrangements, roles and responsibilities, dispute resolution and financial contribution.

Assurance regarding collaborative arrangements has recently been sought from both the Force's internal auditors and Her Majesty's Inspectorate of Constabulary (HMIC). The results of these reviews are monitored through the appropriate Boards.

<b>URN</b>	<b>Identified improvement actions:</b>
<b>2.2.1</b>	Establish where Information Sharing Agreements need to be reviewed in respect of partnership working, update as appropriate and communicate to relevant stakeholders.
<b>2.2.2</b>	Once agreed publish the updated Contract Procedure Rules and Standing Orders on the OPCC website.
<b>2.2.3</b>	Develop and publish an Internal Scheme of Delegation to set out levels of authorisation for senior managers in the Force.
<b>2.2.4</b>	Develop and implement a Partnership Working Policy.

## **2.3 Demonstrating the values of good governance through upholding high standards of conduct and behaviour**

### **Our Values**

The PROUD values were introduced to the Force in 2012. The values, to be professional, have respect of all, working as one team, having utmost honesty and integrity and by doing it differently; define what unites all officers and staff in delivering policing services within Nottinghamshire.

The Force values have been communicated widely to all staff through the Policing Plan, the Force intranet and via interactive briefings, which all officers and staff have taken part in. The values have also been integrated into the new PDR process. Officers and staff are asked to provide evidence on how they have actively demonstrated support for the Force's Values. Evidence of commitment must also be demonstrated during the recruitment and promotion process.

## **Standards of conduct**

Standards of conduct and personal behaviour expected of all police officers and police staff have been communicated formally through the Police Conduct Regulations 2012, and the Police Staff Misconduct Policy and Procedure. The latter was issued in 2012 to provide a clear and transparent framework to communicate to police staff employees what is expected of them and the likely consequence of failure in meeting those standards.

A National Code of Ethics for Policing in England and Wales was circulated for consultation in 2013/14. It sets out nine policing principles and ten standards of professional behaviour and emphasising what good policing should look like and how ethical officers and staff should behave. To support this, the Force published a code of conduct which aimed to give greater clarity around the expected standards of behaviour of Officers and Staff in maintaining professional boundaries with victims, witnesses and offenders. This was published on both the Force intranet and the Force website.

Professional Standards have an effective standards monitoring process in place. Standards are governed by the Professional Standards and Integrity Board, which is chaired by the Deputy Chief Constable and takes place on a bi-monthly basis. The remit of the meeting is to oversee integrity and monitor standards of conduct and behaviour within the Force, ensuring that they are in line with Force values and have a positive impact of reputation and public confidence. It forms an integral part of the Force's internal governance arrangements by bringing together members of the Professional Standards and HR senior management teams to review matters of performance relating to conduct.

A report on IPCC investigations is presented at the Joint Audit and Scrutiny Panel on a bi-annual basis. The purpose of the report is to inform the PCC in respect of how many cases the Force has referred to the Independent Police Complaints Commission (IPCC) during a specified period. Also, it details any outcomes and recommendations the IPCC has referred back to the Force during this period, and other learning identified. The Panel is made up of five independent members, members of the public are also able to attend and minutes of the meeting are made available via the OPCC website.

The Force has a Professional Standards Reporting Procedure in place. The purpose of the procedure is to set out the ways in which individuals within Nottinghamshire Police can report breaches of professional standards in a supportive and confidential environment. Incidents can be reported via a confidential telephone line, through Integrity Messenger, which is a confidential IT reporting facility, or direct to line management.

## **Managing complaints**

There are effective, transparent and accessible mechanisms for managing complaints in Force, which are managed in accordance with statutory guidance provided by the IPCC which was revised as a result of the Police Reform and Social Responsibility Act 2011.

All complainants receive regular updates and reports in respect of investigations taking place, in line with statutory guidance. Furthermore, once complaints have been investigated complainants are surveyed to ensure they are satisfied with the service they have received and the resolution reached.

Any complaints which may indicate a failure in service delivery are fed into the Service Improvement Plan, which is governed by the Professional Standards and Integrity Board. The process is subject to continual review and improvement.

Lessons learned as a result of complaints which are investigated by the Independent Police Complaints Commission (IPCC) and Nottinghamshire Police are outlined and accompanied with resulting guidance on the Professional Standards intranet page.

To provide internal assurance, a Performance and Insight Report, monitoring the complaints process, is produced on a monthly basis. This report provides statistical data and analysis on public complaints and allegations recorded by Division or Department.

A Complaints Assurance Report is also produced by the OPCC to provide the PCC with assurance that complaints are being managed in accordance with IPCC statutory guidance. Recommendations are reported to the Strategic Resources and Performance Meeting, which is chaired by the PCC, on a bi-annual basis. The minutes of this meeting are made available to the public on the OPCC website.

The Force also receives nationally comparative statistical data from the IPCC in respect of public complaints, on a quarterly basis.

### **Conflicts of interest**

The Force has a Business Interests and Additional Employment for Police Officers and Police Staff Procedure which was revised in 2012 due to the publication of revised guidance from the Association of Chief Police Officers (ACPO) following the HMIC Integrity Review 'Without fear or favour'. The guidance outlines the recommended approach to the management of business interests and additional occupation for those working in the Police Service of England and Wales. It is intended to provide consistency of application and enable appropriate decisions to be taken to ensure the reputation of the Police Service and the health, safety and wellbeing of members of staff.

A Register of Interests is published on the Force website; any changes are reported on a monthly basis to the Professional Standards and Integrity Board.

The Notifiable Associations for Police Personnel Procedure was also reviewed in 2012 following the HMIC Integrity Review. It provides guidance to all personnel as to what could be interpreted as a 'notifiable association'. Furthermore, it identifies the procedures that should be followed should police personnel consider themselves the subject of, or suspect another member of staff to have, a notifiable association. This is available on the Force intranet and website.

An 'Integrity Healthcheck' is being introduced for all Officers and Staff in 2014/15 as part of the annual PDR process. Individuals will be reminded of their obligations in respect of Force policy regarding notifiable associations, gifts and hospitality, business interests and debt management,

### **Gifts and hospitality**

The Gifts, Gratuities and Hospitality Procedure provides both officers and staff with an ethical framework in which to determine the boundaries of acceptability around gifts, gratuities and hospitality. This was last reviewed in October 2012 following the issuing of ACPO guidance.

A register of gifts, gratuities and hospitality is maintained by the Professional Standards Department, it is published annually on the Force website.

**Information assurance**

Information assurance (IA) is governed through the Force Information Assurance Board, chaired by the DCC as the Senior Information Risk Officer (SIRO). The role of the Board is to manage the effectiveness of Information Assurance arrangements to ensure that information held, processed and accessed by members of the Force and our stakeholders is kept secure in order to ensure confidentiality, integrity and availability of information.

An annual information assurance assessment takes place against the Information Assurance Maturity Model (IAMM). An IA Task and Finish Group has been set up to look at the requirements of the IAMM in order to carry out a gap analysis of how the Force currently operates in relation to the requirements of the model. This group is responsible for implementing and developing areas of information assurance, reporting to the Force Information Assurance Board (FIAB) quarterly.

An Information Risk Management Group was recently commissioned by the SIRO for the management of strategic information risks on behalf of the Force Information Assurance Board (FIAB). The role of the group will be to provide assurance to the FIAB as to how effectively information risks are being managed at project, division / department and Force level and to manage the implementation of the Information Risk Management Strategy.

All users of Force systems are aware of their roles and responsibilities with regard to ensuring they handle and process police information in compliance with the Force's Information Assurance Framework, and have a duty to report instances of non-compliance to their line managers. The majority of staff have completed an e-learning course on Information Assurance. This is a mandatory exercise which all Officers and Staff will be required to complete during 2014/15.

Each information asset or system in Force has an Information Asset Owner whose role it is to understand what information is held, what is added and what is removed, how information is moved, who has access and why. Training was conducted by the Information Management Officer in 2013/14 for Information Asset Owners and their delegates to ensure they fully understood their role and responsibilities.

Nottinghamshire Police as a public authority have a legal responsibility to respond to Freedom of Information Act (FOIA) and Data Protection Subject Access Requests (DP SARs) within legislative deadlines, which are monitored and governed by the Information Commissioner's Office. These requests are processed and completed by the Information Management Team within Business and Finance. An annual report is presented to the OPCC's Audit and Scrutiny Panel to provide the Panel with data on legislative compliance with the FOIA and DP SARs. This data is also presented at the FIAB quarterly.

**Information sharing**

The Force has a number of Information Sharing Agreements (ISAs) in place with partners and other agencies to define the arrangements for processing data between the two bodies in order to offer clarity on when and how information can be shared legally and professionally, in order to achieve intended outcomes. All ISAs are formally approved by the SIRO.

In order to ensure all ISAs are fit for purpose they will be reviewed during 2014/15. A mechanism will also be put in place to ensure they are reviewed on an annual basis going forward.

### **Information security**

The Force's Information Security Policy is owned by Professional Standards, it was last updated in October 2013. The aims of the policy are to ensure that information held, processed and accessed is kept secure in order to ensure confidentiality, integrity and availability at all times.

The policy extends and applies to all Nottinghamshire Police owned information systems and assets, which hold both manual and electronic information, irrespective of their physical location. The policy also applies to all police officers, police staff and partners, agents and other approved persons working for or with the Police.

The Force recognises the need to ensure security for its areas of responsibility and is committed to managing information and information assets appropriately. This is achieved by maintaining appropriate security standards, specifically in relation to the HMG Security Policy Framework.

The Force maintains compliance with ACPO Information Systems Security Policy and the HMG Information Assurance Maturity Model (IAMM). A gap analysis has been conducted against the IAMM and an Information Assurance Improvement Plan developed.

The Information Assurance Improvement Plan incorporates all improvement opportunities for Information Assurance, including those identified by the Information Commissioner, from a gap analysis against the ISO 27001 and the IAMM framework.

The results of the improvement plan are monitored by the ACO Resources and reported on a quarterly basis to the Force Information Assurance Board, which is chaired by the DCC who is the Force SIRO. The Board has direct responsibility for maintaining Information Security Policy and Procedures, for their implementation and providing advice.

The Force will engage with the National Accreditors and maintain a current certificate of accreditation to relevant National Systems at all times.

### **Information assurance audit**

The Information Commissioner's Office (ICO) conducted an audit of the Force's data protection compliance arrangements in October 2013. The purpose of the audit was to provide the Information Commissioner and the Force with independent assurance of the extent to which the Force is complying with the Data Protection Act. It focussed specifically on the security of personal data, data sharing and requests for personal data.

The overall conclusion was that there was a limited level of assurance that processes and procedures are in place and delivering data protection compliance. In order to enhance existing processes to facilitate compliance a number of recommendations were made which have formed part of the Force's Information Assurance Improvement Plan.

<b>URN</b>	<b>Identified improvement actions:</b>
<b>2.3.1</b>	Ensure all Officers and Staff complete the Information Assurance NCALT exercise.
<b>2.3.2</b>	Introduce a process for updating the Information Asset Register periodically.
<b>2.3.3</b>	Put mechanisms in place to ensure ISAs are reviewed on an annual basis.

## **2.4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk**

### **Governance structure**

The Force Executive Board is the Force's primary decision making forum, its purpose is to direct, set and oversee the strategic development of the Force. It sets the Force strategy, agrees and sets the Force priorities and monitors performance and risk against the Force Strategic Plan. The Force Executive Board is attended by all the Chief Officers and is the forum in which all key decisions are made, such as expenditure, subject to the PCC's Scheme of Delegation.

Both the Assistant Chief Constable's and the ACO Resources chair meetings to manage activity, performance and risk within their respective portfolio. The progress of projects under each portfolio are monitored and any arising risks are managed accordingly. The Boards also review and approve business cases, project scopes, initiation documents, and actions arising from audit and inspection. The Boards are also the primary forum for managing the performance of the portfolio.

The Transformation Board was introduced to the governance structure in 2013/14, the purpose of which is to govern transformational activity to ensure the Force will meet its future performance and financial challenges.

The meeting structure, terms of reference and work plans are reviewed regularly to ensure effective governance and monitoring, real accountability to stakeholders and value for money.

### **Decision making**

The Business and Finance department are responsible for implementing mechanisms to ensure all appropriate considerations are made when making a key decision, for example when writing business cases, scopes, project initiation documents, policies, procedures and strategy. Guidance is provided by Business Partners, the Programme Management Office and the Planning and Policy Team.

Decision making is recorded as part of minutes, action plans and decision logs; however there is no consistent process for recording decisions at corporate meetings. This has been identified as an area for improvement over for 2014/15 along with the requirement to publish decisions on the intranet to ensure transparency and accountability.

Additionally it is a requirement of the ICO Publication Scheme that the Force publish how key decisions are made on the external website. This should take the form of minutes of key Force meetings, such as the Force Executive Board. This is not currently done and has also been identified as an area for improvement for 2014/15.

### **Joint Audit and Scrutiny Panel**

In accordance with the Financial Management Code of Practice for the police service, issued by the Home Office, the PCC and the Chief Constable established a Joint Audit and Scrutiny Panel (the Panel) in 2013. The role of the Panel is to advise the PCC and Chief Constable 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.

The Panel also assist the Commissioner and the Chief Constable in fulfilling their responsibility for ensuring Value for Money and they oversee an annual programme of scrutiny of key areas of policing activity on behalf of the Commissioner.

The Panel meets four times a year and consists of five independent members. The terms of reference for the Panel, meeting agendas, minutes and associated reports are published on the OPCC's website in the interests of transparency and accountability.

### **Risk management**

The Force and the Office of the PCC have agreed a joint Corporate Risk Management Policy and Procedure which specify roles, responsibilities and processes to be followed. Assurance that the Policy and Procedure are being implemented and are effective has been provided to the Corporate Governance Board, Force Executive Board and Joint Audit and Scrutiny Panel through 6-monthly strategic risk reports prepared by the risk practitioner within the Business and Finance department. Both documents have also been communicated to all divisional commanders and heads of department and are available on the Force intranet.

During the second half of 2013/14 the Policy has been reviewed against the Office of Government Commerce (OGC) Management of Risk (M\_o\_R) standard and is currently being updated, which will bring about changes to improve the consistency with which risk management is applied and its effectiveness as an aid to decision making.

Risk identification and review were used during 2013/14 to inform assurance mapping, which is a valuable tool for determining gaps in assurance to inform a risk based internal audit and scrutiny schedule. They provide a 'dashboard view' for the Chief Officer Team and Joint Audit and Scrutiny Plan to enable them to assess at a glance where levels of assurance in key areas of the business are adequate or where further assurance may be required.

### **Business Continuity**

Business Continuity Planning within Nottinghamshire Police is carried out in line with the Association of Chief Police Officers (ACPO) five year Business Continuity Strategy, the Business Continuity Institute Good Practice Guidelines (to industry standard) and the International Standard for BCM. The strategic lead for BCM is the Deputy Chief Constable.

The Force BC Lead Officer is responsible for directing and advising on BCM policy, strategy and process throughout the organisation. This includes ensuring effective business impact assessment, risk assessment, plan formulation, test, exercise and internal review.

The Head of each Division and Department is the BC Plan Owner and has an appointed Single Point of Contact (SPOC) for BCM, responsible for the production of BC plans, communication at all levels from management teams to officers and staff and ensuring all plans are subject to test exercise and review.

Divisions and Departments carry out Business Impact Assessments (BIA) on all functions and activities within their area of operation and from this, identify the critical activities that must be maintained, as far as is possible, during any disruption to normal business. Once identified, critical activities are subject to risk assessment, and recovery strategies identified and put in place to maintain and/or recover those activities during disruption. When completed, the above information is used to inform and direct production of the Business Continuity Plan (BCP).



All BC plans are subject to annual review, and will be exercised in line with the Force BC test and exercise programme. Following de-brief of any test or exercise, a report is completed and, if required, BC plans are reviewed and updated.

BC is governed in Force through a quarterly Business Continuity Forum, which is chaired by the BC Lead Officer, and is attended by the SPOCs for each division and department. The Force Executive Board and Joint Audit and Scrutiny Panel of the OPCC receive an Annual Business Continuity Assurance Report to ensure that BC is adequately managed.

### **Internal audit**

The Commissioner and Force employ Baker Tilly, an independent provider of chartered accountancy and business services, as its internal auditors. The primary role of internal audit is to give assurance to the Commissioner and Chief Constable, on the effectiveness of the controls in place to manage risks.

The Force's risk based internal audit plan is agreed and presented to the Panel before the start of the new financial year. The plan is informed by an assurance mapping process which highlights key policy areas lacking assurance.

Progress against the audit plan is formally reported on by Baker Tilly on an annual basis. In addition, a representative from the internal auditors meets with the ACO Resources on a quarterly basis to discuss internal audit progress and highlight any risks or opportunities for improvement.

### **External audit**

The Force's external auditors, KPMG LLP, audit the Commissioner's and Chief Constable's financial statements, Annual Governance Statement and performance management arrangements, as well as undertaking a number of thematic based reviews.

The External Audit Annual Letter is presented at the Joint Audit and Scrutiny Panel as the final part of compliance with the Accounts and Audit Regulations for closure of the accounts.

The report summarises the key findings from the annual audit of the OPCC and the Chief Constable, its intention is also to communicate any issues to key external stakeholders, including members of the public. This includes a comment on the OPCC and Force's value for money (VFM) profile. There were no matters to report in the 2012/13 Annual Audit Letter, in respect of VFM.

### **External inspection**

HMIC inspects and reports on the efficiency and effectiveness of police forces and specified national police agencies. Its overall objective is to provide, in the public interest, independent, professional assessments of police efficiency and effectiveness for the public, their elected representatives and the police.

In addition, the criminal justice inspectorates of Constabulary, Crown Prosecution Service (CPS), Prisons, and Probation, also carry out regular evaluations in partnership, as part of the Criminal Justice Joint Inspections (CJJI) programme and alongside other national inspectorates such as Ofsted.

### **Legislative monitoring and compliance**

Legislative change in relation to crime and justice policy is monitored continually by the Force and reported on monthly. The Horizon Summary report is made available on the Force intranet and is sent directly to divisional and departmental heads for

their information and action where necessary. Changes in legislation and statutory guidance are also communicated directly to senior management from professional bodies such as ACPO, CIPFA and the IPCC.

Where there is a risk that we may be in breach of our legislative obligations this will be recorded on the Force risk register and managed according to the Corporate Risk Management Policy and Procedure.

In the future, Force intend to develop the Horizon Summary report further to link in with the business planning process to ensure risks and opportunities are properly explored and taken forward.

URN	Identified improvement actions:
2.4.1	Review the way in which actions and decisions are recorded and ensure they are published in line with the ICO Model Publication Scheme.
2.4.2	Embed the revised Corporate Risk Management Policy and Procedure.
2.4.3	Develop the Horizon Scanning Report further to link in with the business planning process.

## **2.5 Developing the capacity and capability of the Force to be effective**

### **Learning and development**

Learning and development is delivered collaboratively by EMCHRIS. Each of the four forces within the collaboration hold quarterly Training Priority Panels which set the learning and development priorities for each Force, this is chaired by the DCC in Nottinghamshire. Training priorities are based on consideration of risk and forthcoming legislative changes; they are informed by both emerging national issues, such as ASB and Cyber Crime, and local priorities.

The learning and development priorities are presented in a report to the OPCC's Strategic Resources and Performance Meeting to provide an overview and accompanying Training Plan for the year.

Individual training needs are assessed as part of the PDR process. HR People Meetings are also held on divisions to assess the training needs of operational staff and HR Partners attend Senior Management Team departmental meetings to ensure training is kept up to date for staff across the rest of the Force.

All Officers and Staff are required to complete mandatory e-learning packages from the National Centre for Applied Learning Techniques (NCALT) on topics such as Health and Safety, Information Assurance and CETIS, which provides them with an understanding of a range of legislation relating to the access and use of information and data held by the Force.

The Force's formal induction process is currently being reviewed and updated to ensure officers and staff are fully supported and given all the information required to carry out their roles effectively. This will include a pre employment information pack around the Force, a structured induction process and mentoring guidelines. Line managers will also have the opportunity to input information tailored to the individual's role and their specific department or function. To support this, a three session mandatory training package will be run by Learning and Development covering areas such as the PROUD values, the PDR process and equality and diversity.

A Talent Management and Succession Planning Strategy is currently being developed by the Force, along with a draft Talent Management Framework, however there is still some work required to develop the processes, practices, learning interventions and communications plan to support this.

URN	Identified improvement actions:
2.5.1	Develop and implement a Talent Management and Succession Planning Strategy.
2.5.2	Review, update and embed the formal induction process.

## 2.6 Engaging with local people and other stakeholders to ensure robust public accountability

### Community engagement and consultation

During 2013/14 the Force developed and published a Public Engagement Strategy to ensure that engagement with the public contributes positively to the Force and Commissioner's priorities, and enhances the public's perception of Nottinghamshire Police. Effective engagement is directly linked to the Force's objectives as set out in the Police and Crime Plan 2013-18.

At a universal level engagement takes place through social media platforms, including Facebook, Twitter and YouTube, the Force website, which provides local updates for each Neighbourhood Policing Team (NPT) area along with priorities, contact details and details of engagement events. The Neighbourhood Priority Survey was introduced as part of a commitment to creating safer neighbourhoods; it allows individuals in the community to influence how their area is policed by completing a short survey which is available on the Force website.

The Force has developed a robust structure of strategic and local Independent Advisory Groups (IAGs) which represent different community groups across the whole of the city and county. They provide an invaluable service to Nottinghamshire Police in three core areas; critical incidents, building trust and confidence and advising on strategies, policies and procedures.

The Neighbourhood Alert electronic communication system is designed to help members of the public communicate with their local Neighbourhood Policing Team and their local Neighbourhood Watch coordinator. The system can be used to report information about suspicious behaviour and antisocial behaviour and to allow users to be sent information about crime trends in their area and community safety and crime reduction advice. The aim is to provide up-to-date information direct to registered members to support two-way communication between members of the public, Nottinghamshire Police and Neighbourhood Watch, in order to reduce crime.

Victims of crime are, at initial contact, provided with information about what service they can expect. Track My Crime was also launched in 2013/14, which is an online service for victims of crime allowing them to track the investigation of a crime at a time that is convenient to them. Victim satisfaction is reported as part of the Performance and Insight Pack to the OPCC's Strategic Resources and Performance Meeting on a bi-monthly basis, the minutes of this meeting, along with the report are published on the Commissioner's website.

### **Workforce engagement and consultation**

The Staff Perception Survey gives employees of Nottinghamshire Police an opportunity to help shape the future of the Force on matters such as values and behaviours, leadership, motivation and morale.

The Force has a statutory obligation to formally consult with employees regarding terms and conditions, workforce change and health and safety. Where a statutory obligation is not present the Force has a duty to consult and when doing so it should be in the proper manner. The arrangements for consultation with staff are being reviewed and will be addressed as part of the Policy Development Framework.

There is a Trade Union Recognition Agreement in place to ensure the Force formally recognises trade unions, which represent members' interests. The Force will consult with them when proposing changes in pay and conditions which are not nationally determined and matters such as disciplinary procedures. Relevant issues, which impact on the Police Staff Associations, on which there is to be consultation will be brought to the Joint Negotiating and Staff Consultative Committee for Police and Support Staff Associations, chaired by the Chief Constable. A Memorandum of Understanding for Diversity and Support Associations is currently being updated.

## **3.0 Review of effectiveness**

Nottinghamshire Police has responsibility for conducting, at least annually, a review of the effectiveness of its governance framework including the system of internal control. The review of effectiveness is informed by the work of the Chief Officer Team, the Heads of Divisions and Departments and other senior managers within the Force who have responsibility for the development and maintenance of the governance environment. It is also informed by the reports of our internal and external auditors and other review agencies and inspectorates.

The review is made robust by obtaining assurance through the process of interviews with the Heads of Divisions and Departments and their senior management teams. Each Chief Officer and Divisional and Departmental Head has provided a comprehensive, signed Statement of Assurance which comments on their compliance with the Force's governance framework during 2013/14. Potential areas for improvement where there are weaknesses in either controls or assurances have also been identified for 2014/15.

We have been advised on the implications of the result of the review of effectiveness of the governance framework by the Joint Audit and Scrutiny Panel, and that the arrangements continue to be regarded as fit for purpose in accordance with the governance framework. The areas to be specifically addressed with new actions are planned and outlined below.

The results of this review will be delivered through the Force business planning process and governed by the ACC and ACO Boards. Reporting will also take place annually to the Joint Audit and Scrutiny Panel alongside the external auditor's report, which will set out their opinions in relation to accounts, governance and performance.

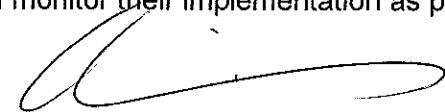
#### 4.0 Significant governance issues

The review process to support the production of the Annual Governance Statement in 2014/15 identified the following significant governance issues. These have been agreed with the respective Divisional and Departmental Heads to address weaknesses identified in the Force's systems of internal control. These issues are significant in that they cover a large proportion of the organisation's activities and/ or are key risk controls and therefore require a corporate solution.

URN	Action
2.2.1	Establish where Information Sharing Agreements need to be reviewed in respect of partnership working, update as appropriate and communicate to relevant stakeholders.
2.2.2	Once agreed publish the updated Contract Procedure Rules and Standing Orders on the OPCC website.
2.2.3	Develop and publish an Internal Scheme of Delegation to set out levels of authorisation for senior managers in the Force.
2.2.4	Develop and implement a Partnership Working Policy.
2.3.1	Ensure all Officers and Staff complete the Information Assurance NCALT exercise.
2.3.2	Introduce a process for updating the Information Asset Register periodically.
2.3.3	Put mechanisms in place to ensure ISAs are reviewed on an annual basis.
2.4.1	Review the way in which actions and decisions are recorded and ensure they are published in line with the ICO Model Publication Scheme.
2.4.2	Embed the revised Corporate Risk Management Policy and Procedure.
2.4.3	Develop the Horizon Scanning Report further to link in with the business planning process.
2.5.1	Develop and implement a Talent Management and Succession Planning Strategy.
2.5.2	Review, update and embed the formal induction process.

We propose over the coming year to take steps to address the above matters to further enhance our governance arrangements. We are satisfied that these steps will address the need for improvements that were identified in our review of effectiveness and will monitor their implementation as part of our next annual review.

Signed



Chris Eyre,  
Chief Constable

Signed



Margaret Monckton,  
ACO Resources (CFO)

• 2010 年 12 月 1 日 起 施 行



**DRAFT**

**ANNUAL GOVERNANCE STATEMENT**

**2013-14**

## 1. SCOPE OF RESPONSIBILITIES

- 1.1 The Nottinghamshire Police and Crime Commissioner (Commissioner) is responsible for ensuring that business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
- 1.2 The Commissioner also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.
- 1.3 In discharging this overall responsibility the Commissioner is responsible for putting in place suitable arrangements for the governance of the organisations affairs, which facilitate the effective exercise of its functions and include arrangements for the management of risk.
- 1.4 The Commissioner has approved and adopted jointly with the Chief Constable a Joint Corporate Code of Governance, which is consistent with the principles of the CIPFA/SOLACE Framework: *Delivering Good Governance in Local Government*. A copy of our code is available on our website at [www.nottinghamshire.pcc.police.uk](http://www.nottinghamshire.pcc.police.uk) or from:

The Nottinghamshire Office of the Police and Crime Commissioner  
Arnot Hill House  
Arnot Hill Park  
Arnold  
Nottinghamshire  
NG5 6LU

This statement explains how we have followed the code and also meets the requirements of the Accounts and Audit (England) Regulations 2011.

- 1.5 Throughout this statement there are references made to other documents being available on the Commissioners website (or the website). This reference relates to the Police and Crime Commissioners website at the address given above.



## **2. THE AIM OF THE GOVERNANCE FRAMEWORK**

- 2.1 The governance framework is basically the systems and processes, and the culture and values, we are controlled by and which we answer to, get involved with and lead the community. The framework allows us to monitor how we are achieving our long-term aims, and to consider whether our aims have helped us deliver appropriate services that are value for money.
- 2.2 The system of internal control is an important part of the framework and is designed to manage risk to a reasonable level. It cannot remove all risk of failing to achieve our policies and aims, so it can only offer reasonable protection. The system of internal control is based on an ongoing process designed to:
- Identify and prioritise risks that could prevent us from achieving our policies and aims;
  - Assess how likely it is that the identified risks will happen, and what will be the result if they did; and
  - Manage the risks efficiently, effectively and economically.

We have had a governance framework in place for the year ended the 31<sup>st</sup> March 2014 and up to the date of approval of the annual statement of accounts.

## **3. THE GOVERNANCE FRAMEWORK**

Our governance framework is made up of many systems, policies, procedures and operations we have in place to do the following:

### **3.1 *Introduction***

The Police Reform and Social Responsibility Act 2011 (the Act) introduced one of the biggest changes in governance arrangements for policing. The Act created two legal entities, the Police and Crime Commissioner and the Chief Constable.

The Chief Constable retained the responsibility for operational policing whereas; the Commissioner has the responsibility for the totality of policing in the area. The Commissioners responsibilities were also extended to include crime prevention and the protection of vulnerable people and victims.

Initially, all assets, liabilities and staff were transferred to the Commissioner. This continued to be the case until 31 March 2014 when the staff under the Chief Constables direction and control transferred to the Chief Constable from the Police and Crime Commissioner. This significant change was planned and prepared for in 2013-14 and will be reflected in the next Statement of Accounts and Annual Governance Statement for 2014-15.

### 3.2 ***Publish our aims for local people and others who use our services***

The Commissioner has refreshed the Police and Crime Plan taking account of the feedback he has received during the year and the achievements that have been made. The plan sets out our priorities for the remaining four years, focusing on achieving seven priorities which aim to make communities safer and place victims at the centre of what we do. The plan reflects the time period covered by the Medium Term Financial Plan (MTFP).

The Police and Crime Plan is based upon the following seven priorities:

1. Protect, support and respond to victims, witnesses and vulnerable people
2. Improve the efficiency, accessibility and effectiveness of the criminal justice process
3. Focus on ***priority crime types*** and those local areas that are most affected by crime and antisocial behaviour
4. Reduce the impact of drugs and alcohol on levels of crime and antisocial behaviour
5. Reduce the threat from organised crime
6. Prevention, early intervention and reduction in reoffending
7. Spending your money wisely

These priorities build upon the Commissioners vision of giving victims and citizens a bigger voice in policing to achieve a safer Nottingham and Nottinghamshire.

The plan was built and refreshed after listening to members of the public and with our partners. It includes a review of each organisations strategic assessment, incorporating regional and national requirements in relation to policing and crime. The performance measures and targets within the plan have all been agreed with partners and the force.

For the plan next year we are already working with partners to further develop a Police and Crime Needs Assessment which will refresh the Joint Partnership Strategic Assessment, aiming to maximise analytical capacity, minimise duplication and share learning, good practice and innovation across the City and County. This will provide a comprehensive threat, risk and harm assessment which will identify local consultation and engagement and improve the identification of need across the Commissioners priorities.

### 3.3 ***Review our aims and the effect they have on our governance arrangements***

We have worked hard to communicate (and receive feedback on) our aims for the community. We have done this a number of ways, including:

- The Commissioner listened to the public during his attendance at partner meetings and his walkabouts within the City and County. For example, he promised 150 extra police officers and 100 extra PCSO's. Recruitment plans have been put in place to deliver this and the resources prioritised within the budget. During the year a significant step towards achieving this target has already been made.
- The Commissioner has also instigated a number of review/scrutiny pieces of work to build upon the Police and Crime Plan priorities such as a review of BME Recruitment and Retention, Base Budget Review, Domestic Violence, Restorative Justice, a Victim Consortium to inform the commissioning strategy and Alcohol.
- The Base Budget Review made recommendations to achieve further savings which have been implemented.
- A BME Steering Group has been established to oversee the implementation of the Project Group's report recommendations and an internal Working Group established chaired by the Commissioner and Deputy Chief Constable.
- Domestic violence has undergone a thorough review across the County to identify the best service delivery for victims. There is a longer piece of academic work commissioned by the Deputy Commissioner which aims to identify triggers for repeat victims and opportunities for associated support and prevention with an emphasis on methods used for identifying what has happened in relationships and how future relationships can be built without domestic violence. An Alcohol Strategy has been developed with partners and is being delivered.

However, this is not all - since coming into post the Commissioner has listened to partners, the public and the force on what are emerging issues and started working with people on areas such as CCTV in taxis in the City Centre, Alcohol, Mental Health issues particularly in custody and community safety issues relating to the Forest Recreation Ground. Also there is a new and emerging community's project, which will include an academic scoping of the impact of economic migrants on public services and crime. There will be

the identification of further research working within the 'Better Policing Collaborative', which the Commissioner is a member, and which has received College of Policing innovation funding for academics to work with operational areas to develop innovation and improve effectiveness of service delivery.

- The Commissioner and Deputy Commissioner have continued to attend meetings with community groups across the City and County and many public events during their first 18 months of office. This work is informing them of the priorities they are implementing in the refreshed police and crime plan update.
- Focus groups were held with ASB victims and members of the public in relation to the refreshed Police and Crime Plan priorities and the precept.
- An on-line survey was used for consulting on the precept and a telephone survey was undertaken in relation to the plan and the precept.
- Public meetings have been held with a variety of groups, to discuss a variety of issues and at a variety of venues: for example with the Asian Youth Group, the City Council Youth Cabinet, Broxtowe Youth Council, Women's groups and at African Caribbean National Artistic Centre and Public Stakeholder Forums in the City and the County.
- The Commissioner and Deputy Commissioner have held discussion groups and web chats with young people and undertaken patch walks across the City and County.
- The Commissioner and the Office of the Police and Crime Commissioner (OPCC) staff have attended events across the City and County. These events were used to canvass opinion in relation to the Alcohol Strategy and general issues relating to policing.

We use feedback that we receive from all sources to help inform decisions. Feedback that the Commissioner received during the public events, meetings and walkabouts resulted in us reviewing our outcomes, which reflect our communities' top priorities of improving antisocial behaviour, supporting our vulnerable people and victims of crime and increasing community safety.

### 3.4 ***Measure the quality of our services and make sure we provide them in line with our aims and that they provide value for money***

The Commissioner is provided with weekly briefings on performance and formally holds the Chief Constable to account for performance in the Strategic Resources and Performance meetings that are held in public venues around the County and City.

The Commissioner is also briefed on a monthly basis on expenditure against the budget. The Chief Finance Officer to the Commissioner also advises on any changes and emerging issues that could impact on the Medium Term Financial Plan.

In addition to the Strategic Resources and Performance meetings the Joint Audit and Scrutiny Committee receives updates on performance and financial monitoring and the Police and Crime Panel receive update reports from the Commissioner. Public Stakeholder meetings have also been held in the City and the County.

The Commissioner has instigated several pieces of review/scrutiny work, drawing on professionals in the field and community representation. Such areas of work under review include:

- BME representation within the force and the use of stop and search in BME communities. The group formed out of this review continue to meet and drive forward change.
- Base Budget Review – an in-depth analysis of the current budget to identify where savings can be made and how to align the budget with police and crime priorities. This will also ensure ongoing value for money.
- Alcohol Strategy – the aim to devise a Countywide (including the City) Joint Alcohol Strategy with a supporting action plan with strategic partners leading the actions to delivery. The Commissioner has worked closely with Nottinghamshire County Council Public Health to jointly commission substance misuse services, together with delivering the Alcohol Strategy and Action Plan, which addresses night time economy issues. Funding has been provided to the Safer Nottinghamshire Board and to the Nottingham Crime and Drugs Partnership to ensure drug misusing offenders and have access to treatment and recovery services.

- Restorative Justice – A review into its use and any improvements that can be made. Independent Consultants have been appointed to develop a strategy; to ensure that victims receive a good service.
- Transforming Rehabilitation – A review with interested stakeholders within Nottinghamshire and the region following the announcement of reform of probation by the Government. Commissioning and OPCC staff have been working closely with MOJ officials to maximise the change for the benefit of the people of Nottinghamshire and to ensure partnership arrangements are maintained. The OPCC are part of East Midlands Regional Advisory Group and have provided grants to third sector organisations to enable them to form consortium of 2<sup>nd</sup> or 3<sup>rd</sup> tier providers. Briefing has been provided for potential interested providers.
- Mental Health – A review on an area of work that has increasing demands being made on policing resources as all agencies are affected by reducing resources. This work involves decision on overarching mental health and criminal justice strategy; which work with partners to improve access and processes for effective dealing with patients under section 136 of the Mental Health Act 2007. Community Psychiatric nurses with the Police are currently providing a ‘Street Triage’ service through joint partnership in the City and the County. A conference on Mental health is being planned for later this year.

The reports from these pieces of work will continue to be presented to the Audit and Scrutiny Panel and the recommendations will continue to be monitored by the Panel. Progress on these reviews is also reported to the Police and Crime Panel.

### 3.5 ***Ensuring a High Quality Service***

The Police and Crime Plan is based upon the Commissioners values which are:

<b>V</b> ictims -	by listening and taking action to protect and safeguard vulnerable people.
<b>O</b> penness-	by putting victims and public at the heart of open and transparent decision-making.
<b>I</b> nclusiveness-	by working effectively with communities and business to tackle crime and anti social behaviour.

- C**ommunities - by ensuring fairness, respect and accountability to victims and communities.
- E**mpowering - by engaging with victims and communities to help shape policing services and building partnerships.

The Plan itself incorporates global, national, regional and local requirements into the seven priorities and details how these will be met, measured and monitored. Specific targets for the Force and partners are included in this and the overall measure of success will be the improvement in victim satisfaction and public confidence.

Each year the Commissioner will produce an Annual Report detailing how well performance against the plan is progressing. A copy of the Annual Report is available on the Commissioners website.

In addition to this is the role of the Police and Crime Panel. The Commissioner is held to account by this panel, which also has power to veto the precept and the appointment of a new Chief Constable. This panel is administered by the County Council and its terms of Reference can be found on Nottinghamshire County Councils website.

### 3.6 ***Ensuring Value for Money***

In times of austerity there is a great deal of focus on the “money” and how it is being spent. The Commissioner wanted to do more than this and has implemented a base budget review in 2013 on the principles of priority based budgeting. This means that no budget is protected; each element of expenditure must demonstrate that it is being used in the achievement of the police and crime plan and in doing this is the work being done at the most economic level.

This review identified where and how further savings could be achieved. The recommendations from the final report are being implemented and making savings in existing budgets.

The Commissioner is also commissioned specific pieces of work with partners and the third sector. Each commissioning agreement requires performance details and achievement goals. Similarly, the grant monies that are being allocated to community groups and the third sector also have a requirement to achieve performance aims linked to the Police and Crime Plan.

The Commissioner is also the Regional Chair from 1<sup>st</sup> April 2014 on the PCC Board, which; ensures regional activities continue to drive out further savings and improved working over the medium term financial period.

The joint audit and scrutiny panel receive audit reports, update reports and the strategic risk register. These reports enable the panel to challenge the OPCC and the Force on ensuring value for money across all activities. The terms of reference for the Joint Audit and Scrutiny Panel, together with all reports and minutes are available on the website.

### **3.7 *Working Together***

As has been reported in previous sections the Commissioner is listening to victims, communities and partners and this is at the heart of how he does business. He is involving people from across these areas to develop and work with him in bringing about improvements.

Each partnership, commissioning agreement, grant agreement and review has terms of reference linked to the clear achievement of the police and crime plan priorities. These agreements clearly define the responsibility of each participant.

Regionally the five PCC's and forces collaborate to ensure resilience and deliver value for money. This is done under Section 22 agreements. During 2013-14 the following arrangements for collaboration have been agreed and were in place: EMSOU, EMSOU-CT, EMSOU-FFI, EMSOU-MC, EMTSU, EMSCU, Learning and Development, Occupational Health, Payroll, Protected Person Services, RIPA and Risk Register.

The "Act" required PCC's to put a Scheme of Delegation in place to ensure the business continued to run smoothly. There was one significant change relating to this in that delegations could no longer be made to the Chief Constable (or any constable) and therefore have been made to specific members of staff employed by the Commissioner, but some of whom are under the direction and control of the Chief Constable. The Scheme of Delegation is approved and operating effectively. The Scheme of Delegation is available on the Commissioners website.

The OPCC and Force also have a Working Relationship Agreement, bringing clarity to the services required by the OPCC from functions under the Chief Constable's direction and control. The Draft Working Relationship Agreement is available on the Commissioners website.



2014-15 will see further significant change as stage 2 of the Act is put in place. This has been planned for and the required changes to Governance arrangements have been put in place to ensure a smooth transition.

### **3.8 *Ensuring High Standards of Conduct and Behaviour***

There are a number of ways that this is achieved:

- The Commissioner, Deputy Commissioner, Chief Executive and Chief Finance Officer have published declarations of interest on the OPCC website.
- Details of salaries and expenses claimed are also published on the website.
- A gifts and hospitality register is in place for all staff and members of the OPCC to record details of all offers made and this is reviewed annually.
- Members of the Joint Audit and Scrutiny Panel and staff attending the Strategic Resources and Performance meeting are required to make declarations of interest where appropriate and that these are formally minuted.
- Professional bodies codes of conduct, that staff have to comply with (e.g. Chartered Institute of Public Finance and Accountancy) are part of what we do.
- A Complaints Procedure is in place for complaints against the Commissioner, Deputy Commissioner, staff and members in the OPCC and the Chief Constable.
- An Anti-Fraud and Anti-Corruption Policy is in place and reported on together with fraud returns annually to the Audit Commission.
- Financial Regulations are in place together with standing orders for Land and Property and Contracts.
- The Commissioner and Deputy Commissioners Code of Ethics.

All of the above together with other policies and the culture of working in the OPCC ensure the high standards of conduct and behaviour are achieved.

### **3.9 *Decision Making Transparency***

All decisions not specifically delegated are made by the Commissioner. There are two ways in which decisions can be made, either:

1. In a public meeting of Strategic Resources and Performance, where minutes are taken recording decisions made. These minutes are published on the website.
2. In day-to-day management activity by the Commissioner. This is done by a report with any required supporting information and Executive Decision Record being completed and submitted to the Commissioner. Once approved the decision record is published on the website.

The Commissioner refers to the professional officers within the OPCC to inform the decisions being made.

The role of the Joint Audit and Scrutiny Panel also ensures transparency in the decisions made. It receives reports and can make recommendations to the Commissioner on issues relating to audit and inspection, risk management, recommendations from other sources such as scrutiny working groups and governance.

The strategic risks of the OPCC are incorporated in the joint strategic risk register that is reported regularly to the Joint Audit and Scrutiny Panel. All significant public interest decisions are published on the Commissioners website.

### **3.10 *Developing Capacity and Capability***

Staff within the OPCC were directly transferred from the former Police Authority, bringing those skills with them. During 2013-14 a further review of the existing staffing structure has been undertaken and a new structure reflecting the needs of an efficient and effective OPCC has been implemented.

During 2013-14 and together with other local authorities and the fire service a CIPFA Graduate Trainee scheme has been put in place. The success of this scheme is being held as best practice for other areas to follow.

The Commissioner is now considering Apprenticeships for a post already identified within the new OPCC structure.

Members of the Joint Audit and Scrutiny Panel have undertaken inductions within the OPCC and Force during the year. Internal audit and external audit have also provided training on their roles and the roles of the members in providing an effective Audit Panel. CIPFA provided their training course to members in the region in September 2013.

### 3.11 ***Engagement***

Throughout the previous sections you will have seen that engagement with people in our communities, in business, in third sector organisations, in partners and in our own staff and police officers is very important to us.

We are constantly striving to ensure inclusion of all stakeholders especially in driving improvement in community safety that is important to you.

We encourage you to complete our surveys and questionnaires which we have available at public events and on line.

The Commissioner has met his commitment to establishing two Public Stakeholder Forums to allow stakeholders to have a direct influence and voice over policing priorities and how resources are allocated.

How the Commissioner proposes to engage with the public and victims of crime is set out in the published Community Engagement and Consultation Strategy. This document can be found on the Commissioners website.

### 3.12 Other Achievements during the Year:

- **Online Chats:** The Commissioner has supported further consultation with Young People with on line Chats and joined the Chief Constable for online chats with police officers and police staff.
- **Consultation on the policing estate:** The Force is continuing its work to examine areas of business where services can become more efficient and savings made as a means of navigating the current financial challenges.
- **Rural Crime Focus:** The Commissioner hosted a Strategic Resources and Performance Meeting which highlighted issues of rural and wildlife crime, marking his commitment to tackling the issues.
- **Purchase of EMSOU HQ:** The operational headquarters of the East Midlands Special Operations Unit has been bought by the region's five police forces. The purchase had been agreed by the Regional Police and Crime Commissioners and Chief Constables, with the East Midlands forces sharing the long-term financial savings.
- **Home Office rethink of PCSO powers:** The Commissioner initiated the Home Office to rethink PCSO powers, and is has been announced that there will be consideration of expanding PCSO legal powers.
- **Victims Code:** The publication of the new Code of Practice for Victims of Crime (the Victims' Code) in October 2013 has been welcomed, with a Victims Strategy being prepared for 2014 for Nottinghamshire and Integrated Victims Services from October 2014 as the Commissioner is an early adopter.
- **The living wage accreditation:** Nottinghamshire Police is to be the first police force in England and Wales to sign up to a national campaign calling for all workers to be paid an hourly rate that matches the cost of living. The new Living Wage is £7.65 per hour, which is significantly higher than the Minimum Wage, which is £6.31.

#### **4. REVIEW OF EFFECTIVENESS**

- 4.1 The OPCC has responsibility for conducting, at least annually, a review of the effectiveness of the governance framework, including:

- The system of internal audit.
- The system of internal control.

The review by the OPCC has two elements to it. Firstly, it has to be satisfied that the process put in place by the Chief Constable for the force's assurance review is adequate and reliable. This was done through a joint consultation early in the review process.

Secondly, is the process upon which the OPCC can rely. This consists of obtaining individual assurances from the Chief Constable, the ACO Resources, the Chief Executive and the Chief Finance Officer, together with the annual assurance provided by the internal auditors and regional Deputy Chief Constable. These assurances form the basis of assessing whether governance is operating effectively and that controls which are in place are being adhered to.

- 4.2 The comments made on the assurance forms are incorporated where applicable in the accounts and action plans. For example contingent liabilities and accruals have been made where appropriate.
- 4.3 In addition to this a review based upon the use of resources self assessment principles and the schedule provided in the CIPFA/SOLACE framework has been developed and completed. This provides links to documentary evidence to support this statement and has been provided to the external auditor for their review.
- 4.3 The Chief Finance Officer has had responsibility for reviewing and updating the Scheme of Delegation and Financial Regulations during the year to ensure they were fit for purpose and met the new requirements of the Act. The reviewed delegation and regulations have been approved by the Commissioner. These have been reviewed further by the Chief Finance Officer with the Chief Executive, ACO Resources and the Deputy Chief Constable, in preparation for the Stage 2 Staff Transfer.
- 4.4 The internal auditors produce reports for the Joint Audit and Scrutiny Panel throughout the year and use this work to inform their annual assurance opinion in their annual report. For 2013-14 they have rated the assurance level as adequate. The internal audit annual report will be available on the website under the Audit and Scrutiny Panel meeting papers for June 2014.

- 4.5 The work of the HMIC is also reported to the Joint Audit and Scrutiny Panel and the Force produce regular reports to the panel on the implementation of all audit and inspection recommendations. The Audit and Scrutiny Panel papers on the website include as a standing item a report on all audit and inspection report recommendations, which includes a tracker for their implementation.
- 4.6 Internal Audit verifies the implementation of all audit and inspection recommendations in their follow-up audits during the year. The results of the follow-up audit are reported in the Internal Audit Progress Reports to the Audit and Scrutiny panel.
- 4.7 Other assurance mechanisms include the Regional meeting of Commissioners and Chief Constables and the Police and Crime Panel.
- 4.8 There are areas to further monitor which include the development and delivery of the Forces efficiency savings, which form part of the HMIC inspection regime, under Valuing the Police.
- 4.9 There will be further challenges and opportunities for partnership and community working for the Commissioner with the introduction of the Anti-Social Behaviour, Crime and Policing Act 2014, particularly around the need to consult on Community Triggers and Community Remedies.
- 4.10 Effectiveness of victims services will transfer to the Commissioner from October 2014, as an early adopter the Commissioner has in place an Integrated Victims Services Programme Board to manage the interoperability and delivery of services to victims.
- 4.11 The effectiveness of the Strategic Policing Requirement will be monitored by the use of a Strategic Toolkit produced by the College of Policing, and will form part of the assurance processes of the Joint Audit and Scrutiny Panel.

## **5. SIGNIFICANT GOVERNANCE ISSUES**

### ***FINANCIAL CLIMATE***

- 5.1 This continues to dominate the public sector risk registers. The current Comprehensive Spending Review (CSR) required up to 20% cuts in grant funding to 2014-15. Further cuts in the next CSR were announced on 26<sup>th</sup> June 2013.
- 5.2 To date the Force has delivered savings on average of £10m per annum. The Medium Term Plan sees this continuing up to 2020 at least. Savings of £12.7m have to be achieved in 2014-15.
- 5.3 The Medium Term Financial Plan is approved by the Commissioner in February and is available on the website. It is updated during the year as significant changes emerge. These updates are also available on the website.
- 5.4 There are further risks that could impact on the above estimates for example the impact of the Single Rate Pension from April 2016 this is likely to result in an additional cost of £3.5m in the budget.
- 5.5 We are also limited in any other mitigation that we could take. Council Tax referendum limits are being set low and the freeze grant ceases in 2015-16.
- 5.6 We are further impacted by the localisation of council tax – the billing authorities in response to the Governments limited delegation, have made decisions that have significantly reduced the tax base estimates and therefore the amount to be raised through the precept. Similarly any further change to Partners funding is likely to have an impact on the Police and Crime budget or service delivery.
- 5.7 Whilst funding continues to reduce it is imperative that good governance structures and processes continue to operate in the OPCC and Force.

### ***PERFORMANCE***

- 5.8 In 2012-13, crime reduced 12% against an 8% target and antisocial behaviour (ASB) fell by 34.6%. However, during 2013-14, crime increased by 0.7% and ASB fell by 6.5% against an 8% target. Over the two year period (2011-12 to 2013-14) crime has reduced 11.4% and ASB 38.8% toward a 50% reduction target.

- 5.9 During 2013-14, crime increased by 0.7% and ASB fell by 6.5% against an 8% target. Over the two year period (2011-12 to 2013-14) crime has reduced 11.4% and ASB 38.8% toward a 50% reduction target.
- 5.10 Details on performance and the improvements made are reported to the Strategic Resources and Performance meeting as a standing item on the agenda. Performance details are also provided in the Commissioners update report which is reported to the Police and Crime Panel and the Audit and Scrutiny Panel. These are also available on the website and Nottinghamshire County Councils website. The Commissioner has weekly bi-lateral meetings with the Chief Constable to review performance.
- 5.11 The support of the Commissioner in increasing the numbers of offices and PCSO's and working closely with partner organisations does mitigate this currently. However, as funding is restricted further it is probable that recruitment will be affected and risk mitigation reduced.

## ***HUMAN RESOURCES***

- 5.12 The Target Operating Model is developing a picture of what the Force will look like in 2020 as funding reduces year on year. One major change will be to the way of working and therefore the workforce mix and numbers of officers and staff will change.
- 5.13 BME recruitment and retention to reflect the communities of Nottinghamshire will continue to be a cause for concern and the force positive action campaigns' will continue to be reviewed.
- 5.14 A contingent liability has been identified within the statement of accounts relating to the application of regulations A19 during 2011-12. The ruling is currently being appealed.

## ***STAGE 2 TRANSITION***

- 5.15 This will bring further changes to governance arrangements and will require changes to the existing Scheme of Delegation, financial regulations and all jointly owned policies. Work on this commenced in 2013-14 and is currently being finalised.



- 5.16 A board of senior management had been in place to develop the transfer order for the Home Secretary and ensure a smooth transition. The Transfer Order has now been finalised and signed off by the Home Secretary.

### ***INFORMATION GOVERNANCE***

- 5.17 The arrangements for information governance need to provide the assurance needed by the Commissioner. This particularly relates to the unauthorised use of force data and the need for information sharing protocols to be standardised for partner organisations.
- 5.18 The Information Sharing Protocol between the Force and the Commissioner is being developed.



Nottinghamshire

**POLICE & CRIME COMMISSIONER**

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## **ANNUAL ASSURANCE STATEMENT**

**2013-14**

**SIGNED:**

**Mr Paddy Tipping  
Police and Crime Commissioner  
23 September 2014**

**Mr Kevin Dennis  
Chief Executive - OPCC  
23 September 2014**

**Mrs Charlotte Radford  
Chief Finance Officer – OPCC  
23 September 2014**

<b>For Consideration</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit &amp; Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Paddy Tipping Police Commissioner</b>
<b>Report Author:</b>	<b>Kevin Dennis</b>
<b>E-mail:</b>	<b>kevin.dennis@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Kevin Dennis</b>
<b>Agenda Item:</b>	<b>11</b>

## **POLICE AND CRIME PLAN (2013-18) – 12 MONTH MONITORING REPORT**

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

- 1.1 The purpose of this report is to provide the Joint Audit & Scrutiny Panel with the Commissioner's annual monitoring report on the progress of delivery of the Police and Crime Plan for 2013-18.
- 1.2 The report identifies success measures and an outline of the activities that have been progressing across policing and community safety. This is the second report to the Police and Crime Panel and covers the time period 1 April – 31<sup>st</sup> March 2014. The 6 month report was tabled at the Panel's meeting on 16<sup>th</sup> December 2013.<sup>a</sup>

### **2. RECOMMENDATIONS**

- 2.1 That the Meeting discuss and note the progress made.
- 2.2 That the Meeting scrutinises performance against the strategic priority themes and activities set out in the Police and Crime Plan.
- 2.3 That Panel members identify issues for the Commissioner to take forward during the refresh of the Police and Crime Delivery Plan for 2014-18.

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

- 3.1 The Police Reform and Social Responsibility (PR&SR) Act 2011 places a statutory duty on the Commissioner to publish a Police and Crime Plan for their policing area. Section 5(1) of the PR&SR Act 2011 requires the Commissioner to 'issue a Police and Crime Plan within the financial year in which each ordinary election is

<sup>a</sup>

[\*POLICE AND CRIME PLAN \(2013-18\) – 6 MONTH MONITORING REPORT \(Dec 2013\)\*](#)

held'. For the first Police and Crime Plan this meant no later than 31st March 2013.<sup>b</sup>

- 3.2 This annual monitoring report provides an overview of the delivery of the actions against the Commissioner's pledges, seven strategic priority themes, activities, performance and commissioning of grants.

#### **4. Summary of Key Points**

- 4.1 Since taking up the new role of Commissioner on the 22 November 2012, the Commissioner and his Deputy Commissioner have worked closely with the Force, partners, stakeholders and the public to create a Police and Crime Plan (the Plan)<sup>c</sup> which reflects the views and interests of everyone living and working in Nottingham and Nottinghamshire.
- 4.2 In February 2014 Panel members were presented with the Commissioner's draft Police and Crime Plan refreshed for 2014-18. Consultation and feedback has now concluded.
- 4.3 The 2013-18 Plan came into effect on the 1 April 2013 and set out the strategic priority themes and activities of the Commissioner for policing and community safety across Nottingham and Nottinghamshire. The Plan took forward the Commissioner's Manifesto pledges and seven strategic priority themes underpinned by activities, performance measures and commissioned grants.
- 4.4 Together with producing the Plan, the Commissioner had to make some key decisions which included setting the precept and the budget for the totality of policing.<sup>d</sup> The Commissioner intends to produce his second Annual Report at the Panel's meeting in June 2014.
- 4.5 **Appendix A** provides a Table detailing the progress and achievements of the Commissioner's pledges and success toward his seven strategic themes.

#### **5. Financial Implications and Budget Provision**

- 5.1 None - this is an information report.

#### **6. Human Resources Implications**

- 6.1 None - this is an information report.

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<sup>b</sup> [Police Reform and Social Responsibility \(PR&SR\) Act 2011](#)

<sup>c</sup> [Nottinghamshire Police and Crime Plan 2013-18](#)

<sup>d</sup> [Policing Protocol Order 2011](#)

## **7. Equality Implications**

7.1 None

## **8. Risk Management**

8.1 Risks to performance are identified in other reports.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 This report provides Members with an update on progress in respect of the Police and Crime Plan for 2013-18.

## **10. Changes in Legislation or other Legal Considerations**

10.1 None which affects the content of this report.

## **11. Details of outcome of consultation**

11.1 None.

## **12. Appendices**

A. Table detailing the progress and achievements of the Commissioner's pledges and success toward his seven strategic themes.

## **13. Background Papers (relevant for Police and Crime Panel Only)**

- Police and Crime Plan 2013-2017 (published)

For any enquiries about this report please contact:

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Tel: 0115 9670999 ext 8012001

<b>For Information / Consideration / Comment</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Chief Finance Officer</b>
<b>Report Author:</b>	<b>Charlotte Radford</b>
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<b>Other Contacts:</b>	<b>John Cornett &amp; Adrian Benselin (KPMG)</b>
<b>Agenda Item:</b>	<b>13</b>

## **External Audit Plan 2013-14**

### **1. Purpose of the Report**

- 1.1 To inform members of the process taken by external audit in the auditing of the 2013-14 statement of accounts and annual governance statements.

### **2. Recommendations**

- 2.1 Members are requested to consider and scrutinise the proposed plan.

### **3. Reasons for Recommendations**

- 3.1 This complies with good governance arrangements and the relevant statutory and regulatory requirements.

### **4. Summary of Key Points**

- 4.1 This report of the external auditors provides an insight to findings being made in relation to the accounts for 2013-14 and starts to highlight some areas of potential risk.
- 4.2 The final report of the Auditors will be reported to the September meeting of the Audit & Scrutiny Panel (IAS260 Report).
- 4.3 This report highlights risks relating to the format of the accounts and specifically in relation to A19. These and other potential risks will be examined by the external auditors and discussed with the Force and PCC CFO's prior to the September report.

### **5. Financial Implications and Budget Provision**

- 5.1 None as a direct result of this report. Risks identified will be subject to financial evaluation.

## **6. Human Resources Implications**

6.1 None as a direct result of this report.

## **7. Equality Implications**

7.1 None as a direct result of this report.

## **8. Risk Management**

8.1 None as a direct result of this report. Risks have been identified and are being managed.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 None as a direct result of this report.

## **10. Changes in Legislation or other Legal Considerations**

10.1 Legislation is requiring further changes to the format of the accounts for the 2014-15 financial year to reflect the stage 2 transition within the two legal entities. This will require a significant change to the format of the accounts – Chief Constable, Police & Crime Commissioner and Joint Accounts for 2014-15.

## **11. Details of outcome of consultation**

11.1 Not applicable

## **12. Appendices**

12.1 A – Nottinghamshire PCC and CC Joint External Audit Plan 2013-14



*cutting through complexity™*

# External Audit Plan 2013/14

Nottinghamshire Office for the Police and  
Crime Commissioner and Nottinghamshire  
Chief Constable

June 2014





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This report is addressed to the Police and Crime Commissioner for Nottinghamshire and Chief Constable for Nottinghamshire and has been prepared for the sole use of the PCC and CC. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. The Audit Commission has issued a document entitled *Statement of Responsibilities of Auditors and Audited Bodies*. This summarises where the responsibilities of auditors begin and end and what is expected from the audited body. We draw your attention to this document which is available on the Audit Commission's website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact John Cornett, the appointed engagement lead to the PCC and CC audits, who will try to resolve your complaint. If you are dissatisfied with your response please contact Trevor Rees on 0161 246 4000, or by email to [trevor.rees@kpmg.co.uk](mailto:trevor.rees@kpmg.co.uk), who is the national contact partner for all of KPMG's work with the Audit Commission. After this, if you are still dissatisfied with how your complaint has been handled you can access the Audit Commission's complaints procedure. Put your complaint in writing to the Complaints Unit Manager, Audit Commission, 3<sup>rd</sup> Floor, Fry Building, 2 Marsham Street, London, SW1P 4DF or by email [complaints@audit-commission.gsi.gov.uk](mailto:complaints@audit-commission.gsi.gov.uk). Their telephone number is 0303 444 8330.

This document describes  
how we will deliver our audit  
work for the Police and  
Crime Commissioner for  
Nottinghamshire and the  
Chief Constable for  
Nottinghamshire

### Scope of this report

This document supplements our *Audit Fee Letters 2013/14* issued to you in April 2013. It describes how we will deliver our financial statements audit work for both the Police and Crime Commissioner for Nottinghamshire and the Chief Constable for Nottinghamshire ('the PCC and CC'). It also sets out our approach to value for money (VFM) work for 2013/14.

We are required to satisfy ourselves that your accounts comply with statutory requirements and that proper practices have been observed in compiling them. We use a risk based audit approach.

The audit planning process and risk assessment is an on-going process and the assessment and fees in this plan will be kept under review and updated if necessary.

### Statutory responsibilities

Our statutory responsibilities and powers are set out in the *Audit Commission Act 1998* and the Audit Commission's *Code of Audit Practice*.

The *Code of Audit Practice* summarises our responsibilities into two objectives, requiring us to review and report on your:

- *financial statements (including the Annual Governance Statements)*: providing opinions on your accounts; and
- *use of resources*: concluding on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the value for money conclusions).

The Audit Commission's *Statement of Responsibilities of Auditors and Audited Bodies* sets out the respective responsibilities of the auditor and the PCC and CC.

### Structure of this report

This report is structured as follows:

- Section 2 includes our headline messages, including any key risks identified this year for the financial statements and Value for Money audits.
- Section 3 describes the approach we take for the audits of the financial statements.
- Section 4 provides further detail on the financial statements audit risks.
- Section 5 explains our approach to VFM work.
- Section 6 provides information on the audit team, our proposed deliverables, the timescales and fees for our work.

### Acknowledgements

We would like to take this opportunity to thank officers and the Joint Audit and Scrutiny Panel for their continuing help and co-operation throughout our audit work.

This table summarises the headline messages. The remainder of this report provides further details on each area.

<b>Audit approach</b>	<p>Our overall audit approach is unchanged from last year. Our work is carried out in four stages and the timings for these, and specifically our on site work, have been agreed with the Chief Finance Officer and Assistant Chief Officer (Resources).</p> <p>Our audit strategy and plan remain flexible as risks and issues change throughout the year. We will review the initial assessments presented in this document throughout the year and should any new risks emerge we will evaluate these and respond accordingly.</p>
<b>Key financial statements audit risks</b>	<p>We have completed our initial risk assessments for the financial statements audits and have identified the following significant risks:</p> <ul style="list-style-type: none"> <li>■ CIPFA has issued guidance on the form and content of the 2013/14 accounts. In particular, they expect to see policing activities accounted for in the Chief Constable's accounts in recognition of the control that the Chief Constable exercises in practice. This is a significant departure from the treatment adopted in the 2012/13 accounts, when all transactions were accounted for in the Commissioner's accounts, and will require restatement of last year's accounts to be consistent with the new approach. We will need to form a view as to whether transactions and balances are reasonably split between the two bodies.</li> <li>■ The recent employment tribunal ruling that Nottinghamshire's use of regulation A19 to require officers with more than 30 years' pensionable service to retire was unlawful. As auditors we need to assess the financial impact of the tribunal decision on the 2013/14 financial statements. You have lodged an appeal which is unlikely to be determined before the accounts are approved but we would expect there to be a material financial impact in terms of contingent liabilities and/or provisions this year.</li> <li>■ During the year, the Local Government Pension Scheme has undergone a triennial valuation with an effective date of 31 March 2013. The IAS 19 numbers to be included in the financial statements of all admitted bodies for 2013/14 will be based on the output of the triennial valuation for the first time. The valuation is rolled forward to 31 March 2014, 31 March 2015 and 31 March 2016 for accounting purposes. As data provided to the actuaries for the triennial valuation (mostly by the pension fund) is more extensive than for the roll forward, it is likely that this year there is a risk around the accuracy of the estimate for pensions liabilities. Please note that this only relates to the pensions of police staff and not police officers who are members of a separate pension scheme.</li> </ul> <p>These risks are described in more detail on pages 11 to 13. We will assess the PCC and CC's progress in addressing these risk areas as part of our interim work and conclude this work at our year end visit.</p>

## Section two

### Headlines (continued)

This table summarises the headline messages. The remainder of this report provides further details on each area.

VFM audit approach	At this stage, we have identified the recent A19 ruling as a significant risk to our VFM conclusion for 2013/14. The ruling may impact on the 2014/15 budget and therefore our assessment of financial resilience for the VFM conclusion. We will update the Joint Audit and Scrutiny Panel of any findings or changes once we have completed our detailed risk assessment.
Audit team, deliverables, timeline and fees	<p>There has been no change to the audit team from last year.</p> <p>Our main year end audit is currently planned to commence in July. Upon conclusion of our work we will again present our findings to you in our <i>Report to Those Charged with Governance (ISA 260 Report)</i>.</p> <p>The planned fees for the 2013/14 audit are £46,960 (PCC) and £20,000 (CC) respectively. This is unchanged from the position set out in our <i>Audit Fee Letters 2013/14</i>.</p>

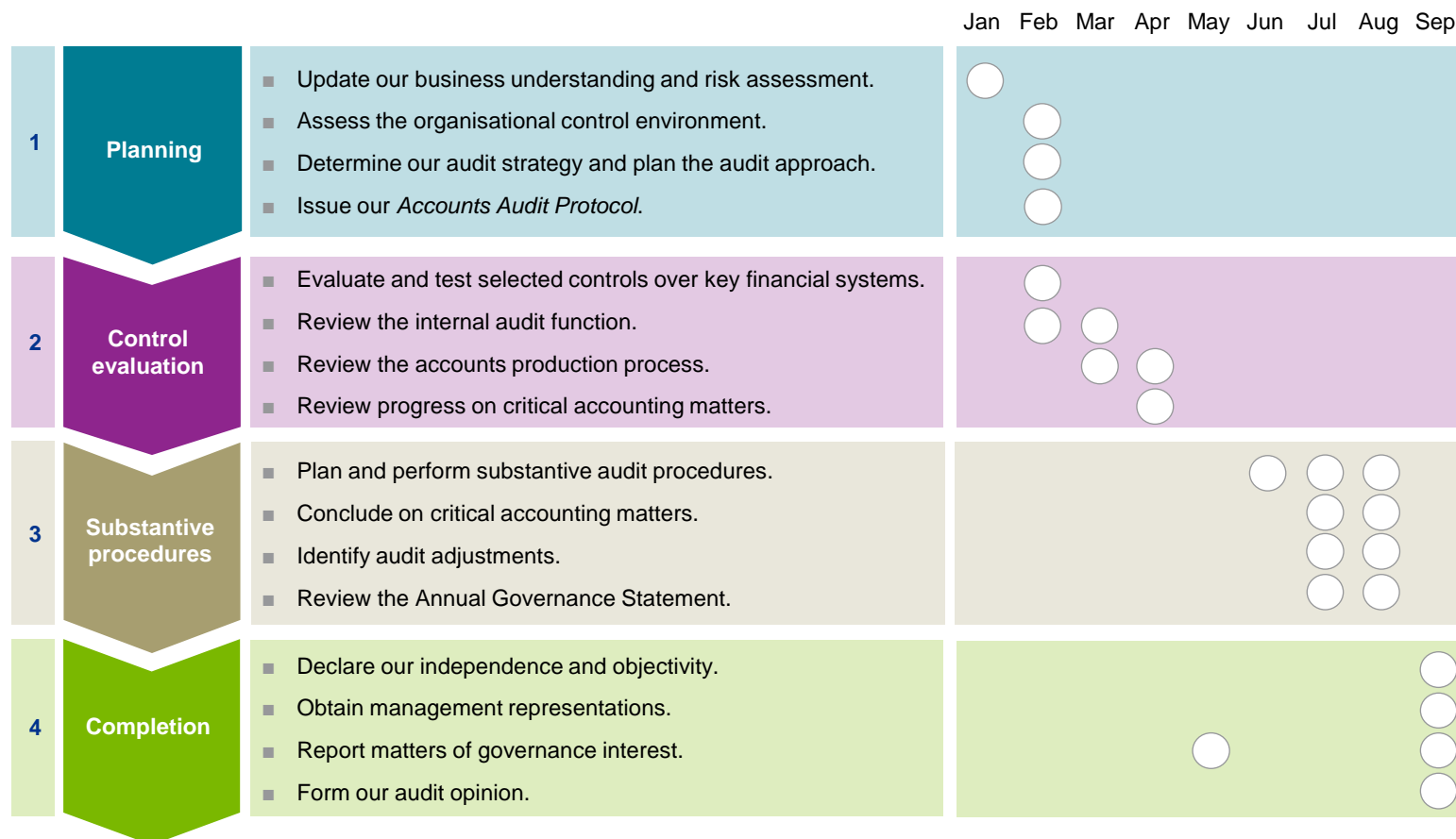
## Section three

# Our audit approach

We undertake our work on your financial statements in four key stages during 2014:

- **Planning**  
(January to February).
- **Control Evaluation**  
(February to April).
- **Substantive Procedures**  
(July to August).
- **Completion** (September).

We have summarised the four key stages of our financial statements audit process for you below:



## Section three

# Our audit approach – planning

**During January and February 2014 we completed our planning work.**

**We agreed that we would not issue our detailed Audit Plan until Audit Commission guidance on the form and content of the financial statements had been published.**

**We assess the key risks affecting the PCC and CC's financial statements and discuss these with officers.**

**We assess if there are any weaknesses in respect of central processes that would impact on our audit.**

**We determine our audit strategy and approach, and agree a protocol for the accounts audit, specifying what evidence we expect from the PCC and CC to support the financial statements.**

Our planning work took place in January and February 2014. This involved the following aspects:

### Planning

- Update our business understanding and risk assessment.
- Assess the organisational control environment.
- Determine our audit strategy and plan the audit approach.
- Issue our *Accounts Audit Protocol*.

### Business understanding and risk assessment

We updated our understanding of the PCC and CC's operations to identify any areas that will require particular attention during our audit of the PCC and CC's financial statements.

We identified the key risks affecting the PCC and CC's financial statements. These are based on our knowledge of the PCC and CC, our sector experience and our ongoing dialogue with PCC and CC staff. The risks identified to date are set out in this document. Our audit strategy and plan will, however, remain flexible as the risks and issues change throughout the year. It is the PCC and CC's responsibility to adequately address these issues. We encourage the PCC and CC to raise any technical issues with us as early as possible so that we can agree the accounting treatment in advance of the audit visit.

We meet with finance officers on a regular basis to consider issues and how they are addressed during the financial year end closedown and accounts preparation.

### Delay in issuing the Audit Plan

We completed our planning work in February 2014 as scheduled, except that we were awaiting guidance from the Audit Commission on the form and content of the financial statements. We agreed that we would not issue our detailed Audit Plan until this guidance had been published. We will present our detailed Audit Plan for 2013/14 to the Joint Audit and Scrutiny Panel at its meeting in June 2014.

### Organisational control environment

Controls operated at an organisational level often have an impact on controls at an operational level and if there were weaknesses this would impact on our audit.

In particular risk management, internal control and ethics and conduct have implications for our financial statements audit. The scope of the work of your internal auditors also informs our risk assessment.

### Audit strategy and approach to materiality

Our audit is performed in accordance with International Standards on Auditing (ISAs) (UK and Ireland). The Engagement Lead sets the overall direction of the audits and decides the nature and extent of audit activities. We design audit procedures in response to the risk that the financial statements are materially misstated. The materiality level is a matter of judgement and is set by the Engagement Lead.

In accordance with ISA 320 'Audit materiality', we plan and perform our audits to provide reasonable assurance that the financial statements are free of material misstatement and give a true and fair view. Information is material if its omission or misstatement could influence the economic decisions of users taken on the basis of the financial statements.

**We issued our *Accounts Audit Protocol* following completion of our planning work.**

**Accounts Audit Protocol**

At the end of our planning work we issued our *Accounts Audit Protocol*. This important document sets out our audit approach and timetable. It also summarises the working papers and other evidence we require the PCC and CC to provide during our interim and final accounts visits.

In March 2014 we met with key members of the PCC and CC finance teams to discuss mutual learning points from the 2012/13 audit. These have been incorporated into our work plan for 2013/14. We will revisit progress against areas identified for development as the audit progresses.

**During April 2014 we completed our interim audit work.**

**We assess if controls over key financial systems were effective during 2013/14. We work with your internal audit team to avoid duplication.**

**We work with your finance team to enhance the efficiency of the accounts audit.**

**We will report any significant findings arising from our work promptly to the Joint Audit and Scrutiny Panel.**

Our interim visit on site was completed during April 2014. During this time we completed work in the following areas:

### Control Evaluation

- Evaluate and test controls over key financial systems identified as part of our risk assessments.
- Review the work undertaken by the internal audit function on controls relevant to our risk assessment.
- Review the accounts production process.
- Review progress on critical accounting matters.

### Controls over key financial systems

We updated our understanding of the PCC and CC's key financial processes where our risk assessment identified that these are relevant to our final accounts audit and where we have determined that this is the most efficient audit approach to take. We confirmed our understanding by completing walkthroughs for these systems. We then tested selected controls that address key risks within these systems. The strength of the control framework informs the substantive testing we complete during our final accounts visit.

### Accounts production process

We will assess the PCC and CC's arrangements in preparing for the closedown and accounts preparation.

Last year there were different accounting approaches and practices across a number of police bodies. The Audit Commission's guidance is intended to harmonise the accounting approach adopted this year. We have maintained ongoing dialogue with your finance staff regarding any changes or key decisions that are being considered.

### Critical accounting matters

We will discuss the work completed to address the specific risks we identified at the planning stage. Wherever possible, we seek to review relevant workings and evidence and agree the accounting treatment as part of our interim work.

At the interim stage we identified that bank reconciliations had not been prepared for months 1 to 4, due to staff absences. We note however that reconciliations have been kept up to date subsequently. We will report this matter to the Joint Audit and Scrutiny Panel through presentation of this Audit Plan.



**During July 2014 we will be on site for our substantive work.**

**We complete detailed testing of accounts and disclosures and conclude on critical accounting matters, such as specific risk areas. We then agree any audit adjustments required to the financial statements.**

**We also review the Annual Governance Statements for consistency with our understanding.**

**We will present our Joint *ISA 260 Report* to the Joint Audit and Scrutiny Panel in September 2014.**

Our final accounts visit on site has been scheduled for July 2014. During this time, we will complete the following work:

### Substantive Procedures

- Plan and perform substantive audit procedures.
- Conclude on critical accounting matters.
- Identify and assess any audit adjustments.
- Review the Annual Governance Statements.

### Financial Statements

We will audit the following financial statements:

- The Chief Constable's single entity accounts;
- The Police and Crime Commissioner's single entity accounts; and
- The Police and Crime Commissioner's Group accounts (which consolidate the PCC and CC single entity accounts).

### Substantive audit procedures

We complete detailed testing on significant balances and disclosures. The extent of our work is determined by the Engagement Lead based on various factors such as our overall assessment of the PCC and CC's control environments, the effectiveness of controls over individual systems and the management of specific risk factors.

### Critical accounting matters

We conclude our testing of the key risk areas as identified at the planning stage and any additional issues that may have emerged since. We will discuss our early findings of the PCC and CC's approach to address the key risk areas with the PCC's Chief Finance Officer and the CC's Finance Staff on an ongoing basis, prior to reporting to the Joint Audit and Scrutiny Panel in September 2014.

### Audit adjustments

During our on site work, we will meet with key finance staff on a weekly basis to discuss the progress of the audit, any differences found and any other issues emerging.

At the end of our on site work, we will hold a closure meeting, where we will provide a schedule of audit differences and agree a timetable for the completion stage and the accounts sign off.

To comply with auditing standards, we are required to report uncorrected audit differences to the Joint Audit and Scrutiny Panel. We also report any material misstatements which have been corrected and which we believe should be communicated to you to help you meet your governance responsibilities.

### Annual Governance Statements

We are also required to satisfy ourselves that the PCC and CC's Annual Governance Statements comply with the applicable framework and are consistent with our understanding of your operations. Our review of the work of internal audit and consideration of your risk management and governance arrangements are key to this.

We report the findings of our final accounts work in our *ISA 260 Report*, which we will issue in September 2014.

**In addition to the financial statements, we also audit the PCC's Whole of Government Accounts pack.**

**We may need to undertake additional work if we receive objections to the accounts from local electors.**

**We will communicate with you throughout the year, both formally and informally.**

### Whole of government accounts (WGA)

We are required to review and issue an opinion on the PCC's WGA consolidation to confirm that this is consistent with the PCC's Group financial statements. The audit approach has been agreed with HM Treasury and the National Audit Office. Deadlines for production of the pack and issue of our opinion on the pack have not yet been confirmed.

### Elector challenge

The Audit Commission Act 1998 gives electors certain rights. These are:

- the right to inspect the accounts;
- the right to ask the auditor questions about the accounts; and
- the right to object to the accounts.

As a result of these rights, in particular the right to object to the accounts, we may need to undertake additional work to form our decision on the elector's objection. The additional work could range from a small piece of work where we interview an officer and review evidence to form our decision, to a more detailed piece of work, where we have to interview a range of officers, review significant amounts of evidence and seek legal representations on the issues raised.

The costs incurred in responding to specific questions or objections raised by electors is not part of the fee. This work will be charged in accordance with the Audit Commission's fee scales.

### Reporting and communication

Reporting is a key part of the audit process, not only in communicating the audit findings for the year, but also in ensuring the audit team is accountable to you in addressing the issues identified as part of the audit strategy. Throughout the year we will communicate with you through meetings with the finance team and the Joint Audit and Scrutiny Panel. Our deliverables are included on page 20.

### Independence and objectivity confirmation

Professional standards require auditors to communicate to those charged with governance, at least annually, all relationships that may bear on the firm's independence and the objectivity of the audit engagement partner and audit staff. The standards also place requirements on auditors in relation to integrity, objectivity and independence.

The standards define 'those charged with governance' as 'those persons entrusted with the supervision, control and direction of an entity'. In your case this is the Police and Crime Commissioner and the Chief Constable, supported by the Joint Audit and Scrutiny Panel.

KPMG LLP is committed to being and being seen to be independent. APB Ethical Standard 1 Integrity, Objectivity and Independence requires us to communicate to you in writing all significant facts and matters, including those related to the provision of non-audit services and the safeguards put in place which, in our professional judgement, may reasonably be thought to bear on KPMG LLP's independence and the objectivity of the Engagement Lead and the audit team.

Appendix 1 provides further detail on auditors' responsibilities regarding independence and objectivity.

### Confirmation statement

We confirm that as of the date of this report in our professional judgement, KPMG LLP is independent within the meaning of regulatory and professional requirements and the objectivity of the Engagement Lead and audit team is not impaired.

## Section four

# Key financial statements audit risks

In this section we set out our assessment of the significant risks to the audit of the PCC and CC's financial statements for 2013/14.


For each key risk area we have outlined the impact on our audit plan.

Professional standards require us to consider two standard risks for all organisations. We are not elaborating on these standard risks in this plan but consider them as a matter of course in our audit and will include any findings arising from our work in our *ISA 260 Report*.

- Management override of controls – Management is typically in a powerful position to perpetrate fraud owing to its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Our audit methodology incorporates the risk of management override as a default significant risk. In line with our methodology, we carry out appropriate controls testing and substantive procedures, including over journal entries, accounting estimates and significant transactions that are outside the normal course of business, or are otherwise unusual.
- Fraudulent revenue recognition – We do not consider this to be a significant risk for PCCs and CCs as there are limited incentives and opportunities to manipulate the way income is recognised. We therefore rebut this risk and do not incorporate specific work into our audit plan in this area over and above our standard fraud procedures.

The table below sets out the significant risks we have identified through our planning work that are specific to the audit of the PCC and CC's financial statements for 2013/14.

We will revisit our assessment throughout the year and should any additional risks present themselves we will adjust our audit strategy as necessary.

Key audit risks	Impact on audit
	<p><b>Risk</b></p> <p>CIPFA has issued guidance on the form and content of the 2013/14 accounts. In particular, they expect to see policing activities accounted for in the Chief Constable's accounts in recognition of the control that the Chief Constable exercises in practice. This is a significant departure from the treatment adopted in the 2012/13 accounts, when all transactions were accounted for in the Commissioner's accounts, and will require restatement of last year's accounts to be consistent with the new approach.</p> <p><b>Our audit work</b></p> <p>We have held discussions with your finance team to discuss their response to the CIPFA guidance. We will need to form a view as to whether transactions and balances are reasonably split between the two bodies.</p>

## Section four

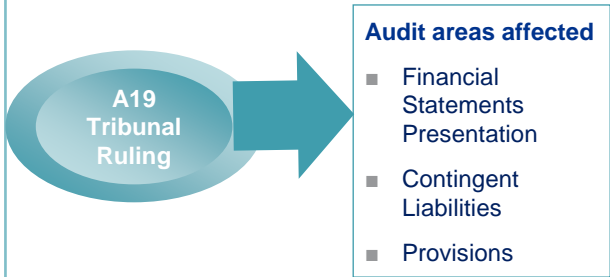
# Key financial statements audit risks

In this section we set out our assessment of the significant risks to the audit of the PCC and CC's financial statements for 2013/14.

For each key risk area we have outlined the impact on our audit plan.

The table below sets out the significant risks we have identified through our planning work that are specific to the audit of the PCC and CC's financial statements for 2013/14.

We will revisit our assessment throughout the year and should any additional risks present themselves we will adjust our audit strategy as necessary.

Key audit risks	Impact on audit
 <p><b>Audit areas affected</b></p> <ul style="list-style-type: none"> <li>■ Financial Statements Presentation</li> <li>■ Contingent Liabilities</li> <li>■ Provisions</li> </ul>	<p><b>Risk</b></p> <p>Nottinghamshire Police have recently lost the employment tribunal against them in relation to A19. This forced officers with over 30 years service to retire. In Nottinghamshire this affected just under 100 officers.</p> <p>Along with four other police forces, Nottinghamshire may now have to pay some form of compensation to these former officers. An appeal has been lodged. The ruling may have an impact on the 2013/14 financial statements and also the 2014/15 financial statements.</p> <p><b>Our audit work</b></p> <p>We will assess the impact of this ruling on the 2013/14 financial statements. We will review the likely accounting entries required as well as looking at how you plan to resource any future payments.</p>

## Section four

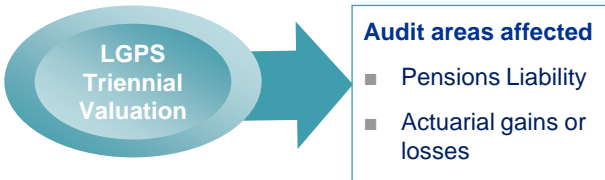
# Key financial statements audit risks

In this section we set out our assessment of the significant risks to the audit of the PCC and CC's financial statements for 2013/14.

For each key risk area we have outlined the impact on our audit plan.

The table below sets out the significant risks we have identified through our planning work that are specific to the audit of the PCC and CC's financial statements for 2013/14.

We will revisit our assessment throughout the year and should any additional risks present themselves we will adjust our audit strategy as necessary.

Key audit risks	Impact on audit
 <p><b>LGPS Triennial Valuation</b></p> <p><b>Audit areas affected</b></p> <ul style="list-style-type: none"> <li>■ Pensions Liability</li> <li>■ Actuarial gains or losses</li> </ul>	<p><b>Risk</b></p> <p>During the year, the Local Government Pension Scheme for Nottinghamshire (the Pension Fund) has undergone a triennial valuation with an effective date of 31 March 2013 in line with the Local Government Pension Scheme (Administration) Regulations 2008. The PCC/CC's share of pensions assets and liabilities is determined in detail, and a large volume of data is provided to the actuary in order to carry out this triennial valuation.</p> <p>The IAS 19 numbers to be included in the financial statements for 2013/14 will be based on the output of the triennial valuation rolled forward to 31 March 2014. For 2014/15 and 2015/16 the actuary will then roll forward the valuation for accounting purposes based on more limited data.</p> <p>There is a risk that the data provided to the actuary for the valuation exercise is inaccurate and that these inaccuracies affect the actuarial figures in the accounts. Most of the data is provided to the actuary by Nottinghamshire County Council who administer the Pension Fund based on information received from Nottinghamshire PCC.</p> <p><b>Our audit work</b></p> <p>We will need to agree the data provided to the actuary back to the systems and reports from which it was derived, and test the accuracy of this data.</p> <p>We will liaise with the separate KPMG audit team for the Pension Fund, where this data was provided by the Pension Fund on the PCC/CC's behalf. The Pension Fund may seek to recharge any additional costs arising from this work.</p> <p>Please note that this pension scheme only relates to police staff and not police officers who are members of a separate scheme.</p>

Our approach to VFM work follows guidance provided by the Audit Commission.

### Background to approach to VFM work

In meeting their statutory responsibilities relating to economy, efficiency and effectiveness, the Commission's *Code of Audit Practice* requires auditors to:

- plan their work based on consideration of the significant risks of giving a wrong conclusion (audit risk); and
- carry out only as much work as is appropriate to enable them to give a safe VFM conclusion.

The Audit Commission has revised the VFM audit methodology for PCCs and CCs in 2013/14, recognising that the two organisations will operate as separate entities for the whole of 2013/14. The methodology for 2012/13 reflected the change in governance arrangements following the election of the PCC in November 2012.

There will be a separate VFM Conclusion for the PCC and the CC.

The approach is structured under two themes, as summarised below.

Specified criteria for VFM conclusion	Focus of the criteria	Sub-sections
The organisation has proper arrangements in place for securing <b>financial resilience</b> .	The organisation has robust systems and processes to: <ul style="list-style-type: none"> <li>■ manage effectively financial risks and opportunities; and</li> <li>■ secure a stable financial position that enables it to continue to operate for the foreseeable future.</li> </ul>	<ul style="list-style-type: none"> <li>■ Financial governance</li> <li>■ Financial planning</li> <li>■ Financial control</li> </ul>
The organisation has proper arrangements for challenging how it <b>secures economy, efficiency and effectiveness</b> .	The organisation is prioritising its resources within tighter budgets, for example by: <ul style="list-style-type: none"> <li>■ achieving cost reductions; and</li> <li>■ improving efficiency and productivity.</li> </ul>	<ul style="list-style-type: none"> <li>■ Prioritising resources</li> <li>■ Improving efficiency and productivity</li> </ul>

## Section five

### VFM audit approach (continued)

We will follow a risk based approach to target audit effort on the areas of greatest audit risk.

#### Overview of the VFM audit approach

The key elements of the VFM audit approach are summarised below.



Each of these stages are summarised further below.

VFM audit stage	Audit approach
VFM audit risk assessment	<p>We consider the relevance and significance of the potential business risks faced by all PCCs and CCs, and other risks that apply specifically to the PCC and CC. These are the significant operational and financial risks in achieving statutory functions and objectives, which are relevant to auditors' responsibilities under the <i>Code of Audit Practice</i>.</p> <p>In doing so we consider:</p> <ul style="list-style-type: none"> <li>the PCC and CC's own assessment of the risks it faces, and their arrangements to manage and address their risks;</li> <li>information from the Audit Commission's VFM profile tool and financial ratios tool;</li> <li>evidence gained from previous audit work, including the response to that work; and</li> <li>the work of HMIC and other inspectorates and review agencies.</li> </ul>

## Section five

### VFM audit approach (continued)

Our VFM audit will draw heavily on other audit work which is relevant to our VFM responsibilities and the results of last year's VFM audit.

We will then form an assessment of residual audit risk to identify if there are any areas where more detailed VFM audit work is required.

VFM audit stage	Audit approach
Linkages with financial statements and other audit work	<p>There is a degree of overlap between the work we do as part of the VFM audit and our financial statements audit. For example, our financial statements audit includes an assessment and testing of the PCC and CC's organisational control environment, including the PCC and CC's financial management and governance arrangements, many aspects of which are relevant to our VFM audit responsibilities.</p> <p>We have always sought to avoid duplication of audit effort by integrating our financial statements and VFM work, and this will continue. We will therefore draw upon relevant aspects of our financial statements audit work to inform the VFM audit.</p>
Assessment of residual audit risk	<p>It is possible that further audit work may be necessary in some areas to ensure sufficient coverage of the two VFM criteria.</p> <p>Such work may involve interviews with relevant officers and /or the review of documents such as policies, plans and minutes. We may also refer to any self assessment the PCC and CC may prepare against the characteristics.</p> <p>To inform any further work we must draw together an assessment of residual audit risk, taking account of the work undertaken already. This will identify those areas requiring further specific audit work to inform the VFM conclusion.</p> <p>At this stage it is not possible to indicate the number or type of residual audit risks that might require additional audit work, and therefore the overall scale of work cannot be easily predicted. If a significant amount of work is necessary then we will need to review the adequacy of our agreed audit fee.</p>
Identification of specific VFM audit work	<p>If we identify residual audit risks, then we will highlight the risks to the PCC and CC and consider the most appropriate audit response in each case, including:</p> <ul style="list-style-type: none"> <li>■ considering the results of work by the PCC and CC, HMIC and other inspectorates and review agencies; and</li> <li>■ carrying out local risk-based work to form a view on the adequacy of the PCC and CC's arrangements for securing economy, efficiency and effectiveness in their use of resources.</li> </ul>



## Section five

### VFM audit approach (continued)

Where relevant, we may draw upon the range of audit tools and review guides developed by the Audit Commission.

We have completed our initial risk assessment and have identified one risk to our VFM conclusion at this stage. This relates to the A19 failed employment tribunal and the likely impact on the ongoing financial resilience of the PCC/CC. We will update our assessment during the audit.

We will conclude on the results of the VFM audit through our Joint ISA 260 Report.

VFM audit stage	Audit approach
Delivery of local risk based work	<p>Depending on the nature of the residual audit risk identified, we may be able to draw on audit tools and sources of guidance when undertaking specific local risk-based audit work, such as:</p> <ul style="list-style-type: none"> <li>■ local savings review guides based on selected previous Audit Commission national studies; and</li> <li>■ update briefings for previous Audit Commission studies.</li> </ul> <p>The tools and guides will support our work where we have identified a local risk that is relevant to them. For any residual audit risks that relate to issues not covered by one of these tools, we will develop an appropriate audit approach drawing on the detailed VFM guidance and other sources of information.</p>
Concluding on VFM arrangements	<p>At the conclusion of the VFM audit we will consider the results of the work undertaken and assess the assurance obtained against each of the VFM themes regarding the adequacy of the PCC and CC's arrangements for securing economy, efficiency and effectiveness in the use of resources.</p> <p>If any issues are identified that may be significant to this assessment, and in particular if there are issues that indicate we may need to consider qualifying our VFM conclusion, we will discuss these with management as soon as possible. Such issues will also be considered more widely as part of KPMG's quality control processes, to help ensure the consistency of auditors' decisions.</p>
Reporting	<p>On the following page, we report the results of our initial risk assessment.</p> <p>We will report on the results of the VFM audit through our <i>ISA 260 Report</i>. This will summarise any specific matters arising, and the basis for our overall conclusion.</p> <p>If considered appropriate, we may produce a separate report on the VFM audit, either overall or for any specific reviews that we may undertake.</p> <p>The key output from the work will be the VFM conclusions (i.e. our opinion on the PCC and CC's arrangements for securing VFM), which form part of our audit reports.</p>

## Section five

### VFM audit approach (continued)

**We have identified one specific VFM risk.**

**We will carry out additional risk-based work in the following area:**

- **A19 ruling and the financial consequences facing the PCC/CC.**

In line with the risk-based approach set out on the previous page, we have:


- assessed the PCC and CC's key business risks which are relevant to our VFM conclusions; and
- identified the residual audit risks for our VFM conclusions, taking account of work undertaken in previous years or as part of our financial statements audit.

Further work will include:

- considering the results of relevant work by the PCC and CC, the Audit Commission, HMIC and other inspectorates and review agencies in relation to these risk areas; and
- concluding to what extent we need to carry out additional risk-based work.

Below we set out our preliminary findings in respect of those areas where we have identified a residual audit risk for our VFM conclusions,

We will report our final conclusions in our *ISA 260 Report 2013/14*.

Key VFM risk	Risk description and link to VFM conclusion	Preliminary assessment
	<p>Nottinghamshire have recently lost the employment tribunal brought against them and four other forces by the Police Superintendents Association of England and Wales. This challenged the legality of their decision to force nearly 100 officers with more than 30 years service to retire. An appeal has been lodged.</p>	<p>Although a contingent liability of £3.5m was included in the 2012/13 financial statements, the actual costs of losing this tribunal are likely to be materially higher than this. This has financial implications for the PCC/CC this year in relation to their accounting entries and provisions and will also have an ongoing impact within the 2014/15 year when payments may have to be made to former police officers.</p> <p>The 2014/15 budget is unlikely to have considered these potential extra costs and this may impact on our financial resilience VFM conclusion. We will review the position regarding the appeal before reaching our VFM conclusion.</p>

Your audit team has been drawn from our specialist public sector assurance department. Our audit team were all part of the Nottinghamshire PCC/CC audit last year.

Contact details are shown on page 1.

The audit team will be assisted by other KPMG specialists as necessary.



John Cornett  
Director

"My role is to lead our team and ensure the delivery of high quality external audit opinions. I will be the main point of contact for the Joint Audit and Scrutiny Panel, the Police and Crime Commissioner and the Chief Constable."



Adrian Benselin  
Manager

"I am responsible for the management, review and delivery of the audit and providing quality assurance for any technical accounting areas. I will work closely with John to ensure we add value. I will liaise with the PCC's Chief Finance Officer, the CC's Finance Staff and Head of Internal Audit.."



Anita Pipes  
Assistant Manager

"I will be responsible for the on-site delivery of our work. I will liaise with the Finance staff and will supervise the work of our audit assistants."

At the end of each stage of our audit we issue certain deliverables, including reports and opinions.

Our key deliverables will be delivered to a high standard and on time.

We will discuss and agree as appropriate each report with the PCC and CC's officers prior to publication.

Deliverable	Purpose	Committee dates
<b>Planning</b>		
<b>External Audit Plan (Joint for PCC and CC)</b>	<ul style="list-style-type: none"> <li>■ Outlines our audit approach.</li> <li>■ Identifies areas of audit focus and planned procedures.</li> </ul>	<b>February 2014</b>
<b>Control evaluation (if required)</b>		
<b>Interim Report (Joint for PCC and CC)</b>	<ul style="list-style-type: none"> <li>■ Details any control and process issues arising</li> <li>■ Identifies any improvements required prior to the issue of the draft financial statements and the year-end audit.</li> </ul>	<b>June 2014</b>
<b>Control evaluation and Substantive procedures</b>		
<b>Report to Those Charged with Governance (ISA 260 Report) (Joint for PCC and CC)</b>	<ul style="list-style-type: none"> <li>■ Details any control and process issues arising.</li> <li>■ Details the resolution of key audit issues.</li> <li>■ Communicates adjusted and unadjusted audit differences.</li> <li>■ Highlights performance improvement recommendations identified during our audit.</li> <li>■ Commentary on the PCC and CC's value for money arrangements.</li> </ul>	<b>September 2014</b>
<b>Completion</b>		
<b>Auditor's Reports (separate reports for the PCC and CC)</b>	<ul style="list-style-type: none"> <li>■ Provides opinions on your accounts (including the Annual Governance Statements).</li> <li>■ Concludes on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the VFM conclusion).</li> </ul>	<b>September 2014</b>
<b>Whole of Government Accounts (PCC only)</b>	<ul style="list-style-type: none"> <li>■ Provide our opinion on the PCC's WGA pack submission.</li> </ul>	<b>October 2014</b>
<b>Annual Audit Letter (Joint for PCC and CC)</b>	<ul style="list-style-type: none"> <li>■ Summarises the outcomes and the key issues arising from our audit work for the year.</li> </ul>	<b>November 2014</b>

We will be in continuous dialogue with you throughout the audit.

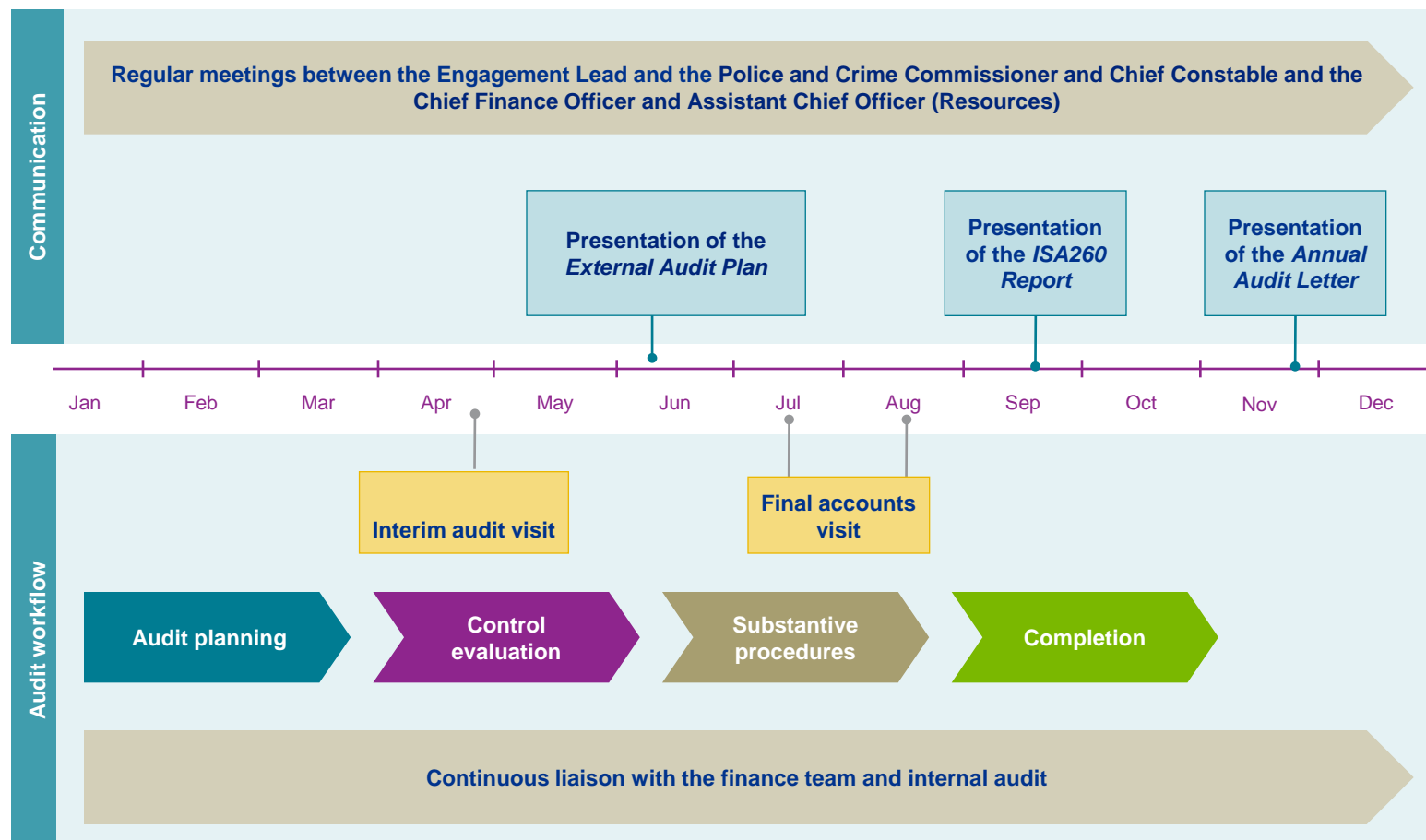
Key formal interactions with the Joint Audit and Scrutiny Panel:

- June – External Audit Plan;
- June – Interim Report (if required)
- September – ISA 260 Report;
- November – Annual Audit Letter.

We work with the finance team throughout the year.

Our main work on site will be our:

- Interim audit visit during April.
- Final accounts audits during July.



Key: ● Joint Audit and Scrutiny Panel meetings

The total fee for 2013/14 audits of the PCC and CC is £66,960. The fee has not changed from that set out in our Audit Fee Letter 2013/14 issued in April 2013.

Our audit fees remain indicative and based on you meeting our expectations of your support.

Meeting these expectations will help the delivery of our audits within the proposed audit fee.

#### Audit fee

Our *Audit Fee Letters 2013/14* issued to you in April 2013 first set out our fees for the 2013/14 audit. We have not considered it necessary to make any changes to the agreed fees at this stage.

Element of the audit	2013/14 (planned)	2012/13 (actual)
Police and Crime Commissioner	£46,960	£52,000
Chief Constable	£20,000	£20,000
Total	£66,960	£72,000

Our audit fee includes our work on the VFM conclusion and our audit of the PCC and CC's financial statements. The total fee for 2013/14 is £66,960. This is a reduction of 7 percent compared to the 2012/13 fee.

#### Audit fee assumptions

The fees are based on a number of assumptions, including that you will provide us with complete and materially accurate financial statements, with good quality supporting working papers, within agreed timeframes. It is imperative that you achieve this. If this is not the case and we have to complete more work than was envisaged, we will need to charge additional fees for this work. In setting each fee, we have assumed:

- the level of risk in relation to the audit of the financial statements is not significantly different from that identified for 2012/13;
- you will inform us of any significant developments impacting on our audit;
- you will identify and implement any changes required under the *CIPFA Code of Practice on Local Authority Accounting in the UK 2013/14* within your 2013/14 financial statements;
- you will comply with the expectations set out in our *Accounts Audit Protocol*, including:

- the financial statements are made available for audit in line with the agreed timescales;
- good quality working papers and records will be provided at the start of the final accounts audit;
- requested information will be provided within the agreed timescales;
- prompt responses will be provided to queries and draft reports;
- internal audit meets appropriate professional standards;
- additional work will not be required to address questions or objections raised by local government electors or for special investigations such as those arising from disclosures under the Public Interest Disclosure Act 1998.

Meeting these expectations will help ensure the delivery of our audit within the agreed audit fee.

The Audit Commission requires us to inform you of specific actions you could take to keep the audit fee low. Future audit fees can be kept to a minimum if the PCC and CC achieve an efficient and well-controlled financial closedown and accounts production processes which complies with good practice and appropriately addresses new accounting developments and risk areas.

#### Changes to the audit plan

Changes to this plan and the audit fee may be necessary if:

- new significant audit risks emerge;
- additional work is required of us by the Audit Commission or other regulators; or
- additional work is required as a result of changes in legislation, professional standards or financial reporting requirements.

If changes to this plan and the audit fees are required, we will discuss and agree these initially with the Treasurer and Director of Finance

**This appendix summarises auditors' responsibilities regarding independence and objectivity.**

### Independence and objectivity

Auditors are required by the Code to:

- carry out their work with independence and objectivity;
- exercise their professional judgement and act independently of both the Commission and the audited body;
- maintain an objective attitude at all times and not act in any way that might give rise to, or be perceived to give rise to, a conflict of interest; and
- resist any improper attempt to influence their judgement in the conduct of the audit.

In addition, the Code specifies that auditors should not carry out work for an audited body that does not relate directly to the discharge of the auditors' functions under the Code. If the PCC and CC invite us to carry out risk-based work in a particular area, which cannot otherwise be justified to support our audit conclusions, it will be clearly differentiated as work carried out under section 35 of the Audit Commission Act 1998.

The Code also states that the Commission issues guidance under its powers to appoint auditors and to determine their terms of appointment. The Standing Guidance for Auditors includes several references to arrangements designed to support and reinforce the requirements relating to independence, which auditors must comply with. These are as follows:

- Auditors and senior members of their staff who are directly involved in the management, supervision or delivery of Commission-related work, and senior members of their audit teams should not take part in political activity.
- No member or employee of the firm should accept or hold an appointment as a member of an audited body whose auditor is, or is proposed to be, from the same firm. In addition, no member or employee of the firm should accept or hold such appointments at related bodies, such as those linked to the audited body through a strategic partnership.

- Auditors and their staff should not be employed in any capacity (whether paid or unpaid) by an audited body or other organisation providing services to an audited body whilst being employed by the firm.
- Firms are expected to comply with the requirements of the Commission's protocols on provision of personal financial or tax advice to certain senior individuals at audited bodies, independence considerations in relation to procurement of services at audited bodies, and area wide internal audit work.
- Auditors appointed by the Commission should not accept engagements which involve commenting on the performance of other Commission auditors on Commission work without first consulting the Commission.
- Auditors are expected to comply with the Commission's policy for the Engagement Lead to be changed on a periodic basis.
- Audit suppliers are required to obtain the Commission's written approval prior to changing any Engagement Lead in respect of each audited body.
- Certain other staff changes or appointments require positive action to be taken by Firms as set out in the Standing Guidance.



We continually focus on delivering a high quality audit.

This means building robust quality control procedures into the core audit process rather than bolting them on at the end, and embedding the right attitude and approaches into management and staff.

KPMG's Audit Quality Framework consists of seven key drivers combined with the commitment of each individual in KPMG.

The diagram summarises our approach and each level is expanded upon.

At KPMG we consider audit quality is not just about reaching the right opinion, but how we reach that opinion. KPMG views the outcome of a quality audit as the delivery of an appropriate and independent opinion in compliance with the auditing standards. It is about the processes, thought and integrity behind the audit report. This means, above all, being independent, compliant with our legal and professional requirements, and offering insight and impartial advice to you, our client.

KPMG's Audit Quality Framework consists of seven key drivers combined with the commitment of each individual in KPMG. We use our seven drivers of audit quality to articulate what audit quality means to KPMG.

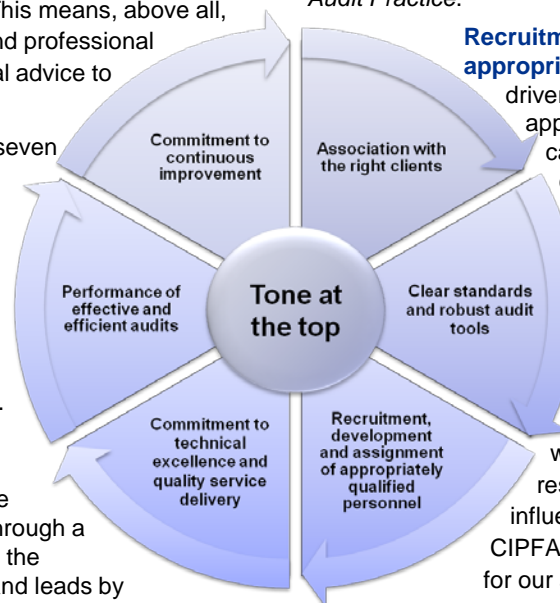
We believe it is important to be transparent about the processes that sit behind a KPMG audit report, so you can have absolute confidence in us and in the quality of our audit.

**Tone at the top:** We make it clear that audit quality is part of our culture and values and therefore non-negotiable. Tone at the top is the umbrella that covers all the drivers of quality through a focused and consistent voice. John Cornett as the Engagement Lead sets the tone on the audit and leads by example with a clearly articulated audit strategy and commits a significant proportion of his time throughout the audit directing and supporting the team.

**Association with right clients:** We undertake rigorous client and engagement acceptance and continuance procedures which are vital to the ability of KPMG to provide high-quality professional services to our clients.

**Clear standards and robust audit tools:** We expect our audit professionals to adhere to the clear standards we set and we provide a range of tools to support them in meeting these expectations. The global rollout of KPMG's eAudit application has significantly enhanced existing audit functionality. eAudit enables KPMG to deliver a highly

technically enabled audit. All of our staff have a searchable data base, Accounting Research Online, that includes all published accounting standards, the KPMG Audit Manual Guidance as well as other relevant sector specific publications, such as the Audit Commission's *Code of Audit Practice*.



### Recruitment, development and assignment of appropriately qualified personnel:

One of the key drivers of audit quality is assigning professionals appropriate to the Authority's risks. We take great care to assign the right people to the right clients based on a number of factors including their skill set, capacity and relevant experience.

We have a well developed technical infrastructure across the firm that puts us in a strong position to deal with any emerging issues. This includes:

- A national public sector technical director who has responsibility for co-ordinating our response to emerging accounting issues, influencing accounting bodies (such as CIPFA) as well as acting as a sounding board for our auditors.
- A national technical network of public sector audit professionals is established that meets on a monthly basis and is chaired by our national technical director.
- A dedicated Department of Professional Practice comprised of over 100 staff that provide support to our audit teams and deliver our web-based quarterly technical training.



**We continually focus on delivering a high quality audit.**

**This means building robust quality control procedures into the core audit process rather than bolting them on at the end, and embedding the right attitude and approaches into management and staff.**

**Quality must build on the foundations of well trained staff and a robust methodology.**

### **Commitment to technical excellence and quality service delivery:**

Our professionals bring you up-to-the-minute and accurate technical solutions and together with our specialists are capable of solving complex audit issues and delivering valued insights.

Our audit team draws upon specialist resources including Forensic, Corporate Finance, Transaction Services, Advisory, Taxation, Actuarial and IT. We promote technical excellence and quality service delivery through training and accreditation, developing business understanding and sector knowledge, investment in technical support, development of specialist networks and effective consultation processes.

**Performance of effective and efficient audits:** We understand that how an audit is conducted is as important as the final result. Our drivers of audit quality maximise the performance of the engagement team during the conduct of every audit. We expect our people to demonstrate certain key behaviours in the performance of effective and efficient audits. The key behaviours that our auditors apply throughout the audit process to deliver effective and efficient audits are outlined below:

- timely Engagement Lead and manager involvement;
- critical assessment of audit evidence;
- exercise of professional judgment and professional scepticism;
- ongoing mentoring and on the job coaching, supervision and review;
- appropriately supported and documented conclusions;
- if relevant, appropriate involvement of the Engagement Quality Control reviewer (EQC review);
- clear reporting of significant findings;
- insightful, open and honest two-way communication with those charged with governance; and
- client confidentiality, information security and data privacy.

**Commitment to continuous improvement:** We employ a broad range of mechanisms to monitor our performance, respond to feedback and understand our opportunities for improvement.

### **Our quality review results**

We are able to evidence the quality of our audits through the results of National Audit Office and Audit Commission reviews. The Audit Commission publishes information on the quality of work provided by KPMG (and all other firms) for audits undertaken on behalf of them (<http://www.audit-commission.gov.uk/audit-regime/audit-quality-review-programme/principal-audits/kpmg-audit-quality>).

The latest Annual Regulatory Compliance and Quality Report (issued June 2013) showed that we performed highly against the Audit Commission's criteria. We were one of only two firms to receive a combined audit quality and regulatory compliance rating of green for 2012/13.



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<b>For Consideration</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Paddy Tipping Police Commissioner</b>
<b>Report Author:</b>	<b>Kevin Dennis</b>
<b>E-mail:</b>	<b>kevin.dennis@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Kevin Dennis</b>
<b>Agenda Item:</b>	<b>14</b>

## **INTERNAL AUDIT OF CRIME RECORDING UNDERTAKEN BY BAKER TILLEY**

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

- 1.1 As a result of national and local perceptions of crime recording and the forthcoming HMIC inspections, discussions took place at the Joint Audit and Scrutiny Panel meeting on 18th February 2014, where upon it was agreed that an audit, providing independent assurance around Crime Recording and the robustness of the governance framework, processes, accuracy and management information, would be useful to provide assurances to the public, victims of crime and the PCC.
- 1.2 The purpose of this report is to provide the Panel with the findings of this audit. **Appendix A** contains the full report. The Force response is contained at **Appendix B** and the Force action Plan is contained at **Appendix C**.

### **2. RECOMMENDATIONS**

- 2.1 That the Panel discuss the findings of the audit and agree which of the recommendations should be implemented.
- 2.2 The Panel agree to oversee the implementation of the agreed recommendations.

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

- 3.1 This report fulfils the audit requirement agreed at the Joint Audit and Scrutiny Panel meeting on 18th February 2014.

### **4. Summary of Key Points**

- 4.1 The National Crime Recording Standard (NCRS) was introduced to all 43 forces in England & Wales on 1 April 2002, with the aim of promoting greater consistency in the recording and detection of crime and to take a more victim orientated

approach. It identifies the criteria which must be applied in determining whether or not to formally record an incident as a crime.

4.2 On 1<sup>st</sup> May 2014 HMIC published its interim report on crime data integrity.<sup>a</sup> The report has identified serious concerns about the crime-recording process. HMIC highlights that if the findings for the first set of forces (this did not include Nottinghamshire) are representative across all forces and all crime types; this implies that 20 percent of crimes may be going unrecorded. Some forces have of course performed better than others.

4.3 HMIC will be inspecting Nottinghamshire Police week commencing 2<sup>nd</sup> July 2014.

## **5. Financial Implications and Budget Provision**

5.1 None - this is an information report.

## **6. Human Resources Implications**

6.1 None - this is an information report.

## **7. Equality Implications**

7.1 Historical data analyse identifies that BME and other vulnerable groups are disproportionately affected by crime. This being the case, implementing the recommendations of this report should lead to better access to support services for these vulnerable victims.

## **8. Risk Management**

8.1 Risks are identified in the Audit report (**Appendix A**) together with recommendations which are intended to mitigate the risks.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 The Commissioner has set the Chief Constable a target to reduce crime. This audit helps assure the Commissioner the extent to which the Chief Constable is complying with the requirements of the National Crime Recording Standard (NCRS).

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<sup>a</sup>

<http://www.hmic.gov.uk/publication/crime-recording-a-matter-of-fact-interim-report/>

## **10. Changes in Legislation or other Legal Considerations**

10.1 This audit has identified difficulties with certain aspects of the current NCRS rules and makes a recommendation that the Commissioner writes to the Home Secretary seeking amendments.

## **11. Details of outcome of Consultation**

11.1 The Audit report was sent to Command Officers and other stakeholders. This final report takes account of the feedback received. The Force intends to agree to most recommendations and have already developed an action plan.

## **12. Appendices**

- A. Baker Tilley Internal Report – Crime Recording in Nottinghamshire Police (May 2014).
- B. Force response to Baker Tilley Report - Crime Recording in Nottinghamshire Police (May 2014).
- C. Force Crime Audit Delivery Plan 2014

## **13. Background Papers (relevant for Police and Crime Panel Only)**

- Police and Crime Plan 2013-2017 (published)
- HMIC *'Crime recording: A matter of fact An interim report of the inspection of crime data integrity in police forces in England and Wales'* (1st May 2014)

For any enquiries about this report please contact:

Kevin Dennis, Chief Executive of the Nottinghamshire Office of the Police and Crime Commissioner

Kevin.dennis@nottinghamshire.pnn.police.uk  
Tel: 0115 9670999 ext 8012001



# **Nottinghamshire Office of the Police & Crime Commissioner**

Internal Audit Report (14.13/14)

FINAL

Crime Recording

20 May 2014

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Debrief meeting	8 May 2014	Auditors	Patrick Green, Head of Internal Audit
Draft report issued	9 May 2014		Angela Ward, Manager Ben Shore, Consultant
Responses received	20 May 2014	Client sponsor(s)	Paddy Tipping, PCC Kevin Dennis, Chief Executive Phil Gilbert, Head of Strategy and Assurance
Final report issued	20 May 2014	Report distribution	Kevin Dennis, Chief Executive Phil Gilbert, Head of Strategy and Assurance

As a practising member firm of the Institute of Chartered Accountants in England and Wales (ICAEW), we are subject to its ethical and other professional requirements which are detailed at <http://www.icaew.com/en/members/regulations-standards-and-guidance>.

The matters raised in this report are only those which came to our attention during the course of our review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. Recommendations for improvements should be assessed by you for their full impact before they are implemented. This report, or our work, should not be taken as a substitute for management's responsibilities for the application of sound commercial practices. We emphasise that the responsibility for a sound system of internal controls rests with management and our work should not be relied upon to identify all strengths and weaknesses that may exist. Neither should our work be relied upon to identify all circumstances of fraud and irregularity should there be any.

This report is supplied on the understanding that it is solely for the use of the persons to whom it is addressed and for the purposes set out herein. Our work has been undertaken solely to prepare this report and state those matters that we have agreed to state to them. This report should not therefore be regarded as suitable to be used or relied on by any other party wishing to acquire any rights from Baker Tilly Risk Advisory Services LLP for any purpose or in any context. Any party other than the Board which obtains access to this report or a copy and chooses to rely on this report (or any part of it) will do so at its own risk. To the fullest extent permitted by law, Baker Tilly Risk Advisory Services LLP will accept no responsibility or liability in respect of this report to any other party and shall not be liable for any loss, damage or expense of whatsoever nature which is caused by any person's reliance on representations in this report.

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We have no responsibility to update this report for events and circumstances occurring after the date of this report.

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# 1 Executive Summary

## 1.1 Introduction

An audit of Crime Recording was undertaken as part of the approved internal audit periodic plan for 2013/14. As a result of national and local perceptions and the forthcoming Her Majesty's Inspectorate of Constabulary (HMIC) inspections, discussions took place at the Joint Audit and Scrutiny Panel meeting on 18<sup>th</sup> February 2014, where upon it was agreed that an audit, providing independent assurance around Crime Recording and the robustness of the governance framework, processes, accuracy and management information, would be useful to provide assurances to the public, victims of crime and the PCC.

In July 2013 HMIC's produced a critical report into Kent Police's crime recording which attracted national media interest and raised questions about recording practices of other forces. The inspection had been specifically commissioned by the Police and Crime Commissioner for Kent to determine whether the people of Kent could have confidence in the force's crime figures. The inspection found that more needed to be done before the public in Kent could be confident that the crime figures published were completely accurate. HMIC found that the force had under recorded approximately one in every ten crimes and that it did not interpret the Home Office Crime Recording Standards (HOCRS) correctly. In January 2014, HMIC published an interim progress report that reviewed the positive steps taken by Kent Police to respond to the concerns raised.

More locally and recently, a number of letters and concerns have been raised with the Commissioner in relation to crime recording practices. When there are questions around the integrity of the crime data, it is likely to impact on the level of public trust and confidence, in the police service.

During the completion of our audit, two reports were issued into the public domain. The first being, on the 9<sup>th</sup> April 2014, the Public Administration Select Committee (PASC) report entitled 'Why we can't count on Police Recorded Crime Statistics.' One of the fundamental messages from the report is around targets and the detrimental impact to the integrity of the data. The view of the PASC report is to remove numerical targets completely and ensure that this message is echoed by the Chief Officer Team. Within the main body of the report we have supported this recommendation, although have highlighted some areas of caution when this has happened within other organisations. The second report, issued on 1<sup>st</sup> May 2014, was from the HMIC and they issued their interim report of the inspection of crime data integrity in police forces. The report explains the purposes and methods of the inspection and the criteria that govern crime-recording practice in the police. The findings are based on their review of 13 of the 43 police forces. Whilst the inspection has yet to be completed in the remaining 30 forces (of which Nottinghamshire is one), a number of the emerging themes highlighted within the report are supported by our audit findings, across Nottinghamshire. Further details are included within the main body of the report.

## 1.2 Conclusion

If crimes are not recorded appropriately, the impact to the Force is significant. It impacts on victims, who may not receive the assessment and support that they are entitled to, it impacts on the accurate deployment of resources and it impacts upon the confidence and perception that the public has with the police. Overall, our audit has identified that significant improvements are required in order to ensure the Crime Recording systems across Nottingham are accurate and reliable.

The audit and validation checks that are completed by the Crime Management Bureau are an absolute necessity, at this current time. The tasks completed minimise the risk of reporting inaccurately to the public and external stakeholders. During the audit, we became aware of plans and internal discussions taking place to reduce the current resources and responsibilities within the Crime Management Bureau. Although given the current austerity measures and the pressures on cost savings, it would appear to be an easy and straightforward option to reduce the resources and ultimately save costs, it is our view this option needs to be given significant consideration, before any final decisions are made.

It is considered essential that governance arrangements improve, culture changes embedded and training takes place, all of which should improve the data quality, prior to significant changes taking place within the Crime Management Bureau.

A further fundamental part of the audit was to understand the governance and leadership aspects and ultimately the effectiveness of the arrangement. Currently ACC (Crime) has both the responsibility for crime reduction across Nottinghamshire (as per website) and is also responsible for crime data. This presents a conflict of interest and certainly within other forces, efforts have been made to remove such a conflict, for example the Chief Officer without the responsibility for crime has data quality, within their remit. However, if Nottinghamshire continue to operate the current structure, then the conflict can be effectively managed. Recommendations have been included within the body of the report to suggest solutions to manage the conflict and re-enforce the demonstration of oversight.

A key observation is that the line management responsibilities and reporting lines into and out of the Force Crime Registrar are not particularly clear and it is recommended that clarification is sought in this regard. This is particularly timely, given one of the recommendations included within the Public Administration Select Committee report which suggests *'there should be a minimum suitable rank for FCRs such as Deputy Chief Constable or equivalent and FCR's should report directly to the Force Commander.'* Although, we do not necessarily support the first part of the recommendation, reporting lines certainly do need to be determined and clarified.

We support the view to remove hard targets and perhaps introduce outcomes which are more victim centred, data compliant, however, it would be a change that would not happen immediately and would require focus and continual review of the culture and practices within the Force to be completely satisfied that the culture has moved on.

Furthermore, it is considered, specifically at Nottinghamshire that the change in culture that is required, will improve the current unhealthy and potentially unsustainable working relationships that currently exist specifically between the Force and the Crime Management Bureau. At the initial start of the audit, through our start-up discussions, with Crime Management Bureau Officers (CMB), Force Crime Registrar (FCR) and Officers at divisions, it was evident that frustrations and tensions existed, between all parties. This working relationship is clearly going to bring tension and challenge, due to its very nature, but it is essential to have and it is vital that it is healthy, sustainable and respected, between all parties. It is considered that the recommendations included within the report around clarification of reporting lines and the reporting of data quality moving to the Joint Performance Board, should help to improve the existing relationship.

This issue further links to the observations around the resource implications of continually reviewing and updating previously closed incidents. From our sample of incidents that have been considered as part of the report the timeframe ranged from 1 day to 80 days, with the average being (for our sample) 49 days. The impact on resources is significant and clearly detracts from prioritising other pressures and clearly cannot continue. It is considered that with the benefits of proposed governance arrangements and training around NCRS compliance that the theory of 'right first time' can be applied and as such should reduce this particular resource constraint.

As identified, there are many factors interlinked to determine the robustness and reliability of a Crime Recording system and our findings suggest that many need to be strengthened to demonstrate ownership, governance and transparent operational control.

### 1.3 Scope of the review

In July 2013 HMIC's produced a critical report into Kent Police's crime recording which attracted national media interest and raised questions about recording practices of other forces. More locally and recently, a number of letters and concerns have been raised with the Commissioner in relation to crime recording practices. In addition, the HMIC is currently undertaking a review of all Force's to assess the extent that police-recorded crime can be trusted. The Force has submitted a questionnaire under Phase 1 and the HMIC will be undertaking reality testing under Phase 2 shortly.

As a result of national and local perceptions and the forthcoming HMIC inspections, discussions took place at the Joint Audit and Scrutiny Panel meeting on 18<sup>th</sup> February 2014, where upon it was agreed that an audit, providing independent assurance around Crime Recording and the robustness of the governance framework, processes, accuracy and management information, would be useful to provide assurances to the public, victims of crime and the PCC.

In order to answer the internal audit questions, we obtained a list of those incidents that should have been recorded as crimes was obtained, analysed and a trend analysis undertaken to determine if there are any similarities. For example, are they the same division, same officer, same type of crime etc.

The audit also considered all those crime types where mis-recording had been highlighted, via the in-house audit, but focused heavily on violent crime and sexual crime as these appear to have the most significant variation.

For each of the incidents and where practical we met with the police officers responsible for the incorrect recording of crime to understand the reasoning behind their decision making. This confidential approach allowed for the officer to fully describe the process, from receipt of call, to closedown (via blackberry or paper based), together with any associated issues (bureaucratic or technological, for example) and understand any review or challenge in place from their line manager.

It is our understanding that for violence and sexual crimes, if domestic violence, a risk assessment is required to be completed and other partners notified, where applicable, to provide assistance. From the incorrectly recorded crimes, we established if a risk assessment was in place (note if completed retrospectively) and whether other partners have been notified (if applicable).

We contacted a number of victims of crime to obtain their perspective and assess the extent to which service standards were met.

The review also provided an understanding of the procedure in place for reporting and recording of crimes (all crime types) and uploaded to the Crime Registrar. We reviewed the process to ensure that all data is being captured.

The review also considered the management information that is produced in relation to crime recording to understand its purpose and effectiveness. To assist with this, we also attended and observed a Crime Group meeting, where the crime reports were reviewed, to understand what data is used and for what purpose.

Following on from this, the review has considered the governance framework in place and the mechanisms in place to identify and challenge any misreporting or underreporting of crime, within the Force.

The scope of the review has been set in the context of national issues and public confidence and providing high quality services to victims of crime at the first point of reporting. If crimes are not recorded by the police then the implication is that victims won't receive a service.

#### **Limitations to the scope of the audit:**

- We will not form any view on the nature of the incident and will not comment on the type of crime and its appropriateness, just that the incident has been crimed.
- Our sample testing will include only those incidents that should have been crimed, in accordance with NCRS.

- We will not comment on the appropriateness of the risk assessment or the partners contacted, just that the process has been completed.
- We will not comment on the level of crime.

## 2 Recommendations

Ref	Recommendation
3.1	We would support the fundamental findings within the PASC report, specifically around the removal of numerical performance targets and would encourage measures around victim satisfaction and data quality. Whilst this change in focus is embedded, there is a requirement to scrutinise and review the practices within the Force to be completely satisfied that the change in culture has shifted and practice has moved on.
3.1	Given the national focus and scrutiny around data quality and integrity, it is suggested that the Police & Crime Commissioner write to the Home Secretary to consider the powers in place, to support changes from the current emphasis on reducing crime that brings with it a focus on hard numerical performance targets, to outcomes which can demonstrate ethical and victim focused values. Thus the focus nationally will be re-aligned, whilst the national debate around this particular area of concern continues.
3.1	It is recommended that a paper be prepared for the Police & Crime Commissioner and the Audit & Scrutiny Panel, to provide assurances around the actions to be taken to address the agreed recommendations included within the Public Administration Select Committee, together with the agreed recommendations within the HMIC report, once issued, following the inspection later during the year, around crime data integrity.
3.1	It is recommended that a copy of this audit report should be shared with HMIC, in advance of their inspection visit, scheduled for later during the year.
3.3	Clarification around management reporting lines for the FCR need to be clarified and strengthened. Once clarified, the job description will need to be updated to reflect any changes made. Furthermore, it is essential that the FCR has an annual PDR, in line with process. The PDR provides a formal mechanism to discuss and consider training needs, progression and any issues in performing the current role and responsibilities.
3.3	To demonstrate ownership, oversight and accountability, it is recommended that a formal process be introduced, on a monthly basis, between the FCR and accountable officer (or deputy, providing there is a clear link of reporting through to the accountable officer) in order for data quality to be reviewed and considered. Furthermore, the communication that takes place, particularly as part of the one to one meetings, between the ACC and DCC, should be documented, where appropriate, to clearly demonstrate the ownership and oversight of data quality and integrity.
3.3.2	That the Crime & Incident Data Quality Board be disbanded and the reports around data quality and NCRS compliance should be presented at the Joint Performance Board meetings. It is considered that the combination of both the crime statistical reports and the NCRS compliance reports would provide an effective and powerful monitoring tool, which provides the strategic oversight that is required.
3.3.2	That as planned, the Force continue to develop the Performance Dashboard facility to incorporate the data around NCRS and other audit results, as performed by the Crime Management Bureau.
3.4	It is considered essential that governance arrangements improve, culture changes embedded and training takes place, all of which should improve the data quality, prior to significant changes taking place within the Crime Management Bureau. It is probable (although we haven't completed any detailed checks) that if the effectiveness of some audit checks is minimal (i.e minimal changes to data received or challenge required) then there would be options for this audit work to be reduced and resources reallocated.

Ref	Recommendation
3.5.1	The Police & Crime Commissioner should write to the Home Secretary to suggest a change to the NCRS rules to cater for such 'grey areas' to reflect where the Force has clearly made efforts to investigate an incident but the informant/victim remains un co-operative. Therefore, a conclusion to the accurate status of the incident is not obtainable. If the standards are amended, such classification and allocations would need to be reviewed by the FCR, as part of the routine audit process to provide assurance and oversight to such usage.
3.5.1	Mandatory training around the requirements of the NCRS should be completed with Police Officers, across the Force as soon as possible. The training should consider the content and application of the rules.
3.5.1	In accordance with procedures, Police Officers on the case should be the officer making the decision on whether to crime an incident.
3.5.1	There should be a more robust mechanism in place to track those incidents that have been passed to other departments to consider and investigate, especially where the incident has not been crimed. The progress of the investigation should be clearly logged, to demonstrate the robustness of the review and to provide assurances in regards to communication with and support provided to the victim.
3.5.1	In accordance with the required standards and rules, crimes should be reported and updated on the system as soon as is possible. If the system is not updated timely, then it does not reflect the actual number of crimes and the timeframe (month/quarter/year) in which they were reported. Consequently, this could impact on crime baseline figures and comparative crime data and indeed the accurate deployment of resources.
3.6	The Force should investigate the issue surrounding the completion of the mandatory data field around 'ethnicity', when updating the Crime Management System, via the Blackberry, to identify a solution to the issue. This will prevent Police Officers receiving MOPI non compliance reports and furthermore, having to return to the system and update the relevant data field again.
3.7	Nottinghamshire Police should upload the Code of Practice for Victims of Crime on the website.
3.7	There should be a formalised mechanism in place to ensure that where appropriate, victims are notified of where the incident has been crimed and be provided with the crime number. This will provide an opportunity to inform the victim of the service that is to be expected, in accordance with the Code of Practice for Victims of Crime.

## 3 Findings

### 3.1 Background

In July 2013 HMIC's produced a critical report into Kent Police's crime recording which attracted national media interest and raised questions about recording practices of other forces. More locally and recently, a number of letters and concerns have been raised with the Commissioner in relation to crime recording practices.

On 9<sup>th</sup> April 2014, the Public Administration Select Committee (PASC) issued their report entitled 'Why we can't count on Police Recorded Crime Statistics' and it seems appropriate to make reference to the report and key messages from the reports, many of which our audit findings and observations support. One of the fundamental messages from the report is around targets and the detrimental impact to the integrity of the data. Numerical targets for individual officers and forces potentially encourage perverse incentives and therefore the robustness of data quality becomes questionable. Within the Police & Crime Plan, one of the objectives is to reduce crime and the measure of this will be to be ranked in the top 10 Police Forces for reducing crime. Although our review did not identify any specific written formal numerical targets, anecdotal evidence suggests that they are in place and pressures exist. This was specifically highlighted around burglary and robbery crimes, ("can only have 1.8 burglaries a day" was quoted) where through our discussions with Police Officers it was apparent that on occasion further clarification and guidance is requested from their line manager in relation to how best to classify the incident. In addition, further scrutiny by line management takes place where such crimes have been recorded.

Our experience elsewhere suggests that where numerical targets are removed completely and although echoed by the Chief Officer Team, often day to day performance, linked to an individual's PDR, or as an alternative measure for determining the achievement of an individual, compared to peers, is still assessed against internal and informal performance targets. This is subject to a much wider and engrained issue around the culture of the Organisation. Therefore, although we absolutely support the view to remove hard targets and perhaps introduce outcomes which are more victim centred, data compliant, it would be a change that would not happen immediately and would require focus and continual review of the culture and practices within the Force to be completely satisfied that the culture has moved on. This is seen as a fundamental part, as long as there are numerical targets in place to achieve, there is always the risk of perverse incentives, which impacts on data quality. Furthermore, it is considered, specifically at Nottinghamshire that the change in culture that is required, will improve the current unhealthy and unsustainable working relationships that currently exist specifically between the Police Officers and the Crime Management Bureau, including the Force Crime Registrar. Further detail is included at section 3.5.1.

The PASC included a number of recommendations (included at Appendix B) and it is important that the Force can demonstrate consideration and effective implementation (where applicable) of the agreed recommendations contained within the report.

#### **Recommendation –**

**We would support the fundamental findings within the PASC report, specifically around the removal of numerical performance targets and would encourage measures around victim satisfaction and data quality. Whilst this change in focus is embedded, there is a requirement to scrutinise and review the practices within the Force to be completely satisfied that the change in culture has shifted and practice has moved on.**

#### **Recommendation –**

**Given the national focus and scrutiny around data quality and integrity, it is suggested that the Police & Crime Commissioner write to the Home Secretary to consider the powers in place, to support changes from the current emphasis on reducing crime that brings with it a focus on hard numerical performance targets, to outcomes which can demonstrate ethical and victim focused values. Thus the focus nationally will be re-aligned, whilst the national debate around this particular area of concern continues.**

**Recommendation –**

**It is recommended that a paper be prepared for the Police & Crime Commissioner and the Audit & Scrutiny Panel, to provide assurances around the actions to be taken to address the agreed recommendations included within the Public Administration Select Committee, together with the agreed recommendations within the HMIC report, once issued, following the inspection later during the year, around crime data integrity.**

On 1<sup>st</sup> May 2014 the HMIC issued their interim report of the inspection of crime data integrity in police forces. The report explains the purposes and methods of the inspection and the criteria that govern crime-recording practice in the police. The findings are based on their review of 13 of the 43 police forces. Whilst the inspection has yet to be completed in the remaining 30 forces (of which Nottinghamshire is one), a number of the emerging themes highlighted within the report are supported by our audit findings, across Nottinghamshire. The report identified 5 key reasons why crimes went unrecorded. These being;

- Poor knowledge of the Crime Recording rules (At Nottinghamshire, we have seen evidence of this across the sample of cases selected)
- Inadequate or Absent training in the content and application of the Crime Recording rules (links to above)
- Poor supervision or management – lack of scrutiny for all crimes (At Nottinghamshire, there is a gatekeeper for key risk crimes and improvements in the effectiveness of the governance process has been highlighted)
- Workload pressures – forget to record crime or unable to follow up (At Nottinghamshire, although not specifically identified as a reason, it would have some impact in the ability to complete incident logs fully and adequately)
- Possible unethical practice e.g. deliberately failing to crime to reduce overall crime figures (At Nottinghamshire, there was no hard evidence of this but numbers are too high to rule it out and there is a perception by the Crime Management Bureau staff that officers are under pressure by management to under record (this perception is linked to the appropriateness of detail included within some incident logs which could give the view that pressures exist to under record). Overall, it would be very difficult to determine if failing to record crime is deliberate or poor knowledge of the rules.

**Recommendation –**

**It is recommended that a copy of this audit report should be shared with HMIC, in advance of their inspection visit, scheduled for later during the year.**

### **3.2 Crime Recording Counting Rules and Standards**

The National Crime Recording Standard (NCRS) was introduced to all 43 forces in England & Wales on 1 April 2002, with the aim of promoting greater consistency in the recording and detection of crime and to take a more victim orientated approach. It identifies the criteria which must be applied in determining whether or not to formally record an incident as a crime. Chief Constables have a legal requirement to return accurate and timely recorded crime figures to the Home Office.

The standard is underpinned by the Home Office Counting Rules (HOCRs) which contain guidelines to determine, amongst other things, whether and when a crime should be recorded, what it should be recorded as and how many crimes should be recorded taking into account the 'Finished Incident' and 'Principal Crime' Rules. The rules stipulate that a recorded crime can be retrospectively no crimed, if 'additional verifiable information' emerges which demonstrates that no crime was committed.

Importantly, for crime recording, the provision of victim support through the Code of Practice for Victims of Crime is limited to circumstances where a crime under NCRS has been recorded. Where offences are not recorded as required this can present a risk that a victim is excluded from the support to which they are legally entitled.



The Home Office is responsible for collating raw data from forces each month, performing some validation checks and querying outliers with forces, who may then re-submit data.

### 3.3 Governance Framework

In June 2013, the Association of Chief Police Officers issued a letter, from the National Policing Lead for Crime Statistics, to all forces regarding the forthcoming crime data integrity inspections (at that time) and the role of the Force Crime Registrar. As part of the process, the National Lead highlighted that there is a significant variance in the way FCR's are engaged, supported and directed by Chief Officers. As such as part of the letter it was reiterated that the NCRS sets out that ideally the FCR should be outside of operational line command and answerable to the Chief Officer with overall responsibility for the accuracy and integrity of crime recording processes.

With this in mind, we considered the position at Nottinghamshire Police. It was established that there are two Force Crime Registrar's in post, both located at the Crime Management Bureau (based at Mansfield Police Station). We obtained the job description for the Force Crime Registrar (dated December 2012) and it was noted that the position is responsible to the Head of Crime, who is then accountable to the ACC Crime, who in turn reports directly to the Deputy Chief Constable.

The purpose of the FCR role is;

*'To ensure Nottinghamshire Police achieve comprehensive, consistent and accurate recording of crime and detections in line with the National Crime Recording Standards and Home Office Counting Rules. Both of which directly impact on Force performance and public confidence.'*

The principal accountabilities included are;

- Ensure the Force's crime recording standards and crime disposals standards are compliant with National Crime Recording Standards and Home Office Counting Rules.
- Develop and maintain policies, working practices and procedures in respect of crime recording and disposal in accordance with national and Force standards.
- Manage and develop audit, performance, compliance and administration processes within the Force Crime Registrar role to ensure Force compliance, with relevant law, policies and procedures.
- Identify and manage compliance and quality assurance audits in respect of crime recording and detections to determine if prescribed policies processes and procedures are being adhered to at all levels within the Force.
- Provide specialist advice and guidance to the Senior Management Team, Crime Management Bureau and the Force. Have authority on behalf of the Force to reclassify crime records where counting rules have been misapplied and have to confirm or reuse disposals where criteria not met, being the final arbiter in cases of dispute.

A fundamental part of the audit is to understand the governance and leadership aspects and ultimately the effectiveness of the arrangement. A key observation at this stage is that the line management responsibilities and reporting lines into and out of the FCR are not particularly clear and it is recommended that clarification is sought in this regard. With consideration to the current job description, where it is stated that the FCR reports to the Head of Crime, in reality at the time of the audit, it was established that the FCR currently reports to Detective Chief Superintendent, although this is not a particularly transparent link. Furthermore, in discussion with the FCR, it was established that neither officer had received an appraisal /PDR, in their current role.

This is particularly timely, given one of the recommendations included within the Public Administration Select Committee report which suggests *'there should be a minimum suitable rank for FCRs such as Deputy Chief Constable or equivalent and FCR's should report directly to the Force Commander.'* Although, we do not necessarily support the first part of the recommendation, reporting lines certainly do need to be determined and clarified.

Similarly, to seek clarity around the governance reporting lines and accountability, we reviewed the linkage between the FCR and the ACC Crime. As in accordance with the job description, the FCR reports to the ACC Crime (via the Head of Crime).

Through discussions with the FCR it was established that communication with the ACC Crime is ad hoc and matters are addressed and reported at the Crime and Incident Data Quality Board, which is chaired by the ACC Crime. We met with the ACC Crime, as part of the audit process and it was confirmed that communication is ad-hoc with the FCR and is often completed by email, due to work pressures and therefore formal face-to-face meetings are minimal. Furthermore, as part of the discussions, we sought clarification around communication between the Chief Superintendent (line manager for FCR) and ACC Crime, to understand if the link was effectively robust. It was noted that although some discussions take place, the transparency and robustness around such challenge and review needs to be improved.

**Recommendation –**

**Clarification around management reporting lines for the FCR need to be clarified and strengthened. Once clarified, the job description will need to be updated to reflect any changes made. Furthermore, it is essential that the FCR has an annual PDR, in line with process. The PDR provides a formal mechanism to discuss and consider training needs, progression and any issues in performing the current role and responsibilities.**

**Recommendation –**

**To demonstrate ownership, oversight and accountability, it is recommended that a formal process be introduced, on a monthly basis, between the FCR and accountable officer (or deputy, providing there is a clear link of reporting through to the accountable officer) in order for data quality to be reviewed and considered. Furthermore, the communication that takes place, particularly as part of the one to one meetings, between the ACC and DCC, should be documented, where appropriate, to clearly demonstrate the ownership and oversight of data quality and integrity.**

As part of our discussions with the ACC Crime, we established that any issues arising would be raised informally and addressed with colleagues (ACC and DCC), on a day to day basis and/or as part of the monthly one to one meetings. On review of the job description for the Deputy Chief Constable, it was noted that the key tasks included (not limited to);

- To ensure that standards and integrity are developed and maintained at a high level and to present the image and interests of the Force both at a local and national level.
- Ensure that the Force's operational processes adhere to the highest ethical, professional and legal standards in accordance with relevant legislative requirements and the Force's policies.

It is considered to be beneficial, especially in light of the forthcoming HMIC inspection, to strengthen the transparency of the informal reporting arrangements and/or one to one meetings within Force, in order for the ownership and oversight of crime data to be clearly demonstrated. (Refer to the recommendation made above).

### **3.3.1 Crime and Incident Data Quality Board**

We requested a copy of the Terms of Reference for the Crime and Incident Data Quality Board, but were advised that there was no current Terms of Reference in place. It was established that the Board had been set up several years ago to effectively manage the recommendations arising from the HMIC inspections and although these issues had either been addressed or were being managed elsewhere, the Board had continued to operate ever since and the remit had extended to include Crime Recording and Compliance issues.

Without a Terms of Reference it is difficult to ascertain the membership of the Board. However, we requested a listing from the FCR of those Force Officers that receive the papers for the meetings and it was noted that the list included more than 20 officers.

As part of the agreed audit scope, we attended and observed the Crime and Incident Data Quality Board meeting on 18<sup>th</sup> March 2014, at Force HQ. The meeting is chaired by the ACC Crime. The agenda included the following items;

- 1) Introduction and Apologies

- 2) Minutes and Actions from the previous meeting
- 3) HMIC Crime Data Integrity Inspections 2013/14
- 4) National updates
- 5) Crime Outcome Framework
- 6) Crime Related Incidents / ADR 342 Sexual Offences
- 7) Sexual offences Action Plan
- 8) Audits – Quarterly / YTD cumulative compliance
- 9) Cast Study Scrutiny
- 10) AOB

The date of the next meeting is Tuesday 17<sup>th</sup> June 2014.

Our observations from the meeting are;

- There were 13 individuals present (including Baker Tilly, 1 representative from PCC and the 2 FCR). Apologies were received from 3 individuals. Based on the listing of those where papers are forwarded, it would be expected that more formal apologies should have been received. This potentially could indicate a lack of awareness and ownership of the subject matter.
- The agenda had been produced, along with the supporting papers by the FCR. Although it was expected that a number of the papers were the responsibilities of the FCR, there was minimal input from other officers in attendance. The FCR also presented the papers.
- On the agenda there was a sexual offences action plan, which was passed back to the FCR to present and go through. This was surprising as the FCR is responsible for collating the action plan, but is not responsible for the implementation of the actions within the action plan. It is considered that it would have been beneficial for the officer responsible for the management of the action plan to provide an overview.
- On review of the minutes from the previous meeting in December 2013, although the specific actions that were recorded from the previous meetings were discussed there were points within the other items that were not necessarily followed up, where actions were to be taken outside the meeting.
- At the March meeting there were a couple of incidents which were to be discussed outside of the meeting – E.g. the violence against the person – rate 73%

In summary, although the meeting served a purpose and it is extremely beneficial to review the NCRS compliance report, the overall effectiveness of the meeting and the role of the Board are questionable. Given the attendance levels and the lack of apologies received, it would seem that the Board is not seen to have the influence and authority that it perhaps should have, given the content included within its agenda.

It is considered that the key reports presented as part of the meeting, for example NCRS Compliance would be more beneficial to be presented at another forum, ideally the Joint Local Policing and Operational Support Performance Board. To further support this view, it is important to understand where the minutes/output from the Crime and Incident Data Quality Board meeting are reported to, i.e. where within the governance structure are any issues arising from the Board meeting reported to and ultimately where is the overall oversight and challenge provided? Through discussions with the ACC Crime it was noted that any issues arising would be raised informally and addressed with colleagues, on a day to day basis. However, there is no formal link from the Crime and Incident Data Quality Board meeting to any other Committee/Board, within the Force. Although we do not doubt the informal day to day arrangements (albeit they are not necessarily recorded), the demonstration of this oversight and challenge needs to be improved. (Refer to the recommendation made at 3.3 above)

This is considered especially relevant, given that currently the ACC Crime has both the responsibility for crime reduction across Nottinghamshire (as per website) and is also responsible for crime data. This presents a conflict of interest and certainly within other forces, efforts have been made to remove such a conflict, for example the Chief Officer without the responsibility for crime has data quality, within their remit. However, if Nottinghamshire continue to operate the current structure, then the conflict can be effectively managed. To do this, therefore, it would be beneficial to ensure the data quality records are presented to a forum that is not also chaired by the ACC Crime, to demonstrate accountability and oversight. A recommendation has been included at 3.3.2 below that we consider provides a solution to this conflict.

### **3.3.2 Joint Local Policing and Operational Support Performance Board**

We obtained the terms of reference for the Joint Local Policing and Operational Support Performance Board and it was noted that the purpose of the Board is;

*'To monitor and manage performance under the Local Policing and Operational Support portfolios.'*

The objectives of the Board are listed as;

- 1) To identify and review any exceptional performance against priorities 1 and 3 of the Policing Plan and Priorities 1-6 of the Police and Crime Plan
- 2) To escalate where necessary these exceptions to the Corporate Governance Board
- 3) To delegate actions in regard to exceptional performance to the departmental / divisional operational performance review meetings

Exceptional performance is defined as;

- 1) Any level of performance which may trigger HMIC intervention as defined by HMIC Police Performance monitoring standards
- 2) Any level of performance which is significantly off track or target in line with strategic priorities, objectives or targets as set out within the Force / PCC plans
- 3) To be performing at significantly different levels to previous trends or forecast levels of performance
- 4) To be significantly off track with agreed project / planning milestones

The Board meet on a monthly basis and the core membership includes;

- ACC Local Policing
- ACC Crime, Justice and Protective Services
- Deputy PCC
- Divisional Commander, City Division
- Divisional Commander County Division
- Head of Crime and Justice
- Head of Criminal Justice
- Head of Operational Support
- Head of Contact Management
- Head of Corporate Communications
- Head of Technical Infrastructure
- Head of Professional Standards

- Performance and Insight Manager
- Representative from MI (Performance)
- Finance Business Partners (Ops Support and Local Policing)
- HR Business Partners (Ops Support and Local Policing)

As part of the audit we obtained and reviewed the performance related papers from the February 2014, January 2014 and December 2013, Performance Board meetings. It was noted that the following items were included within the performance related papers;

#### February 2014

- Performance Overview
  - Burglary GOLD Update
  - Violence GOLD Update
  - VAP Review
- Stop and Search Update
- Track My Crime Overview

#### January 2014

- Performance Overview
  - Target Performance
  - Violence GOLD Update
  - Burglary GOLD Update
  - County Update
  - OP Permute Update
- Data Quality Update
  - VAP Quality Update
  - DDM Deficient Review
- KSI Update

#### December 2013

- Performance Overview
  - Target Performance
  - Year End Picture
  - Violence GOLD Update
  - Burglary GOLD Update
- CJ OPR Update (Verbal)
- IOM Performance Framework Update

On review of the papers included to support the agenda items, it was noted that they include performance data around Force priorities and it is considered that the inclusion of the NCRS compliance reports and other data quality reports would compliment the existing agenda items and reports. For example within the February 2014 papers there was a Crime Summary report presented that included the year to date performance for all crimes, split between City and County, which is then split between Burglary, Violence against Person, Criminal Damage, Robbery, Theft, Vehicle Crime and Anti-Social Behaviour. It is considered that this report, together with the NCRS compliance would be effective and powerful tool – providing the Force with a strategic oversight of overall crime statistics, supported by the number of crimes that had originally not been recorded appropriately and those that remain non compliant with NCRS.

Furthermore, with those officers that attend the Joint Performance Board, it is considered to provide an efficient and effective forum to provide further scrutiny and challenge as to the reasons for non compliance with NCRS and any other data quality issues.

**Recommendation –**

**That the Crime & Incident Data Quality Board be disbanded and the reports around data quality and NCRS compliance should be presented at the Joint Performance Board meetings. It is considered that the combination of both the crime statistical reports and the NCRS compliance reports would provide an effective and powerful monitoring tool, which provides the strategic oversight that is required.**

Although not specifically part of the scope of the audit, we met with the team responsible for collating the daily performance data and reviewed the type of performance information that is reported across the Force, on a daily basis, via the performance dashboard. From our observations, it is considered to be extremely useful and provides a powerful tool. In discussion with the key officers within the team it was established that they are working with the Crime Management Bureau to develop ways in which the non compliance type of reporting can also be integrated within the dashboard facility. This is something that audit would encourage as it provides another mechanism for oversight of such important and necessary crime data.

**Recommendation –**

**That as planned, the Force continue to develop the Performance Dashboard facility to incorporate the data around NCRS and other audit results, as performed by the Crime Management Bureau.**

### **3.3.3 Force Executive Board**

On review of the Terms of Reference it was noted that the purpose of the Group is;

“To direct, set and oversee the strategic development of Nottinghamshire Police.”

The objectives of the Board are listed as;

- Set the Force strategy and agree and set priorities for the Force
- Task the development of areas of the organisation
- Monitor performance, budget, workforce and risk against the Policing Plan
- Monitor performance against Police and Crime Plan objectives
- Approve the Force Strategic Intelligence Assessment
- Approve the Force Strategic Organisational Assessment
- Approve the Force Control Strategy and Policing Plan
- Approve the Force Performance Framework
- Approve the Strategic Risk Register report
- Approve the Audit and Inspection report
- Approve the Annual Governance Statement
- Make policy decisions and approve policy changes
- Approve business cases
- Receive quarterly updates from the Chief Officer Team members on their portfolio areas
- Monitor delivery of the Strategic Programmes
- Monitor delivery of the East Midlands Police Collaboration Programme

The Board meet on a bi-monthly basis and the core membership includes;

- Chief Constable (Chair)
- DCC (Deputy Chair)

- ACC Local Policing
- ACC Crime, Justice & Protective Services
- ACO Resources
- Head of Corporate Communication

As part of the audit we confirmed the linkage between the Joint Performance Board and the Force Executive Board. We reviewed the annual work plans in place for the Executive Board and confirmed that there is a link into the Force Executive Board from the Joint Performance Board.

### **3.4 Tasks completed by Crime Management Bureau (CMB)**

The Crime Management Bureau currently consists of six Sargents (including three Dedicated Decision Maker (DDM)), 33.24 FTE's (Screeners and Crime System Officers), three PC DDM's and one Support Staff (System Administration).

The NCRS state that each force must appoint a Force Crime Registrar (FCR) who has the responsibility for ensuring compliance with the crime recording process. The role is a final arbiter for all decisions to record a crime or to make a no-crime decision. The responsibilities of the FCR include training staff in the crime recording process and carrying out audits to check that the force is complying with the rules. The NCRS states that the FCR must be answerable to the chief officer with overall responsibility for the accuracy and integrity of crime-recording processes. As mentioned above there are two FCR's at Nottinghamshire, both of which are based at the Crime Management Bureau.

On a daily basis the CMB review all incidents opened as Burglary Dwelling, Robbery and Sexual Offences but have been closed without a crime number to ensure that the justification for not recording a crime is NCRS compliant. With effect from 13<sup>th</sup> March 2014, the daily checks also included incidents opened as Violence Against the Person and closed without a crime number. In addition, the CMB is monitoring all open incidents and intervening.

On a weekly basis, the purpose of the ongoing audit is to test the effectiveness of the crime recording decision making process in compliance with the requirements of NCRS and the HOCs 'Incident to Crime' conversion – from the initial report through to the crime system and subsequent validation. Where a decision is made not to record a crime and therefore the incident is closed with a non crime code, the audit tests whether there is an adequate NCRS compliant explanation recorded, to justify the decision. The audit concentrates on the following priority incident types opened in the force Command & Control system (VISION);

- Burglary
- Robbery
- Vehicle Crime
- VAP
- Sexual Offence
- Other
- ASB
- Hate/Domestic

A random sample of 30 of each type (where available) is selected per week and audited against set criteria. Only incidents which have been closed are included in the audit. The testing criteria is;

- 1) Was the incident closed as a Crime or as an Incident?
- 2) Should the incident have been crimed?

- 3) Was the crime recorded in accordance with the requirements of NCRS? i.e. within 72 hours and on the balance of probabilities?
- 4) If closed as a crime was the crime number included within the log?
- 5) Is there sufficient information on the incident to make a judgement?
- 6) Does the crime report reflect the incident? (Correctly classified?)
- 7) Was the incident closed in compliance with NCRS?
- 8) Are there multiple victims involved?
- 9) Has the correct number of crimes been recorded given the number of victims involved in the incident?

Further tasks completed within the CMB include;

#### Interventions

The HOCR states that incidents reported to the police are to be crimed within 72 hours (3 x 24 hours) from the incident first being reported. Currently, the Police Officers within CMB run an audit of incidents, approaching 72 hours, without a resource having attended and therefore no crime recording decision being made. Where there is sufficient information from the incident summary the appropriate crime is recorded. The crime is then held in a holding pot on CRMS for allocation / further investigation once an officer has attended.

#### Task allocation

Upon creation of all crimes and non crimes an automated task is created by the CRMS. This is used to identify those new crimes which need allocating.

#### Foreign force enquiries

Currently the CMB are the first point of contact for all forces. Packages received are reviewed, crimed and recorded before being sent out to divisions for further investigations.

#### NABIS

The agreed standard operating procedure for the weapon clearance procedure is that all weapons will attract a CRMS number. Where there is no associated crime there is a requirement for a non crime number to be created.

#### Creation of Crime reports

Crimes are entered onto CRMS by Blackberry, Wizard or directly onto CRMS.

#### Quality Checks

Every crime and non crime on CRMS is checked to ensure all relevant fields are completed

#### Validation of Crimes

All crimes and non crimes recorded on CRMS are reviewed to ensure proper classification against NCRS and HOCR.

During the audit, we became aware of plans and internal discussions taking place to reduce the current resources and responsibilities within the Crime Management Bureau. Although given the current austerity measures and the pressures on cost savings, it would appear to be an easy and straightforward option to reduce the resources and ultimately save costs, it is our view this option needs to be given significant consideration, before any final decisions are made. It is considered essential that governance arrangements improve, culture changes embedded and training takes place, all of which should improve the data quality, prior to significant changes taking place within the Crime Management Bureau. It is probable (although we haven't completed any detailed checks) that if the effectiveness of some audit checks is minimal (i.e. minimal changes to data received or challenge required) then there would be options for this audit work to be reduced and resources reallocated. However, it is unlikely to be a significant resource at this time.

Once data quality is at an acceptable standard, without the need to rely on the audit checks that are currently in place, then it is at that point that decisions around the Crime Management Bureau and responsibilities should take place. It is our view that any significant changes made to the current process will increase the risk of poor data quality, poor management of data and non compliance with standards.



#### **Recommendation –**

**It is considered essential that governance arrangements improve, culture changes embedded and training takes place, all of which should improve the data quality, prior to significant changes taking place within the Crime Management Bureau. It is probable (although we haven't completed any detailed checks) that if the effectiveness of some audit checks is minimal (i.e. minimal changes to data received or challenge required) then there would be options for this audit work to be reduced and resources reallocated.**

### **3.5 Reporting of Crime**

The HOCR state that:

*“...a crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed”*

The police must record the crime at the earliest opportunity that the system allows. This is traditionally 72 hours from the time the incident is first logged. However, there is a maximum of seven days allowed to take into account the situations outside the control of the police, such as where the victim cannot be contacted or not available despite the police efforts to make contact with them.

It is important that crimes should be recorded timely, as the information is used in the investigation of serious crimes and checks on the background of individuals and therefore the delay in the accuracy of the information could impact on any decisions made regarding risk assessments and resources.

Nottinghamshire Police receives reports of crime through various mechanisms. The main ones are:

- Directly to the Force control room, where an incident record is created on ViSION
- Direct to frontline staff (including emails)
- Direct to enquiry counter or other face to face access point
- Direct to specialist units (e.g. Protecting Vulnerable People)
- Directly from a victim of crime to a call handler where a crime record is made immediately and the crime number is recorded immediately

Irrespective of how the crime is received, all reports of incidents result in the creation of an incident report on the force command and control system. The only exception to this is where a report is immediately recorded as a crime within the force crime recording management system (CRMS).

To determine whether an incident is a crime, the HOCR state that:

*“An incident will be recorded as a crime (notifiable to the Home Secretary) for offences against an identified victim if, on the balance of probability:*

*A. The circumstances as reported amount to a crime defined by law (the police will determine this, based on their knowledge of the law and counting rules), and*

*B. There is no credible evidence to the contrary*

This is followed by rule 2:

*“For offences against the state the points to prove to evidence the offence must clearly be made out, before a crime is recorded.”*

So there are two primary types of crime, the first aimed at identified victims, the second against the state, for example the possession of drugs, carrying a weapon and public order offences that have no victims.

These rules place an obligation on the police to accept what the victim says unless there is “credible evidence to the contrary” a crime should still be recorded where:

- The victim declines to provide personal details
- The victim does not want to take the matter further; and
- The allegation cannot be proved

The balance of probability test is detailed in the NCRS. It provides that:

*“In most cases, a belief by the victim (or person reasonably assumed to be acting on behalf of the victim) that a crime has occurred is sufficient to justify its recording as a crime, although this will not be the case in all circumstances. Effectively, a more victim-orientated approach is advocated”*

The HOCR describe when a crime need not be recorded; if a victim does not confirm a crime, then it is not recorded. For instance, if someone other than the victim reports an apparent street robbery, but police cannot find the victim, then a crime is not recorded, but the incident must be recorded.

### 3.5.1 Detailed Analysis and Testing

We obtained and reviewed the audit spreadsheet, as at the week ending 14 March 2014, and applied the following filters to burglary, robbery, violent and sexual crimes;

1. Closed as an incident;
2. Should have been crimed; and
3. The crime was not recorded in line with NCRS.

This provided us with a listing of those incidents (across Burglary, Robbery, Violent and Sexual) that were closed on the system, but should have been crimed, in accordance with NCRS.

One of the key objectives for doing this was to identify any potential trends, be that Beat, Officer or Officer in Case for the incorrect recording of the crime against the NCRS standard. However, upon review, there were no obvious trends and therefore suggests that non compliance with the NCRS is not limited to one particular geographical area/division, type of crime or Officer. The analysis of the actual spreadsheet being used did flag a couple of issues;

- The audit spreadsheet reported that a total of eight burglaries had been incorrectly recorded and identified as part of the audit process during quarter three. Upon reviewing the details for these it was noted that one incident had been recorded twice. This had the same incident number but on review of the audit reference recorded within the audit spreadsheet it had been randomly selected in different weeks. This had not been noted and on investigation it was identified that this is a flaw in the current audit process. It was established that an incident can be re-selected in an alternative weeks sample if the case has been reopened and then closed. This is due to the query that selects the sample to pick cases which have been closed during the selected period. This can impact upon the accuracy of the figures being reported. If an incident is reopened after intervention from the Crime Management Bureau and then closed in line with the NCRS by the Officer, upon the request of the Crime Management Bureau, in a following week it is possible that this incident/crime could be selected in the sample for the week it was closed, for a second time. When this is the case the Crime Management Bureau would report this as being recorded in line with NCRS. However, this would only be due to the original intervention of the Crime Management Bureau.

The Force Crime Registrar was made aware of the issue and has informed that moving forward the Crime Management Bureau will have to identify where there has been previous intervention and remove these from the sample to confirm that the figures reported only include incidences that have initially been recorded incorrectly. As this has been actioned during the audit, no recommendation is included at this time.

- Duplicates have also been included in the Robbery section, where two of the eight incidents which should have been recorded as a crime were duplicates and therefore there were six incidents that should have been crimed.
- A further issue was identified, whereby three incidents that had been classified as 'violence' which had not been crimed, had been correctly recorded in violence spreadsheet, but had also been included in the 'sexual' audit results. This was due to human error and had simply been copied and pasted into two tabs within the spreadsheet, rather than just one. Consequently, the figure of 18 sexual incidents which should have been crimed since January 2014 was actually 15. Additionally we reviewed the 18 violence incidences which had not been crimed to ascertain if any had been domestic violence cases to identify if these had received the required risk assessment. Of the 17 reviewed.

Taking into account the duplicates highlighted above, there was a total of 49 incidents that should have been crimed (across Burglary (4.11% of total at that period), Violence Against Person (4.2% of total at that period), Sexual Offences (10.4% of total at that period) and Robbery (10.7% of total at that period). We obtained an incident log for all the incidents and reviewed the analysis of those incidents to understand if there was any trend or pattern.

On review, it was not evident that there was any clear trend in place. Therefore, we selected 12 incidents (across Burglary, Violence Against Person, Sexual Offences and Robbery) where we attempted to meet with the Police Officer who recorded the incident to understand the context of the incident and understand the rationale behind the decision making process. Further detail of the incidents and the discussion with the Police Officer is included at Appendix A of the report.

However, in order to provide context, a view and analysis of the incidents reviewed we have created the following four scenarios to determine which original incident falls into which scenario;

- 1) Scenario 1 – A Crime – no obvious reason for not recording as a crime
- 2) Scenario 2 – Not recorded as a Crime, due to insufficient NCRS 'mark off'
- 3) Scenario 3 – Not recorded as a crime, due to work pressures/ other pressures
- 4) Scenario 4 – Not recorded as a crime, due to non co-operation by victim

Within the detail included within Appendix A, against each incident is a reference to which scenario we have judged the original incident to relate to. A table is provided below, which provides an overview. It should be noted that on occasion, the incident could well fall into more than one scenario, but for the basis of this exercise, we have referred to just the one scenario.

Scenario	Number of Incidents (included at Appendix A)
1) A Crime – no obvious reason for not recording as a crime	Incident 9 and 10

2) Not recorded as a Crime, due to insufficient NCRS 'mark off'	Incident 3 and 12
3) Not recorded as a crime, due to work pressures/ other processes	Incident 8
4) Not recorded as a crime, due to non co-operation by victim	Incident 1, 2, 4, 5, 6, 7 and 11

From the analysis above, it is clear that the majority of our sample related to those incidents which have 'grey areas' and were due to victims not co-operating. This is despite efforts made by the Police Officer on the case. Therefore, the evidence required to determine the precise and accurate details of the incident was not obtainable. As such, it was closed on the system as a no crime. A key part of the CMB audit is to review such incidents which are closed without a crime number, to ensure NCRS compliance. The current NCRS rulings do not necessarily reflect such a scenario or discretion and therefore the FCR is correctly recording the incident as non compliant and criming the incident, in accordance with existing standards.

Clearly, the impact of this particular scenario is significant on police resources (i.e. the time taken to attempt to make contact with victims) and furthermore creates a frustrating working environment between the Crime Management Bureau and the Police Officers. The Crime Management Bureau are sending back incidents to the Police Officers that have not been dealt with in accordance with NCRS to either investigate further, to comply with NCRS, or to ultimately accept as a crime. The view is that Police Officers have already spent time and resource to try and close down the incident, but with no success, due to the un co-operative victim. The Officer is then being requested to revisit the initial report and carry out further analysis and investigation, in the knowledge that efforts made will unlikely result in compliance with NCRS and therefore will be crimed anyway, to ensure compliance with standards.

For the sample of incidents that fall into this scenario, we completed an analysis of the total number of days between the incident being reported and ultimately closed on the system. (It was noted that for one case (Robbery) the incident had not yet been crimed on the system (remained open as at 70 days). The timeframe ranged from 1 day to 80 days, with the average being (for our sample) 49 days. The impact on resources is significant and clearly detracts from prioritising other pressures.

#### **Recommendation –**

**The Police & Crime Commissioner should write to the Home Secretary to suggest a change to the NCRS rules to cater for such 'grey areas' to reflect where the Force has clearly made efforts to investigate an incident but the informant/victim remains un co-operative. Therefore, a conclusion to the accurate status of the incident is not obtainable. If the standards are amended, such classification and allocations would need to be reviewed by the FCR, as part of the routine audit process to provide assurance and oversight to such usage.**

There were two cases which fall into the scenario two - *Not recorded as a Crime, due to insufficient NCRS 'mark off.'* It should be noted that several of those incidents allocated to scenario four could easily also fall into this scenario. The scenario relates to where there is not sufficient detail within the incident log to determine that 'credible evidence to the contrary' exists in order to effectively 'mark off' NCRS compliance. In some cases, as part of the meetings and discussions held with the Police Officers, we reviewed the incident log and established with the FCR the necessary requirements that would have been needed to meet the NCRS.

The Police Officers confirmed that as part of those sessions that there had not been any recent training regarding NCRS requirements. There was one exception where the Police Officer had recently joined and had received training as part of the induction programme. It was noted that training has been an issue and flagged by the FCR, as a requirement and that it was included as an action point for the ACC Crime within the minutes from the Crime and Incident Data Quality Board.

It is important (and echoed within the recent HMIC interim report of the inspection of crime data integrity in police forces in England and Wales (May 2014)) that training is prioritised to assist and refresh Police Officers with the requirements needed within the incident reports to comply with NCRS and achieve appropriate 'mark off.' Our findings and observations at Nottinghamshire support this national opinion.

#### **Recommendation –**

**Mandatory training around the requirements of the NCRS should be completed with Police Officers, across the Force as soon as possible. The training should consider the content and application of the rules.**

One case related to scenario three - *Not recorded as a crime, due to work pressures/ other processes*. This referred to a sexual offence incident, which through discussion with the Police Officer it was established that the incident had been passed to the Public Protection Unit. It was established that the Police Officer had not made the decision to crime the report. For sexual offences there is an internal protocol/policy (albeit not written policy) for the criming of sexual offences to be made by the Public Protection Unit. The Police Officer stated that there was a policy (albeit not written) to go through the Sargent for criming decisions. (This was supported via an email from the Inspector that reiterated the decision making process for criming ALL incidents comes from the Sargent more so than the officer). It is considered that this process requires further clarification, as currently this is not necessarily in accordance with the Force Crime Recording procedure, which states;

*A crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed....Recording should not be delayed in order to wait for further details of the case...*

Therefore, the decision of whether to crime or not to crime is with the Police Officer on the case and not their Inspector or Sargent. There is a need for this to be reiterated.

#### **Recommendation –**

**In accordance with procedures, Police Officers on the case should be the officer making the decision on whether to crime an incident.**

There are two cases from our sample that are judged to fall into scenario one – *Crime, no obvious reason for not recording*. Both of these cases refer to sexual offences and in one case, at the time of the audit, the incident is not actually recorded as a crime on the system. It is noted, that as with the nature of such cases, it had been passed to the Public Protection Unit. However, it is unclear on review of the incident log the actions taken by the Unit since handover. Ultimately, the case remains as unrecorded on the Crime Management System. We will request an update from the Public Protection Unit, on the investigation, for this particular incident. However, at this stage there are three clear potential issues highlighted within this example;

- 1) Handover of cases – Potential lack of clarity around progress with the investigation and delay in recording of crime.

- 2) Under recording of crime – if the system is not updated timely, then it does not reflect the actual number of crimes and the timeframe (month/quarter/year) in which they were reported. Consequently, this could impact on crime baseline figures and comparative crime data.
- 3) As the crime has not been recorded, there is a risk that the victim is not receiving the support that is expected and that they would be entitled to (as detailed within the Code of Practice for Victims of Crime).

The second case was a crime and there was no obvious reason as to why this particular case had originally been closed as an incident. Unfortunately, despite attempts, we were unable to make contact with the Police Officer involved, to provide context and understanding to the incident.

**Recommendation –**

**There should be a more robust mechanism in place to track those incidents that have been passed to other departments to consider and investigate, especially where the incident has not been crimed. The progress of the investigation should be clearly logged, to demonstrate the robustness of the review and to provide assurances in regards to communication with and support provided to the victim.**

**Recommendation –**

**In accordance with the required standards and rules, crimes should be reported and updated on the system as soon as is possible. If the system is not updated timely, then it does not reflect the actual number of crimes and the timeframe (month/quarter/year) in which they were reported. Consequently, this could impact on crime baseline figures and comparative crime data and indeed the accurate deployment of resources.**

As part of the detailed analysis of the incidents selected, the issues around the effective working relationship between the Crime Management Bureau and officers was highlighted. At the initial start of the audit, through our start-up discussions, with CMB officers, including the FCR and with Officers at division, it was evident that frustrations and tensions existed. The CMB/FCR were not satisfied with the information and the responses they received in relation to queries/further clarification and therefore are of the view that under recording of crime is potentially common practice. Similarly, officers were frustrated in receiving challenge, scrutiny and notification of non compliance with NCRS and there was a perception that CMB are over recording crime.

Although not part of the specific sample considered, we were aware of anecdotal comments around a burglary of 20 allotments. It is our understanding that the Police Officer attached one crime number at the allotment site, in order for the victims to make the necessary arrangements. However, in accordance with the rules there should be a crime recorded for every victim. Similarly, we were made aware of an incident with an individual who reports their mobile phone as stolen, but on further information gathering it was concluded that the phone was likely to have been lost (fallen out of a pocket) in a taxi. This has been crimed by the Crime Management Bureau.

Such cases reiterate the view from Police Officers that the Crime Management Bureau are effectively over recording crime and similarly re-ignite perception within the Crime Management Bureau, that Police Officers are failing to crime, in order to reduce overall crime figures. The working relationship is going to bring tension and challenge, due to its very nature, but it is essential to have and it is vital that it is healthy, sustainable and respected across the Force.

It is considered that the recommendations included within the report around clarification of reporting lines for the FCR and the reporting of data quality moving to the Joint Performance Board, should help to improve and develop an effective working relationship.

### 3.6 Police Officers

For the 12 incidents selected at Appendix A, we contacted the 10 Police Officers assigned to the incidents of which 6 responded and we met with the Officer or held a telephone discussion, depending on availability. In addition, we met with a Response Police Officer and an Officer from CID. The main purpose of the meetings was to understand the rationale for why the incident had been closed without criming and to gain an understanding of the reasoning and/or other factors that need to be considered to understand the context of the incidents they attend. The context around the incident has been included within the details on the incidents, included within Appendix A.

From our discussions, the following was also determined;

- In the main, Police Officers were aware of their responsibility to determine whether the incident is a crime or not. As part of the meetings we asked officers whether there was any pressure placed upon them not to crime generally, or had there been any pressure put upon them not to crime the particular incident that we were discussing. The responses indicated that there was no undue pressure put upon the officers that we met with. It was noted that if the crime related to a burglary or robbery, then there may be more scrutiny and challenge, but it was thought to be reasonable, given the priorities of the Force.
- The Police Officers were positive about the usage of the blackberry to record crimes. A minor issue was identified which seemed to be causing some frustration and that was in relation to the completion of the ethnicity data field. Although officers complete the mandatory data field, when they move to the next screen the data that had been input into the field, is lost. Consequently, officers receive a MOPI non compliance report, which then requires the officer to return to the system and input the data again. This was raised in nearly all of the conversations that we held with the Police Officers and so therefore is obviously a weakness. It would be beneficial to explore the issue and identify a solution. Through our discussions one of the Police Officers (PC Robert Sayer) had identified a workable solution to the problem and it is considered beneficial to perhaps communicate more widely the interim solution, until the issue can be fixed.
- Depending on the circumstances, the Police Officer does contact the control room and in order for the Operator to update the incident log on the system, but overall officers were preferring to update the system themselves, often via the blackberry.
- Officers mentioned that refresher training on the NCRS would be beneficial, to assist with the full and robust completion of the incident logs (raised as a recommendation elsewhere within the report).

#### **Recommendation –**

**The Force should investigate the issue surrounding the completion of the mandatory data field around 'ethnicity', when updating the Crime Management System, via the Blackberry, to identify a solution to the issue. This will prevent Police Officers receiving MOPI non compliance reports and furthermore, having to return to the system and update the relevant data field again.**

### 3.7 Victims of Crime

When a crime is recorded, the victim is entitled to a minimum level of service, as set out in the Code of Practice for Victims of Crime. In some cases, it can also mean that victims have support from other organisations, such as victim support. The Code of Practice for Victims of Crime (October 2013) provide a list of key entitlements that victims of criminal conduct are entitled to. A number of the entitlements include;

- Enhanced service if you are a victim of serious crime, or a vulnerable or intimidated victim;
- A needs assessment to work out what support is required
- Information on what to expect from criminal justice system
- Be referred to organisations supporting victims of crime
- Be informed about the police investigation, if suspect is arrested

- Make a Victim Personal Statement (VPS) to explain how the crime affected you
- Be informed if the suspect is to be prosecuted or not or given an out of court disposal
- Be informed of the time, date and location and outcome of court hearings
- Be informed if you need to give evidence in court
- Apply for compensation under the Criminal Injuries Compensation scheme
- Receive information about Restorative Justice and how you can take part
- Make a complaint if you do not receive the information
- If under 18 years of age you will automatically be eligible for enhanced services as a vulnerable victim

At paragraph 8 of the Code of Practice for Victims of Crime it states;

*'All service providers (which includes Police and Crime Commissioners and all police forces in England and Wales, the British Transport Police and the Ministry of Defence Police) listed must include information about this Code on their websites. This information must signpost victims to the relevant pages of the gov.uk website and have a mechanism for providing feedback...'*

As part of the audit we reviewed the website for both the Police and Crime Commissioner and Nottinghamshire Police to ensure that the document is held, or at least referenced. On review of the Police and Crime Commissioner website it was confirmed that the document is held on the website, together with other victim support information. We were not able to locate the document on the Nottinghamshire Police website. It was confirmed through discussion with the FCR and on review that there is information held on the internet regarding victim support, but the advice that is included is no longer representative of the support that is in place now.

#### **Recommendation –**

**Nottinghamshire Police should upload the Code of Practice for Victims of Crime on the website.**

If an incident is not recorded appropriately and should have been recorded as a crime, in accordance with NCRS, there is a risk that victims are not receiving the service that they should be entitled to, in accordance with the Code of Practice for Victims of Crime.

From our sample of incidents (total of 12 detailed within Appendix A) that were reviewed which should have been crimed, we attempted to make contact with 7 victims. The purpose of the contact was to understand the level of service that the victim received, responsiveness, communication and to determine if the victim had been informed that the original reported incident had been crimed and notified of the crime number, together with any information regarding the support entitlements, as a victim of crime. From the 7 victims contacted, we had responses from 3 victims. In all 3 cases the victim had not been informed that the reported incident had been crimed. Therefore, there is the risk that although the individuals we spoke to, during the audit, were satisfied with the service received from the police officers, in terms of responsiveness and communication and overall graded the service at least 'reasonable,' they had not received the information and support that perhaps they should have in light of the incident being crimed and the entitlements within the Code of Practice for Victims of Crime.

#### **Recommendation –**

**There should be a formalised mechanism in place to ensure that where appropriate, victims are notified of where the incident has been crimed and be provided with the crime number. This will provide an opportunity to inform the victim of the service that is to be expected, in accordance with the Code of Practice for Victims of Crime.**



## **Appendix A – Analysis of incidents reviewed and communication with Officers and Victims/Informants**

### **Violence Against Person**

#### **1) Scenario 1**

On review of the Incident Log it was established that the incident related to a third party call reporting that their friend had been assaulted. The incident was closed and the report states that the victim originally started the assault, resulting in a small brawl and the victim does not want to make a complaint.

The CMB reopened the incident and following the FCR review considered that this incident should be crimed, as a recordable crime had been reported.

Total Number of Days from report logged to closure = 79 days

##### Police Officer input

In discussion with the Police Officer it was established that he had informed the victim that charges may be in place, as they had admitted as part of the investigation that they had initiated the assault. Although positive regarding the use of blackberry, a problem was noted around the completion of the ethnicity field as it cannot transfer the detail. As such, the Police Officer received a MOPI message regarding non compliance. This issue was raised several times, during our discussions with Police Officers. It was confirmed that the Police Officer used the blackberry device to record the updates. No issues with the blackberry for recording crimes and updating the system, other than the length of time it takes to update.

It was confirmed that it was his decision to leave as a non crime. No influence from other officers. He informed audit that he was aware of the responsibility for recording crime had passed back from the Crime Management Bureau to the Police Officers. It was stated that where there are burglaries or robbery crimes then there tends to be more scrutiny from management and/or other departments.

Not aware of any recent training in relation to NCRS.

##### Victim/Informant input

We did attempt contact with the Victim and left a message on the telephone number provided, but no response was received.

#### **2) Scenario 1**

On review of the Incident Log it was established that the incident related to an assault. Both parties involved in the incident were arrested and taken to Bridewell where statements were taken. Both parties were released as there was no clear evidence to suggest who started the altercation and the incident report states that this hasn't currently been given a crime number as the Officer needs to speak to the a Sargent to understand how it should be classified.

Total Number of Days from report logged to closure = 67 days

##### Police Officer input

We were able to confirm with the Police Officer the scenario recorded. Positive regarding the use of blackberry, although a problem was noted around the completion of the ethnicity field as it cannot transfer the detail. As such, the Police Officer received a MOPI message regarding non compliance. This issue was raised several times, during our discussions with Police Officers. It was confirmed that the Police Officer used the blackberry device to record the updates. No issues with the blackberry for recording crimes and updating the system, other than the length of time it takes to update.

It was confirmed that it was his decision to leave as a non crime, although he often asked for advice from Sargent, as he was a relatively new in post.

The Police Officer confirmed that they had been made aware of the NCRS as part of their induction, which had taken place October/November 2013.

Victim/Informant input

We were able to contact the victim and he was not aware that the incident had been crimed. However, in terms of the service he received he would grade the service received as 'reasonable' however he was also complimentary regarding the cleanliness and the improvement of the cells at Bridewell.

3) **Scenario 2**

On review of the Incident Log it was established that the incident related to common assault on a small child.

The incident was reviewed by the FCR and has deemed it to be an assault and therefore crimed as common assault.

Total Number of Days from report logged to closure = 28 days

Police Officer input

We were unable to confirm with the Police Officer.

Victim/Informant input

We were able to contact the informant (representing the victim) and they had not been made aware that the incident had been crimed.

However, in terms of the service received, the individual would rate it as 'good' and quoted 'really helpful and quick response.'

4) **Scenario 4**

On review of the Incident Log it was established that this incident had happened before and the informant was feeling targeted

The bar staff have been threatened with violence and they have been giving the male money to make him leave. They have CCTV and are going to check it. The male has said he is going to come back at 13.00 today – caller is extremely worried and wont open until police come to see them.

Owner of bar had entered into a verbal agreement with a male. After informing the male that his services were no longer required there has been a disagreement over money. Advice was given and also advice given to the male. Both parties spoken to and it appears to be a civil dispute.

Total Number of Days from report logged to closure = 1 day

Police Officer input

We were able to confirm with the Police Officer the scenario.

Victim/Informant input

We did not attempt to contact the victim on this occasion.

**Robbery**

5) **Scenario 5**

On review of the Incident Log it was established that the officers had difficulty in contacting the caller, despite leaving various messages for the caller to respond. They then receive contact from the caller who advises them that her boyfriend had returned the iPad, unclear how he had it in his possession.

The police officer reports that they attended the incident and speaks to the caller and notes that the caller has the iPad in their possession. The police officer reports some inconsistencies with the initial report.

There is also CCTV camera where the incident has been stated as taking place. The report states that there enquiries to conduct before it can be confirmed that a crime has been committed.

The report is marked as non compliant by CMB, the report does not negate theft of phone or iPad. Email to DCI for Criming decision.

DS reports in possession of handover and has tried to contact the IP, but has been unsuccessful in contact. Requests that the incident remain open for update.

Reports of attempted contact but no success

Contact has been made and is visiting contact on 23/02/14 at 15.00.

The log is updated to reflect the outcome of the visit, which highlights some inconsistencies with the initial reports. Following further clarifications the log states that on the balance of probabilities the crime did not happen and it is believed that the allegation has been made up to gain compensation for the loss of items, as they are on contract to almost £60 per month.

CMB Update – The CMB has carried out a review of closed violence crime incidents as part of the daily VAP audit and the outcome of the review is that the caller has made an initial disclosure of having been a victim of a robbery. There is nothing in the incident log to negate that allegation. As such this incident has been reopened and crimed as a robbery in accordance with Home Office Guidelines on Crime Recording.

Total Number of Days from report logged to closure = 44 days

#### Police Officer input

We were unable to confirm with the Police Officer the scenario. The Officer in Case had been recorded as 9999 Ben Parker and we received confirmation from Ben Parker that he had not attended the case. The officer works for the City Council as a Dog Control Officer. A Community Protection Officer with a collar number of 9999. It was noted that he quite often gets messages from Customer Advisors in our Contact Management Centre (Control Room) asking him to update the records, can be 2 or 3 a month. This is due to his collar number. This was raised with the CMB as part of the audit and is being addressed separately.

#### Victim/Informant input

Although attempts were made to contact the informant/victim, we did not receive a response from the informant/victim.

### 6) **Scenario 4**

On review of the Incident Log it was established that it was unclear when it happened as initially it was reported at 9 o'clock, but had since changed to just now.

Police Officer is able to speak calmly to the informant to understand what has happened. Reported that the informant had withdrew the money from ATM and reports that whilst walking to the bus station that they were hit on the back of the head and then helped to feet by a passer by and taken to the bus station. There are no visible injuries to the back of the head and the informant was requesting a crime number so that the informant could go to the job centre and access alternative funds. The Officer reported that they would carry out some CCTV enquiries before a crime number is issued. The informant became agitated and walked out of the police station. Unable to progress any further as the informant had left the station.

CMB review states that the update from the attending officer does not provide an NCRS compliant update to close this incident without a crime number. The victim has reported being assaulted from behind and money being taken to an amount of £200. It isn't clear how the money was taken so it is not possible to determine whether or not this is a robbery or an assault and theft. It is appreciated that further enquiries to be made to clarify what has happened.

Further CCTV enquiries in order to confirm the IPS account

CCTV was reviewed and nothing was seen of evidential value. By chance the Police Officer happened to hear the informant being name checked in the City Centre by a PCSO and the Officer travelled as well and was able to speak to the informant again.

In the presence of the PCSO, the informant provided an entry saying he does not wish to pursue a complaint (included within the pocket book). The informant reported that the offender approached him in the Market Square and admitted robbing him and has offered to repay the money

In conclusion the incident report reports the offence location is not confirmed, no CCTV of the incident. The informant is not wanting to co-operate and there are no visible injuries. There are no known witnesses

Total Number of Days from report logged to closure = At the time of audit this had not been logged on the system as a crime.

#### Police Officer input

We were able to confirm with the Police Officer the scenario as included within the incident report. It was confirmed that the Police Officer used the blackberry device to record the updates. No issues with the blackberry.

The Police Officer reiterated that robbery crimes are taken seriously and reiterated that the incidents previously had to be decided by the Crime Management Bureau, but recently moved back to officer own decisions.

#### Victim/Informant input

We did not attempt to contact the victim on this occasion.

### 7) **Scenario 4**

On review of the Incident Log it was established that details are recorded of the incident.

The IP still need to be seen for this incident at home address

Rang the callers mobile and again it states that this persons phone has been switched off, no voicemail facility

Phone is switched off

Tried the mobile phone and it is switched off. Officers have been to address and left a note. Officer checked systems for IP, identified another mobile number which had been tried but that didn't connect. Suggested 1 further visit and then incident to be closed as unwilling to co-operate

CMB update – victim needs to be spoken to in order that the full facts can be ascertained.

DCI update – reviewed and discussed with local officers who have attended address, left notes and tried mobile number. The nature of the original call does not provide a location and no detail of what had gone off.

CMB update –The update is still not compliant with NCRS. The victim has reported circumstances that amount to a robbery in the initial text of the incident and this is confirmation of the crime occurring. The victims subsequent refusal to speak or to co-operate with police doesn't negate the need to record this as a crime.

Referred again for compliance with NCRS

The Control room have allocated this incident and resourced it with an officer.

The incident to be closed down as per DCI instruction.

Crimed as a robbery of personal property following crime audit.

Total Number of Days from report logged to closure = 80 days

#### Police Officer input

We were unable to confirm with the Police Officer.

#### Victim/Informant input

Although attempts were made to contact the informant/victim, we did not receive a response from the informant/victim.

### **Sexual Offences**

#### **8) Scenario 3**

On review of the Incident Log it was established that details are recorded of the incident.

Total Number of Days from report logged to closure = 15 days

##### Police Officer input

We were able to confirm with the Police Officer the scenario as included within the incident report. It was established that the Police Officer had not made the decision to crime the report. For sexual offences there is an internal protocol/policy (albeit not written policy) for the criming of sexual offences to be made by the Public Protection Unit. The Police Officer stated that there was a policy (albeit not written) to go through the Sargent for criming decisions. (This was supported via an email from an Inspector that reiterated the decision making process for criming ALL incidents comes from the Sargent more so than the officer)

Although positive regarding the use of blackberry, although a problem was noted around the completion of the ethnicity field as it cannot transfer the detail. As such, the Police Officer received a MOPI message regarding non compliance. This issue was raised several times, during our discussions with Police Officers. It was confirmed that the Police Officer used the blackberry device to record the updates. No issues with the blackberry.

##### Victim/Informant input

We did not attempt to contact the victim on this occasion.

#### **9) Scenario 1**

On review of the Incident Log it was established that details are recorded of the incident.

CMB update – this incident has been reviewed by the FCR and has deemed to be a rape. No record of a crime can be found in CRMS using the victim name, crime location. Crimed as rape and allocated to city CID for investigation.

Total Number of Days from report logged to closure = 70 days

##### Police Officer input

We were able to confirm with the Police Officer the scenario as included within the incident report.

##### Victim/Informant input

We did not attempt to contact the victim on this occasion.

#### **10) Scenario 1**

On review of the Incident Log it was established that details are recorded of the incident.

Passed to PPU

Report log shows that relevant information has been shared with support partners and safeguarding.

Total Number of Days from report logged to closure = At the time of audit this had not been logged on the system as a crime.

##### Police Officer input

We were unable to confirm with the Police Officer the scenario.

Victim/Informant input

We did not attempt to contact the victim on this occasion.

**11) Scenario 4**

On review of the Incident Log it was established that details are recorded of the incident.

Initial accounts have been taken and will be continuing with this tonight with the IPS Informants have both given statements and accounts do not match. It was agreed that there was not enough evidence to crime. Informant was due to telephone back to inform them of what was decided, but not heard back.

Total Number of Days from report logged to closure = 73 days

Police Officer input

We were unable to confirm with the Police Officer the scenario.

Victim/Informant input

We did not attempt to contact the victim on this occasion.

**Burglary**

**12) Scenario 2**

On review of the Incident Log it was established that details are recorded of the incident.

Caller says that they think there is an attempted break in but there is no damage to doors and all doors were locked. There is a procedure that someone checks all of the doors at night time

DS reports that this clearly is not a burglary dwelling as any force entry to the property and it is secure. It is likely that one of the children who live at the address may have accidentally caused the damage. Request for Response to attend.

Response attended and report log details that they have seen the damage to the pool table. Checked perimeter of the building and all of the windows and doors are secure. Due to the nature of the building access can only be gained with a secure code. Staff are in the opinion that nobody has entered the building through the doors and staff did not hear any disturbance during the night. Staff to monitor the situation and contact if anything else suspicious should occur.

Incident reopened and crimed following audit as burglary dwelling and tasked to CID County.

Total Number of Days from report logged to closure = 20 days

Police Officer input

We were unable to confirm with the Police Officer the scenario.

Victim/Informant input

We were able to contact the informant/victim and they had not been made aware that the incident had been crimed.

However, in terms of the service received, the individual would rate it as 'excellent' and they confirmed that the Officer had stayed for a while and they were contacted a few days after to check if there had been any further incidents.

## APPENDIX B – Recommendations from the Public Administration Select Committee report

# Conclusions and recommendations

### *Police Recorded Crime (PRC)*

- 1. Our inquiry covered crime statistics in England and Wales. However, it would be surprising if similar issues to do with the quality of the statistics did not exist in Northern Ireland and Scotland. HM Inspectorate of Constabulary for Scotland's recent review into compliance of police recording with the expected standards gives cause for concern—the recording of some crime types falls well below the expected standard. (Paragraph 7)*
- 2. We recommend that UKSA urgently investigate the quality of crime statistics in Scotland and Northern Ireland and their compliance with the Code of Practice, in the light of the findings of this inquiry, and UKSA's decision to remove the 'National Statistics' kitemark from crime statistics in England and Wales. (Paragraph 8)*
- 3. Accurate Police Recorded Crime data is essential if Police and Crime Commissioners and Chief Constables are to know what crimes are being committed in their area and therefore how to respond. (Paragraph 13)*
- 4. It is not credible to suggest that sensible resolution of the tensions between a rigid compliance with the recording rules and a common-sense approach can explain the exaggerated decline of Police Recorded Crime. Our witnesses provided a wealth of insight into the various ways in which crime data accuracy and integrity can be and have been compromised. However, the lack of regular and rigorous audit of crime recording practices in recent years makes it impossible to assess the extent of any compromise and the relative importance of these factors. The re-establishment of regular annual external audit of forces from this year onwards, which we discuss later in this Report, provides a vital opportunity to fill this gap in the understanding of the problem and to contribute towards a durable solution. (Paragraph 29)*
- 5. It is vital that the Government ensures the accuracy and reliability of Police Recorded Crime. Police Recorded Crime provides a crucial intelligence resource for the police and informs the operational deployment of police resources. Lax supervision of recorded crime data risks reducing the police's effectiveness in their core role of protecting the public and preventing crime because they cannot deploy resource effectively if they are not aware of the true level and nature of crime. (Paragraph 30)*
- 6. Under-recording or miscategorising crime erodes public trust in the police and undermines the trust and confidence of frontline police officers in police leadership: it creates doubt that the public will be taken seriously when they report a crime. (Paragraph 31)*
- 7. Any instance of deliberate misrecording of sexual offences is deplorable, but especially so if this has been brought about by means of improperly persuading or pressurising victims into withdrawing or downgrading their report. (Paragraph 39)*
- 8. The disparities between different police forces in the 'no-crime rates' for rapes and sexual offences are sufficient in our view to raise serious concerns about the varying approaches taken by police forces to recording and investigating these horrendous crimes. We look forward to the outcome of the research commissioned by the Metropolitan Police examining the force's 'no crime' decisions in respect of sexual offences. (Paragraph 40)*

**9.** *The fact that this research is necessary, following the 2008 Independent Police Complaints Commission report into the Sapphire Unit is a damning indictment of police complacency, inertia and lack of leadership. However, the data indicates that the Metropolitan Police Service is unlikely to be the only force of concern. (Paragraph 41)*

**10.** *The Home Office must undertake a comprehensive analysis in order to explain the extraordinary disparities in no-crime rates for sexual offences across all police forces. We expect this to be completed within two months and included with the response to this Report. We also recommend that the devolved administrations undertake analogous work. This should lead to work to improve the accuracy transparency and reliability of police recorded sexual offences so that a table of no crime rates does not suggest systemic inconsistency in recording practices. (Paragraph 42)*

**11.** *We note the reduction in the sample size of the Crime Survey for England and Wales. Police Recorded Crime is the only detailed indicator of crime trends at local level, enabling police forces, Police and Crime Commissioners, local authorities, the public and the Home Office to keep track of crime in different force area. The Crime Survey for England and Wales is no substitute for Police Recorded Crime in respect of monitoring crime trends in local areas. (Paragraph 45)*

**12.** *We recommend that the ONS review and then publish, alongside the Crime Survey for England and Wales, information about the nature of the sample, including the impact of the reduction in sample size on the reliability of the statistics, its cost over time, and an explanation of what statistics might be published at a sub-national level, for example for the larger police forces. (Paragraph 46)*

### **Removal of National Statistics status**

**13.** *We commend UKSA for acting in response to the evidence exposed by PASC's inquiry, to strip Police Recorded Crime statistics of the quality designation 'National Statistics'. However, the fact that it took our inquiry, and a whistleblower from the Metropolitan Police Service, to expose sufficient evidence suggests serious shortcomings in UKSA's ability and capacity in their assessment function. We acknowledge their recent decision to remove the designation 'National Statistics', but this cannot mitigate what amounts to a long-standing failure of a number of bodies to address the thoroughness of the assessment of Police Recorded Crime, despite a series of previous reviews which identified shortcomings. (Paragraph 54)*

**14.** *This raises serious concerns around the decision to designate Police Recorded Crime as National Statistics in 2011. It has been quoted by ministers that the ONS described the system for recording crime in England and Wales as "one of the best in the world" in 2012. This was after the cessation of regular external audit of force crime recording in 2007. All can see now that this reflected a lamentable complacency. The then National Statistician took no action at that time. This was wrong—the then National Statistician, or UKSA, once established, should have pressed for other process to be put in place to ensure the integrity of crime data. (Paragraph 55)*

**15.** *The reviews of crime statistics by UKSA and the ONS in 2011 failed to expose the unreliability of recording practices within police forces themselves. An opportunity was therefore missed to gather evidence and identify issues which could have called into question the designation of Police Recorded Crime as 'National Statistics' at a much earlier stage. (Paragraph 56)*

**16.** *It is deplorable that ONS can have overseen the production of crime statistics, which were a set of National Statistics, with what appears to have been very limited knowledge of the 'quality assurance' steps that the data went through before being sent to the ONS. The ONS has been too reliant on too little information about the audits performed within police forces or by HM Inspectorate of Constabulary. Overall, the ONS has been too passive in carrying out their duties in relation to crime statistics. This cannot continue. (Paragraph 57)*

**17.** *The fragmentation of responsibility between individual forces, Home Office and the ONS was not satisfactory and contributed to the failure of the Police Recorded Crime series to meet the standards of the Code of Practice with which official statistics must comply. No single organisation has taken overall responsibility or accountability for ensuring an acceptable quality of crime statistics, which has led to their inadequate quality. (Paragraph 58)*



**18.** We endorse UKSA's recommendation that the ONS should publish a clear statement of the respective roles and responsibilities of the Home Office and the ONS in the production of Police Recorded Crime statistics. (Paragraph 59)

**19.** We recommend UKSA works closely with the Home Office in its role as the first recipient of raw data from forces, and ensures the Home Office takes active primary operational responsibility and accepts accountability for ensuring the integrity of the data which it collates, validates and submits to the ONS for publication. UKSA should hold the Home Office directly accountable for its role in the recorded crime statistics process, including its validation and quality assurance processes as well as its policy guidance to forces and Police and Crime Commissioners, and should in future examine the Home Office's processes and procedures directly rather than at one remove. (Paragraph 60)

**20.** The Crime Statistics Advisory Committee (CSAC), which contains representation of all of the main stakeholders in the crime statistics production process as well as the Chief Inspector of Constabulary, has failed. It has not demonstrated sufficient independence and objectivity in carrying out its role to ensure recorded crime statistics are "accurate, clearly presented, comprehensive, transparent and trustworthy" as set out in its terms of reference. CSAC has a vital role in leading the efforts to provide that the system guarantees the reliability and integrity of all crime statistics emerge strengthened from this episode. (Paragraph 61)

**21.** We recommend that UKSA should review the role and composition of CSAC and the structures supporting the production of crime statistics, just as it has recently with a similar committee advising on inflation figures, to ensure that CSAC is independent and rigorous and that these statistics best meet user needs in future. (Paragraph 62)

**22.** We welcome UKSA's comments that it intends to prioritise in its workplan the reassessment of National Statistics based on administrative datasets, taking on board the lessons learned from the declassification of Police Recorded Crime. (Paragraph 64)

**23.** UKSA must not in future grant to, or maintain, the kitemark of 'National Statistics' on any set of statistics where it has failed to verify whether the underlying data meets the standard required. They should, as a matter of urgency, review all other similar statistics where collection processes are beyond the control of the ONS. UKSA should review the Code of Practice for Official Statistics to determine whether it needs to be revised to allow for the new emphasis on administrative data. (Paragraph 65)

### **Police leadership, values and culture**

**24.** We welcome the adoption of the new statutory Code of Ethics setting out the principles and standards of professional behaviour expected of the police in England and Wales. This is most important in respect of the training of police leadership. (Paragraph 70)

**25.** We recommend that the Home Office and College of Policing make a more explicit statement of how the Code of Ethics' enforcement framework will impose a duty of data integrity on police officers in respect of crime recording practices, and that penalties will apply in the event of deliberate non-compliance. They must also ensure that officers are familiar with the victim-focussed principles of the National Crime Recording Standard and the distinction between recording standards and charging standards. (Paragraph 71)

**26.** The vast majority of police officers joined the police in order to serve as dedicated and courageous professionals, motivated by their vocation to protect the public. However, targets, based either on Police Recorded Crime data or on other internally generated administrative data, set by senior police officers or Police and Crime Commissioners, tend to affect attitudes, erode data quality and to distort individual and institutional behaviour and priorities. (Paragraph 86)

**27.** *HM Inspectorate of Constabulary's inspection in 2013 into the Kent Police found clear evidence that targets are detrimental to the integrity of crime data. We are pleased to note that when they returned to Kent in January 2014, they found that good progress had been made in tackling this issue. HMIC's findings in Kent are a promising indication of how a rigorous and sustained audit regime, combined with a clear prioritisation of data integrity by senior leadership, can contribute to bringing about positive change. (Paragraph 87)*

**28.** *The attitudes and behaviours which lead to the misrecording of crime have become ingrained, including within senior leadership, leading to the subordination of data integrity to target-chasing. This can present officers with a conflict between achievement of targets and core policing values. HMIC recognises this in their first Annual Assessment of the state of policing, but we are disappointed that this vital issue received only cursory attention in over 200 pages. (Paragraph 88)*

**29.** *Senior police leaders and HMIC must ensure that emphasis is placed on data integrity and accuracy, not on the direction of recorded crime trends. Formal performance appraisal should be based upon these core policing values and not based on targets derived from Police Recorded Crime data or other administrative data on their own. We are convinced that this requires leadership in many police forces to place new emphasis on values and ethics, especially in the Metropolitan Police Service. We expect HMIC to lay much stronger emphasis on this aspect of police behaviour in future Annual Assessments. (Paragraph 89)*

**30.** *The issues raised in this Report concerning the integrity of Police Recorded Crime statistics demonstrate the subordination of core policing values to the 'target culture'. This reflects broader concerns about policing values. We recommend that the Committee of Standards in Public Life conducts a wide-ranging inquiry into the police's compliance with the new Code of Ethics; in particular the role of leadership in promoting and sustaining these values in the face of all the other pressures on the force. (Paragraph 91)*

**31.** *We recommend that the Home Office clarify the current position about the external bodies a police officer may approach once internal procedures have been exhausted. We deplore the failure of the Home Office to send us a reply in time for this Report. As soon as we receive a reply, we will publish it on our website. (Paragraph 97)*

**32.** *We recommend that the Home Office clarifies the route open to police whistleblowers who have exhausted internal channels within their police forces. Police whistleblowers should be free to refer their allegations to the IPCC, and should, while those concerns are pending formal investigation, enjoy immunity from disciplinary proceedings in relation to actions taken in order to raise those concerns. (Paragraph 98)*

**33.** *We recommend that Her Majesty's Inspectorate of Constabulary should investigate the Metropolitan Police Service in respect of the treatment of PC Patrick and review the internal processes and procedures of the police for dealing with whistleblowers, in order to ensure that they are treated fairly and compassionately. We further recommend that the Home Affairs Committee should inquire into these matters to ensure that whistleblowers in any police force are treated fairly and with respect and care. We have grave doubts that the Metropolitan Police Service has treated PC Patrick fairly or with respect and care. (Paragraph 99)*

#### **Monitoring and audit**

**34.** *We welcome HM Inspectorate of Constabulary's decision to undertake a data integrity inspection in 2014, and its commitment to reinstituting an annual external audit programme. We welcome the extra funding provided by the Home Office for regular annual audit of all forces. (Paragraph 114)*

**35.** *We recommend that HMIC confirm that a rigorous audit of crime recording integrity will form a permanent part of these audits. Audits should ensure that the senior leadership within each force articulates the importance of data integrity to its officers. It is therefore essential that the Force Crime Registrar has not only had the requisite training but the necessary authority within the force to do their job. HMIC should identify a minimum suitable rank for FCRs, such as Deputy Chief Constable or equivalent, and FCRs should report directly to the force Commander. (Paragraph 115)*

**36.** *We recommend that the current audit should examine the reasons for misrecording, such as the effect of performance culture (identifying instances where targets drive perverse incentives), poor understanding of counting rules, inadequate training and deliberate malpractice. (Paragraph 116)*

**37.** *The Chief Inspector of Constabulary assured us that HMIC is “completely independent” in its judgements and has “no allegiance, other than to the public interest and to the law.” This is not self-evident, given the numerous instances of HMIC inspectors moving from and into senior positions within police forces. It is therefore vital to the credibility of HMIC’s annual audit of crime recording that this independence of judgement be maintained and be seen to be maintained. (Paragraph 117)*

### **Police and Crime Commissioners**

**38.** *The Police and Crime Commissioner (PCC) role, and the political and electoral pressures that PCCs are subject to, has the potential to foster target cultures within forces, with consequent perverse incentives and detrimental impact on data quality. There is considerable variance across the country in the use of targets by PCCs. (Paragraph 126)*

**39.** *Some PCCs consider the perverse incentives created by targets to be so serious that they have dropped all targets. Others believe the risk is manageable. As part of its annual audit programme, HMIC should examine the effect of PCC target-setting on crime recording practices and culture, and should in due course look back at the first PCC period in office to assess the impact on data integrity of locally-set targets. (Paragraph 127)*

**40.** *The Home Office, which claims credit for abolishing national numerical targets, should make clear in its guidance to PCCs that they should not set performance targets based on Police Recorded Crime data as this tends to distort recording practices and to create perverse incentives to misrecord crime. The evidence for this is incontrovertible. In the meantime, we deprecate such target setting in the strongest possible terms. Police Recorded Crime data should not be used as the basis for personal performance appraisal or for making decisions about remuneration or promotion. We regard such practice as a flawed leadership model, contrary to the policing Code of Ethics. (Paragraph 128)*

## APPENDIX B

<b>For Comment</b>	
<b>Public/Non Public</b>	<b>Non Public – category 4</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Response to PCC Crime Recording Draft Report</b>
<b>Report Author:</b>	<b>DCI Simon Firth</b>
<b>E-mail:</b>	<b>Simon.firth@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>ACC Jupp</b>
<b>Agenda Item:</b>	

### **Response to Nottinghamshire Office of the Police and Crime Commissioner report on Crime Recording**

#### **1. Purpose of the Report**

- 1.1 As a result of national and local perceptions of crime recording and the forthcoming HMIC inspections, discussions took place at the Joint Audit and Scrutiny Panel meeting on the 18<sup>th</sup> February 2014, where upon it was agreed that an audit, providing independent assurance around Crime Recording and the robustness of the governance framework, processes, accuracy and management information, would be useful to provide assurances to the public, victims of crime and the PCC.
- 1.2 This report provides the findings of the audit, the force response to the audit together with the detail of the Force's Crime Audit delivery plan in line with the reports recommendations.

#### **2. Recommendations**

- 2.1 The panel notes the findings of the audit and supports the proposed approach to be taken in addressing each of the recommendations.

#### **3. Reasons for Recommendations**

- 3.1 Chief Constables have a legal requirement to return accurate and timely recorded crime figures to the Home Office. Implementation of the recommendations will help ensure greater compliance with the National Crime Recording Standards (NCRS) and lead to improved trust and confidence.
- 3.2 The delivery plan that addresses the recommendations will be a standing agenda item at the quarterly Nottinghamshire Police Data Quality and Integrity meeting and will be made available for Inspection to HMIC during their forthcoming Crime Data quality Audit.

#### **4. Summary of Key Points**

- 4.1 The NCRS was introduced to all 43 forces in England & Wales on 1 April 2002, with the aim of promoting greater consistency in the recording and detection of crime and to take a more victim orientated approach. It identifies the criteria that must be applied in determining whether or not to formally record an incident as a crime.
- 4.2 Importantly, for crime recording, the provision of victim support through the Code of Practice for Victims of Crime is limited to circumstances where a crime under NCRS has been recorded. Where offences are not recorded as required this can present a risk that a victim is excluded from the support to which they are legally entitled.
- 4.3 When a crime is recorded, the victim is entitled to a minimum level of service, as set out in the Code of Practice for Victims of Crime. In some cases, it can also mean that victims have support from other organisations, such as victim support. The Code of Practice for Victims of Crime (October 2013) provide a list of key entitlements that victims of criminal conduct are entitled. Again, if an incident is not recorded as a crime, then victims may not receive the support they need.
- 4.4 In 2010, the National Policing Improvement Agency Capability Support (NPIA) team were commissioned by Nottinghamshire Police to review the cost effectiveness of the Nottinghamshire Police's Crime Management Process. The philosophy around the review was to propose changes that would protect the services to the public and reduce bureaucratic processes that add no value to the victim. The force believed that the current processes were risk averse and that a disproportionate amount of time was spent checking and re-checking crime classification with front-line supervisors having been largely removed from the decision making process.
- 4.5 As a result of this review it was identified that there were a significant number of resources involved in the crime management process outside of the investigation of crime, at a cost of £3m to the Police. Agreement was reached for one central crime management process and one centralised Crime Management Bureau.
- 4.6 A decision was also made to introduce a screening function into the Crime Management Bureau. This was an additional function requiring additional resources in the form of staff. A Crime Screening Function was established in September 2011. The Crime Screeners were responsible for liaising with officers dispatched to crime scenes and authorising the crime type to be recorded, as well as directing the initial crime investigation. They also had responsibility for allocating the crime for further investigation where deemed necessary. At the same time the Force introduced a 100% crime attendance policy where every report of crime would be attended either by a police officer or support staff member in person. The crime recording process became

paper-less. Crimes being either directly inputted using direct input to CRMS, by being inputted by crime screeners over the telephone from the investigating officer or by using a Blackberry mobile device.

- 4.7 In September 2013, a piece of analysis work was commissioned to understand the potential benefits which would follow from removing the requirement for officers to discuss crime recording decisions with the screeners within the Crime Management Bureau. It was identified that time spent on the telephone to authorise a crime being recorded and subsequently updating Vision required the full time equivalent (FTE) of 6.23 police officers per year. Applying the cost of a PC to this time equates to approximately £268,800 in payroll costs.
- 4.8 In December 2013 the decision was made to remove the crime screening function and return the decision making for crime recording decisions back to front-line officers with support from their own supervisors. However the Force retained its 100% crime attendance policy.
- 4.9 However all crimes and non crimes recorded on CRMS are reviewed to ensure proper classification against National Crime Recording Standards. This role is undertaken by Crime systems officers. The validation process takes place within 24 hours thereby providing accurate crime data at the earliest opportunity in respect of those crimes that are recorded. Basic validation is about providing information about what (offence), where (crime location) and who (suspect) in relation to crimes committed, in a timely fashion, so that crime reduction efforts can be made with much more informed decisions.
- 4.10 The Crime Management Bureau also currently run daily audits on crime related incidents for violence, burglary Dwelling, sexual offences and robbery to identify incidents which have been incorrectly closed by officers without a crime being recorded. These incidents are then correctly crimed by the Crime Management Bureau, the victim notified and the crime investigation returned back to the attending officer or specialist department for investigation.
- 4.11 The current cumulative results of National Crime Recording Standards (NCRS) Compliance Audits for the last quarter 2013/2014 shows that overall "Incident to Crime" conversion compliance is at 95%. Compliance has actually increased at a time when returning crime recording decisions to officers. In terms of keeping people safe, and maintaining an accurate crime picture, this level of compliance needs to be maintained if not improved.
- 4.12 In October 2011 HMIC undertook an Audit of Nottinghamshire Police's Crime and Incident records. The subsequent report found that Nottinghamshire Police were generally recording crimes with a high degree of accuracy. But they did highlight errors in how the force was recording crimes of burglary. As a result of these findings HMIC carried out a further review in August 2012 to check that crimes of burglary were being recorded more accurately. They undertook an audit of 100 incidents of burglary reported to the control room in month of June 2012. In Addition, as part of the follow up of the national rape inspection carried out in 2011 they examined 26 randomly selected sexual

offence incidents reported to the control room in the two months of May and June 2012 and finally, they looked at 14 rape no-crime decisions, again chosen randomly, from the 6 months January – June 2012.

- 4.13 The sample size and methodology were designed to give more meaningful data results than in the 2011 review where findings could only act as an indicator of potential issues.

HMIC stated that of the 92 crimes which should have been recorded, 37 should have been recorded as burglary dwelling.

**68%** (i.e. 25) of the 37 burglary dwelling crimes were correctly recorded.

Of the missing 12 burglary dwelling crimes:

- 6 were recorded but classified as something else (e.g. damage, theft etc)
- 6 were not recorded at all.

Nottinghamshire Police responded to HMIC stating that we believed that this figure (68%) compliance was a misrepresentation of the overall NCRS compliance process. What it did not include are those incidents which have been properly closed without a crime number in compliance with NCRS. Therefore the proportion of failures is always going to be greater. Our response went on to state “During the audit process the FCR engaged fully and fairly with the audit mediations in relation to the failures. Had the Force been aware at that stage that the figures were going to be presented as they are in the draft report then all twelve failures would have been challenged far more robustly. The FCR is currently re-scrutinising the failures. We feel that we have engaged openly and fairly but that the results are not being presented fairly. This is further evidenced by enquiries with other forces 2011/2012 inspections by different HMIC staff with different interpretations of NCRS and County Rules, which makes for huge variances in HMIC interpretation as well as forces.”

- 4.14 Overall compliance was identified **as** 69% for sexual offences and 93% compliance for rape no-crime decisions.

As a result of the Force raising issues around the methodology used HMIC took the decision not to publish this report. I

- 4.15 In January 2014 a further review of the Call Handling and Crime management function was instigated. The purpose of the Crime management Review was to:

- Implement an effective, efficient and consistent crime management function that meets Nottinghamshire police’s operational and organisational requirements.
- Make recommendations on the “call to crime” function that will achieve cost or efficiency savings whilst maintaining an efficient, ethical service.

- 4.16 The current structure has two registrars working within the Crime Management Bureau with no dedicated audit staff to support them with their work. Ad hoc support is provided by the Crime Management Bureau Crime Systems Officers. The proposal that arise from this review, creates a



permanent crime audit team who can work at the direction of the Force Crime registrar. Although reducing the number of registrars it should enhance the crime audit function by providing dedicated, permanent, well trained staff to provide a crime audit function which meets our corporate requirements. This team should be located within Contact management so that they have day to day contact with the Telephone Investigation Bureau, Crime Recording Team and call takers thus ensuring that a healthy crime recording culture continues to be engendered and would provide a “health check” to ensure that any emerging issues, such as deteriorating NCRS compliance, can be identified and rectified at an early stage.

- 4.17 Co-located with the Contact Resolution Team and the Telephone Investigation Bureau, the Force Crime Registrar and the Crime Audit team will have responsibility for auditing incident and crime data quality and compliance to ensure that the National Standards of Incident Recording (NSIR) and National Crime Recording Standard (NCRS) are maintained, lessons learned and confidence and integrity is maintained in these key areas of responsibility.
- 4.18 The Force Crime Registrar will continue to directly report to ACC Crime to maintain the appropriate integrity of our reporting systems but will be based within Contact Management so be better able to monitor and review compliance as well as being a key source of professional guidance. This post is the conscience of the organisation on all matters NCRS and the post holder’s decision should be final, so needs to be free to discharge that role
- 4.19 In February 2013, the Police and Crime Commissioner for Kent commissioned Her Majesty’s Inspectorate of Constabulary (HMIC) to conduct an inspection *“to determine whether the people of Kent can have confidence in Kent Police’s crime figures”*. This followed an internal review by Kent Police focusing on crime detections and performance culture. HMIC reviewed the force’s practices at every stage of the crime-recording process, from the point at which a member of the public calls the police, to the final resolution (or „disposal“) of the crime (for instance, through a caution or penalty notice for disorder). HMIC also examined the extent to which the culture in Kent has had an impact on crime-recording practices. Based on the information recorded in a sample of 303 cases, HMIC found that the decision to record a crime is correct approximately 90% of the time. It stated that the force were under-recording approximately one in every ten crimes.
- 4.20 The HMIC inspection of Kent featured significantly in the House of Commons Public Administration Select Committee’s (PASC) report ‘Caught red-handed. Why we can’t count on police recorded crime statistics’ 1.4.2014. The PASC report stated that ‘ there is an accumulation of substantial and credible evidence indicating that the Police Recorded Crime (PRC) data do not represent a full and accurate account of crime in England and Wales. Of most importance, we have strong evidence that PRC under records crime, and therefore the rate of decrease in crime may be exaggerated, and this is due to lax police compliance with the agreed national standard of victim-focussed crime recording.’



It further stated that the Kent inspection had found clear evidence that targets are detrimental to the integrity of crime data. That targets drive perverse incentives to misrecord crime and that in the committee's opinion numerical targets for individual police officers and police forces as a whole should be abandoned.

It went on to comment that 'Senior police leaders must ensure that emphasis is placed on data integrity and accuracy, not on the achievement of targets. We regard such practice as a flawed leadership model, contrary to the policing Code of Ethics. The quality of leadership within the police, and its compliance with the core values of policing, including accountability, honesty and integrity, will determine whether the proper quality of PRC data can be restored.

As a result of the Kent Inspection HMIC undertook a national Crime Data Integrity Inspection. The inspection of Nottinghamshire Police is to be conducted from Monday 30<sup>th</sup> June to Friday 11<sup>th</sup> June 2014

The results of the Inspection will be presented from a victim focussed perspective; i.e. the percentage of crimes actually recorded of those that should have been.

There is an expectation nationally that forces should continually strive to achieve strict & total compliance in relation to the more serious offences which, although relatively low in volume, have the greatest impact on victims e.g. Burglary Dwelling, Robbery, Rape, and Violence against the Person (VAP). This does not mean that victims of less serious crimes should receive a lesser service or that a different standard adopted with regards to the crime recording decision making.

Therefore the risky areas for the force during the period to be audited (Nov 12 to Oct 13) from a victim focussed perspective are VAP, Sexual Offences and to a lesser extent Robbery.

In preparation various shadow NCRS Compliance Audits have been conducted by the FCRs.

Overall compliance for the period is **91%** whilst the victim focussed compliance is at **85.6%**.

Due to the date range of the HMIC inspection it fails to capture the significant changes which have taken place in respect of our audit and compliance regime – much of which is set out above. The current daily audit of key crime types Burglary, violence, sexual offences, Rape and robbery has significantly increased compliance. Thus our current year to date position is an overall incident to compliance of 97%, Burglary at 96%, Violence 98%, sexual offences at 93% and robbery at 89%.

- 4.21 The focus of the Baker Tilly Audit carried out in March 2014 and reported in May 2014 was commissioned by the PCC to provide independent assurance around crime recording and the robustness of the governance framework, processes, accuracy and management information.
- 4.22 Overall the audit concluded that significant improvements are required in order to ensure the Crime Recording systems across Nottingham are accurate and reliable.
- 4.23 There were 17 recommendations in all, all of which bar 1 have been agreed by the force. The reasons for not agreeing one of the recommendations are detailed within the action plan attached to this report. 2 of the recommendations are for the PCC to action. Good progress has been made against each of the recommendations since the review was completed.

## **5 Financial Implications and Budget Provision**

- 5.1 Future changes are planned within the Designing the Future work.

## **6 Human Resources Implications**

- 6.1 Expert HR support will assist the CMB project team to effectively deal with any people change issues including staff consultation.

## **7 Equality Implications**

- 7.1 Historical data analysis identifies that BME and other vulnerable groups are disproportionately affected by crime. This being the case, implementing the recommendation of this report should lead to better access to support services for these vulnerable victims.

## **8 Risk Management**

- 8.1 There may be an initial increase in recorded crime, due to taking crime reports at the initial point of call and the training and experience staff required to become familiar with the complicated requirements of the National Crime recording standard.

## **9 Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 A rise in recorded crime could impact on the confidence levels of the public in Nottinghamshire Police.

## **10 Changes in Legislation or other Legal Considerations**

- 10.1 The proposals are fully consistent with the Force's objectives;

## **Cut Crime and Keep People Safe**

- Identify where deployment is required based on assessment of threat, risk and harm;
- Fully implement “get it right first time” philosophy.

### **Spend Money Wisely**

- Reduce waste in front-line operational processes;
- Attend less incidents overall through increased resolution without deployment;

### **Earn Trust and Confidence**

- Make accountable (and defensible) deployment decisions through effective use of NDM;
- Retain audit and quality checks but remove unnecessary layers of review;
- The overall objective being to free up resources, reduce waste and enable value to be added elsewhere in the overall service to the public.

<b>11 Details of outcome of consultation</b>
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11.1 The audit report has been circulated to key stakeholders in force.

<b>12. Appendices</b>
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12.1 Appendix C - Nottinghamshire Police Crime Audit Delivery Plan 2014.



## Appendix C



# CRIME AUDIT DELIVERY PLAN 2014

# CRIME AUDIT DELIVERY PLAN 2014

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
3.1	We would support the fundamental findings within the PASC report, specifically around the removal of numerical performance targets and would encourage measures around victim satisfaction and data quality. Whilst this change in focus is embedded, there is a requirement to scrutinise and review the practices within the Force to be completely satisfied that the change in culture has shifted and practice has moved on.	Yes	There has been a significant move away from the numerical performance targets identified in the 2013 - 2014 Police and Crime Plan. The new performance framework has a victim focus based on threat, harm and risk. It identifies the need to encourage and increase reporting of domestic violence and hate crime through increasing public confidence whilst capturing mutli agency problem solving to specifically tackle repeat victimisation. The framework identifies the importance of understanding the causes of crime to prevent reoffending combined with an effective restorative and criminal justice system. The framework is underpinned by a responsive and meaningful DASHBOARD providing relevant and timely information on which to base decisions.	19.5.2014	Chief Inspector Burton
3.1	Given the national focus and scrutiny around data quality and integrity, it is suggested that the Police & Crime Commissioner write to the Home Secretary to consider the powers in place, to support changes from the current emphasis on reducing crime that brings with it a focus on hard	Yes	Issue for the PCC		N/A

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
	numerical performance targets, to outcomes which can demonstrate ethical and victim focused values. Thus the focus nationally will be re-aligned, whilst the national debate around this particular area of concern continues.				
3.1	It is recommended that a paper be prepared for the Police & Crime Commissioner and the Audit & Scrutiny Panel, to provide assurances around the actions to be taken to address the agreed recommendations included within the Public Administration Select Committee, together with the agreed recommendations within the HMIC report, once issued, following the inspection later during the year, around crime data integrity.		A Crime Audit Delivery Plan has been created based on the recommendations of the PCC audit report and the PACT report. A formal response is being prepared for the scrutiny panel.  Implementation to be monitored via the Force Joint Performance Board.	23.5.2014	DCI Firth
3.1	It is recommended that a copy of this audit report should be shared with HMIC, in advance of their inspection visit, scheduled for later during the year.	Yes	Copy forwarded to be HMIC	Prior to July inspection.	DCI Firth
3.3	Clarification around management reporting lines for the FCR need to be clarified and strengthened. Once clarified, the job description will need to be updated to reflect any changes made. Furthermore, it is essential that the FCR has an annual PDR, in line with process. The PDR provides a formal mechanism to discuss and consider training needs, progression and any issues in performing the current role and responsibilities.	Yes	The FCR's report directly to ACC crime in respect of all crime recording and detection matters. They have monthly one to one meetings with ACC crime and a pre meet with ACC Crime to agree the agenda / issues for the quarterly Crime and Data incident board. These direct meetings ensure appropriate strategic direction on recording matters and direct oversight of integrity issues and organisational risk.  Day to day management of the	15.5.2014	ACC Jupp

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
			FCR's is undertaken by DCI CMB who has responsibility for day to day direction, HR and welfare issues.		
3.3	To demonstrate ownership, oversight and accountability, it is recommended that a formal process be introduced, on a monthly basis, between the FCR and accountable officer (or deputy, providing there is a clear link of reporting through to the accountable officer) in order for data quality to be reviewed and considered. Furthermore, the communication that takes place, particularly as part of the one to one meetings, between the ACC and DCC, should be documented, where appropriate, to clearly demonstrate the ownership and oversight of data quality and integrity.	Yes	One to one meetings are in place and the Head of Crime will act as deputy for these meetings.  Crime and incident recording / data quality to be a standing agenda item at the Force executive Board to ensure appropriate capture of decision making.	15.5.2014	ACC Jupp
3.3.2	That the Crime & Incident Data Quality Board be disbanded and the reports around data quality and NCRS compliance should be presented at the Joint Performance Board meetings. It is considered that the combination of both the crime statistical reports and the NCRS compliance reports would provide an effective and powerful monitoring tool, which provides the strategic oversight that is required.	No	Whilst it is accepted that the Terms of Reference and the standing agenda needs to be reviewed and refreshed it is felt that the board provides an important platform for detailed discussion on crime recording and detection issues which would be difficult to find appropriate time for at the Force joint performance board meeting. It is felt that strategic issues identified would be taken forward to the performance board and that NCRs compliance and crime statistical reports will form part of the Joint Performance Board presentation ensuring	1.7.2014	ACC Jupp / DCI Firth



Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
			appropriate strategic oversight.		
3.3.2	That as planned, the Force continue to develop the Performance Dashboard facility to incorporate the data around NCRS and other audit results, as performed by the Crime Management Bureau.	Yes	The development of this additional dashboard facility is seen as a priority and is being supported at COT level to ensure its introduction at the earliest opportunity.	ASAP	Chief Inspector Burton
3.4	It is considered essential that governance arrangements improve, culture changes embedded and training takes place, all of which should improve the data quality, prior to significant changes taking place within the Crime Management Bureau. It is probable (although we haven't completed any detailed checks) that if the effectiveness of some audit checks is minimal (i.e minimal changes to data received or challenge required) then there would be options for this audit work to be reduced and resources reallocated.	Yes	<p>The Force has introduced daily crime and incident audits in the following key crime areas: Burglary, Robbery, sexual offences and Violent Crime. A training program for all staff on crime recording and data quality is being developed and a series of briefings are planned with all managers chaired by ACC Crime to ensure appropriate direction , governance and leadership.</p> <p>Three new FCR audit posts have been included in the CMB business case which will deliver an enhanced audit facility and provide a more robust FCR framework.</p>	1.9.2014	DCI Firth
3.5.1	The Police & Crime Commissioner should write to the Home Secretary to suggest a change to the NCRS rules to cater for such 'grey areas' to reflect where the Force has clearly made efforts to investigate an incident but the informant/victim remains un co-operative. Therefore, a conclusion to the accurate status of the incident is not obtainable. If the standards	Yes	Matter for PCC		

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
	are amended, such classification and allocations would need to be reviewed by the FCR, as part of the routine audit process to provide assurance and oversight to such usage.				
3.5.1	Mandatory training around the requirements of the NCRS should be completed with Police Officers, across the Force as soon as possible. The training should consider the content and application of the rules.	Yes	We are in the process of obtaining a NCALT training package for NCRS from West Midlands Police which will form the basis of training to all staff. A new Force web page for NCRS queries and guidance is being developed.	2.6.2014	DCI Firth
3.5.1	In accordance with procedures, Police Officers on the case should be the officer making the decision on whether to crime an incident.	Yes	Since November 2013 this is the policy stance of Nottinghamshire Police. The CMB can offer advice and guidance although OIC's are directed to their own supervisor in the first instance if they require guidance in making a decision. This policy to be reiterated through manager briefings by ACC Crime.	1.11.2013	CSupt waterfield
3.5.1	There should be a more robust mechanism in place to track those incidents that have been passed to other departments to consider and investigate, especially where the incident has not been crimed. The progress of the investigation should be clearly logged, to demonstrate the robustness of the review and to provide assurances in regards to communication with and support provided to the victim.	Yes	A new process has been implemented which ensures that incidents which have failed the weekly FCR audit are recorded as a crime and allocated out to division / departments and the victim is updated.	15.5.2014	DCI Firth

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
3.5.1	In accordance with the required standards and rules, crimes should be reported and updated on the system as soon as is possible. If the system is not updated timely, then it does not reflect the actual number of crimes and the timeframe (month/quarter/year) in which they were reported. Consequently, this could impact on crime baseline figures and comparative crime data and indeed the accurate deployment of resources.	Yes	The CMB currently operates seven days a week and ensures that crime and detection validation is timely allowing accurate daily data. A proposal within the CMB / CRIM business case is to move to a Monday to Friday function which would deliver a 40K saving but would mean that crime data accuracy would drop to once a week for the Friday Volt meeting. The business case is currently being reviewed and will be subject to COT decision.	1.10.14	ACC Jupp / DCI Firth
3.6	The Force should investigate the issue surrounding the completion of the mandatory data field around 'ethnicity', when updating the Crime Management System, via the Blackberry, to identify a solution to the issue. This will prevent Police Officers receiving MOPI non compliance reports and furthermore, having to return to the system and update the relevant data field again.	Yes	This issues has been passed to Richard Hitch , in INS and a data fix is being sought to correct this problem.	15.8.2014	Richard Hitch INS
3.7	Nottinghamshire Police should upload the Code of Practice for Victims of Crime on the website.	Yes	The Code of Practice is currently being subject of a gap analysis by the Deputy PCC with a view to improved performance and a relaunch by all relevant partner agencies.  Intention to re launch the Code	TBA	Chief Inspector McCarthy

Ref	Recommendation	Accepted (Y/N)	Management Comment	Implementation Date	Manager Responsible
			in tandem with partners.		
3.7	There should be a formalised mechanism in place to ensure that where appropriate, victims are notified of where the incident has been crimed and be provided with the crime number. This will provide an opportunity to inform the victim of the service that is to be expected, in accordance with the Code of Practice for Victims of Crime.	Yes	A new mechanism is being developed which will see the victim being updated by the CMB at point of reclassification and subsequent contact with the victim by the allocated OIC.	1.6.2014	DCI Firth

<b>For Consideration</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit &amp; Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Paddy Tipping Police Commissioner</b>
<b>Report Author:</b>	<b>Kevin Dennis</b>
<b>E-mail:</b>	<b>kevin.dennis@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Kevin Dennis</b>
<b>Agenda Item:</b>	<b>15</b>

## **AUDIT OF IMPLEMENTATION OF FORMER POLICE AUTHORITY'S ANTI-SOCIAL BEHAVIOUR (ASB) SCRUTINY REPORT RECOMMENDATIONS**

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

- 1.1 The purpose of this report is to provide the Panel with Baker Tilley's internal audit report in respect of the Force's implementation of the recommendations arising from the former Police Authority's Scrutiny of ASB. **Appendix A** contains the full report.
- 1.2 For Panel members to review the Force responses to each of the 32 recommendations and provide the Commissioner with assurance that the recommendations have been implemented as far as possible.

### **2. RECOMMENDATIONS**

- 2.1 That the Panel discuss and note the progress made.
- 2.2 That the Panel agree that the Force has implemented (as far as possible) the recommendations of the former Police Authority's Scrutiny report in respect of ASB.
- 2.3 If the Panel do not agree with the recommendation at 2.2, to make recommendations as to what further action should be taken.

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

- 3.1 On 14<sup>th</sup> November 2012 the former Police Authority approved the ASB Scrutiny Committee report (Chaired by Melanie Futer) and the Force agreed to implement the recommendations.
- 3.2 On 5<sup>th</sup> December 2012, the Commissioner met with five of the ASB victims who took part in the focus groups and agreed to ensure that the recommendations would be implemented.

#### **4. Summary of Key Points**

- 4.1 On the 14th December 2011, the former Police Authority approved the creation of a Scrutiny Committee with the power to review areas agreed by the Police Authority. Between July and November 2012 five Members of the Police Authority supported by the Performance and Policing Policy Officer planned and undertook a scrutiny of antisocial behaviour within Nottinghamshire.
- 4.2 The Scrutiny Committee received oral and written evidence from both Police and Partners and victims on a range of antisocial behaviour issues. It also undertook various site visits to obtain evidence through observations.
- 4.3 The Scrutiny Committee focused on victims experiences, Partnership working and best practice. Ten scrutiny questions pertaining to neighbourly ASB arose from the three ASB victim Focus Groups which were used by Members to obtain further evidence and test the validity of victims views.
- 4.4 The Scrutiny Committee concluded that in the main the views of the victims attending the Focus Groups were substantiated.
- 4.5 Having considered the issues from a number of perspectives, Members identified a number of gaps in service provision and made 32 recommendations which if implemented should make both Nottinghamshire Police and Partners more effective in tackling neighbourly antisocial behaviour.
- 4.6 On 14<sup>th</sup> February 2013, the Joint Audit and Scrutiny Panel received an update report from the Force on the implementation of the 32 recommendations.
- 4.7 As part of the approved internal audit periodic plan for 2013-14 Baker Tilley (formerly RSM Tenon) have undertaken a review to follow up progress made by the Office of Nottinghamshire Police & Crime Commissioner and Nottinghamshire Force to implement the recommendations that were made as part of the former Police Authority's Scrutiny of ASB.
- 4.8 Baker Tilley completed their initial follow up in August 2013 and has repeated the exercise in January 2014. At the time of their initial review in August 2013, specifically given the nature of the recommendations and the reliance on other partners and organisations to implement and address the recommendations, across both County and City, it was suggested that it would be beneficial to set up a Task & Finish Group, to be chaired by an Assistant Chief Constable. Following their update in January 2014, this had been in place and a number of the recommendations have since been implemented.
- 4.9 Taking account of the issues identified in the report and in line with Baker Tilley's definitions, in their opinion the Nottinghamshire Office of the Police & Crime Commissioner & Nottinghamshire Force has demonstrated reasonable progress in implementing actions agreed to address the recommendations.

## **5. Financial Implications and Budget Provision**

5.1 None - this is an information report.

## **6. Human Resources Implications**

6.1 None - this is an information report.

## **7. Equality Implications**

7.1 None

## **8. Risk Management**

8.1 Failing to implement the ASB Scrutiny recommendations may lead to lost opportunities to reduce incidents of ASB and service provision to victims.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 The Commissioner is committed to reducing ASB by 50% during the term of his office and to ensure that victims are treated as people, not cases. The recommendations of the former Police Authority ASB Scrutiny report if implemented may help to support these objectives.

## **10. Changes in Legislation or other Legal Considerations**

10.1 None which affects the content of this report.

## **11. Details of outcome of consultation**

11.1 Baker Tilley has shared a copy of their report with the Force.

## **12. Appendices**

A. Baker Tilley Internal Audit Report - Follow up of Scrutiny Panel Recommendations – Anti-Social Behaviour (4 February 2014)





# Nottinghamshire Office of the Police and Crime Commissioner

Internal Audit Report (13.13/14)

FINAL

Follow up of Scrutiny Panel Recommendations – Anti-Social Behaviour

5 February 2014

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Draft report issued	4 February 2014	Auditors	Patrick Green, Head of Internal Audit Angela Ward, Client Manager
Responses received	5 February 2014		
Final report issued	5 February 2014	Client sponsor	Charlotte Radford, Chief Finance Officer
		Report distribution	Charlotte Radford, Chief Finance Officer Phil Gilbert, Performance & Policing Policy Officer

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.

This report is prepared solely for the use of Board and senior management of Nottinghamshire Office of the PCC. Details may be made available to specified external agencies, including external auditors, but otherwise the report should not be quoted or referred to in whole or in part without prior consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended for any other purpose.

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# 1 Executive Summary

## 1.1 Introduction

As part of the approved internal audit periodic plan for 2013/14 we have undertaken a review to follow up progress made by the Office of Nottinghamshire Police & Crime Commissioner and Nottinghamshire Force to implement the recommendations that were made as part of the Scrutiny Panel review of Anti - Social Behaviour (ASB).

We completed the initial follow up in August 2013 and have repeated the exercise in January 2014. At the time of our initial review in August 2013, specifically given the nature of the recommendations and the reliance on other partners and organisations to implement and address the recommendations, across both County and City, we suggested that it would be beneficial to set up a Task & Finish Group, to be chaired by an Assistant Chief Constable. Following our update in January 2014, this had been in place and a number of the recommendations have since been implemented.

Staff members responsible for the implementation of recommendations were interviewed to determine the status of agreed actions. Where appropriate, audit testing has been completed to assess the level of compliance with this status and the controls in place

## 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 the Nottinghamshire Office of the Police & Crime Commissioner & Nottinghamshire Force has demonstrated reasonable progress in implementing actions agreed to address the recommendations.

The recommendations that have been made by the Scrutiny Panel focus on an 'invest to save' approach, i.e. getting it right first time. It should be noted that a number of the recommendations record some action being taken to address the implementation, however a number of recommendations rely on the efforts of local partners and other organisations and where this is the case the full implementation of the recommendation could not always be confirmed.

Given the nature of the recommendations and the reliance on other partners and organisations to implement and address the recommendations, across both County and City, we suggested that it would be beneficial to set up a Task & Finish Group, to be chaired by an Assistant Chief Constable. Following our update in January 2014, this had been in place and a number of the recommendations have since been implemented.

One of the key messages from this review, is that although efforts have been made to address the recommendations, there needs to be a thorough linkage back to the supporting governance framework for ASB. Therefore, although some processes and procedures have been amended, to reflect the Scrutiny Panel report, these amendments to documentation and processes needs to be linked back to the overarching ASB Policy & Procedure. If there is no clear link to the Policy & Procedure there is a risk that the new documentation, changes to processes will not be appropriately communicated, have no robust standing and will be forgotten over time.

Similarly, it is noted that the Force is working hard on developing a training programme for ASB. Although training is encouraged, it would be beneficial to ensure the training takes place and is focused on the revised ASB Policy and Procedure, incorporating all revised changes, so that training can be efficient and effective.

It is recommended that the area of ASB be included for internal audit coverage in the first quarter of 2015/16, once the revised changes to the legislation and powers regarding ASB have been introduced and embedded. At that point, it is suggested that a further scrutiny of the complete area, as opposed to just a follow up, be completed, to reflect the legislative changes and the efforts that the Force and partners are making.

## 1.3 Limitations to the scope of the audit:

This review only covered recommendations previously made within the Scrutiny Panel ASB report and did not review the whole control framework of ASB. Therefore, we are not providing assurance on the entire risk and control framework of ASB.

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

## 2 Findings

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.

				FINDINGS	
Ref	Original Recommendation	Original Impl'n Date	Manager Responsible	Status	Comments / Implications / Recommendations
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.	June 2013	Supt Fretwell	1	<p><b><u>August 2013 update</u></b></p> <p>The implementation of this recommendation relies on the implementation of the Neighbourly Dispute Pack and the specific training around the requirements of ASB. This also links to the HMIC recommendation that the force need to audit ASB more robustly.</p> <p><b><u>January 2014 update</u></b></p> <p>Within the quarter three compliance pack (October-December 2013) the number of ASB criminal incidents are reported. In addition to this is a column that reports those incidents that should have been crimes, based on evidence available and this reports a 99% success rate. The further issue around training requirements will be addressed as part of the implementation of number 2 below.</p>
2	The Force and Partners to review the appropriateness of offering mediation to neighbours where ASB is generated by one party only.	June 2013	Supt Manley / Supt Beasley	2	<p><b><u>August 2013 update</u></b></p> <p>As part of the audit we discussed in some detail the purpose of offering mediation and whether the mediation provided was working consistently. It was apparent that the mediation was not working consistently, as it is very much down to the individual police officer to mention mediation as an option, when discussing the incident with the victim. There is a review being completed across the Force, to determine</p>

				FINDINGS	
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					<p>whether the Police are the right body to be providing the mediation in the first place. In some cases, it is considered that Victim Support is the body that is better placed to provide the support.</p> <p>It is noted that this issue is being discussed and considered as part of the 'More effective response to ASB' project. The Project Initiation Document (PID) has been reported and amended at the Transition Working Group. The project scope, i.e. what the project intends to deliver are;</p> <ul style="list-style-type: none"> <li>• Core changes to the 'Safer Neighbourhood' working including partnership working</li> <li>• Refreshed training package regarding the 'Safer Neighbourhood' One Nottingham working to reflect the key changes that will be made</li> <li>• Create a new ASB problem solving model</li> <li>• Create a revised operating model when dealing with Anti-Social Behaviour</li> <li>• Systems re-engineered to accommodate new legislation</li> <li>• The creation of a refreshed performance management framework around Anti-Social Behaviour</li> </ul>
					<p>It needs to be ensured that any changes to the project management, needs to be reflected in the Policy for Anti-Social Behaviour.</p> <p><b><u>January 2014 update</u></b></p> <p>Following on from the update above, there is good evidence of mediation being used. It was established that both partners and beat staff have received training in relation to mediation, in order to provide a consistent approach, to respond to ASB, in a joined up approach. Furthermore, within the Victim Survey, there is a specific question around mediation, which is now included.</p> <p>However, as part of our discussions it was noted that given the continual austerity measures, there is an issue with funding of the voluntary services and thus the ability to offer mediation may be reduced, moving forward.</p> <p>The full implementation of this recommendation will be linked to the new training, in light of the new processes and regulation from September 2014.</p>

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3	Police, PCSOs and Partners to be made aware of the limitations and Case Law relating to the statutory definition of nuisance to help manage victims' expectations regarding enforcement actions. Greater emphasis should be placed on securing evidence for the other aspects of ASB if present e.g. harassment.	Nov 2013	Peter Moyes	2	<p><b><u>August 2013 update</u></b></p> <p>The Force has implemented a Neighbourly Dispute Pack that is to be used by Police, and handed to victims. The Pack will be issued to PCSO's and Partners to provide guidance around specifics of case law, securing evidence and managing expectations.</p> <p>Furthermore, there is Working Group that has been set up by Supt Fretwell, that is specifically considering training and development of PCSO's, together with considering what a standard approach looks like, regarding dispute management.</p> <p>In addition, this issue was on the agenda of the NHP Steering Group on 19<sup>th</sup> June. Visits have been made to South Yorkshire who have recently undertook a review of the PCSO role and there is some learning from the approach they have taken. The Divisional Commander CH Supt Khan is leading on this through the Safer Nottinghamshire Board to ensure that a partnership approach is more consistently used for enduring issues such as noise and other ASB.</p> <p><b><u>January 2014 update</u></b></p> <p>The implementation of this recommendation can be linked to number 2 above. The requirement forms part of the new training, as detailed above, in light of the new processes and regulation from September 2014.</p>
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.	April 2013	NYK	1	<p><b><u>August 2013 update</u></b></p> <p>It was noted that this has been raised with the City Housing team and is currently being reviewed by the Tasking and Co-ordination Group. We were unable to access minutes, and therefore are unable to confirm how this had been raised within the City Housing team and the progress and action to date around this particular issue.</p> <p>At the time of the audit, it was confirmed that this had not been raised at the County or with other partners, at this time.</p> <p><b><u>January 2014 update</u></b></p> <p>This issue has now been circulated to all local authorities to gain assurances that this has been addressed. From the responses received, it was confirmed that this issue had been raised and no further action is required.</p>

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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.	April 2013	NYK	1	<p><b><u>August 2013 update</u></b></p> <p>It was noted that this has been raised with the City Housing team and is currently being reviewed by the Tasking and Co-ordination Group. We were unable to access minutes, and therefore are unable to confirm how this had been raised within the City Housing team and the progress and action to date around this particular issue.</p> <p>At the time of the audit, it was confirmed that this had not been raised at the County or with other partners, at this time.</p> <p><b><u>January 2014 update</u></b></p> <p>This issue has now been circulated to all local authorities to gain assurances that this has been addressed. From the responses received, it was confirmed that this issue had been raised and no further action is required.</p>
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.	April 2013	Supt Fretwell	1	<p><b><u>August 2013 update</u></b></p> <p>Operation Animism (County) and Operation Cacogen (City) are the standard operations that run at key times. It is the responsibility of the local operational teams to decide what proactive evidence capturing operations they run and how these are conducted.</p> <p>It is however, important that the Force gains overall assurance that the best possible approach was used to secure evidence and where the Force consider other methods should have been used or considered that there is a mechanism in place to provide the challenge and scrutiny.</p> <p><b><u>January 2014 update</u></b></p> <p>In discussion with key officers it was established that a review of the Investigation Powers and the authorisation is completed on a regular basis. A review of the Powers from April to October 2013, authorised 12 CCTV incidents, across the region for covert operations.</p>
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	April 2013	NYK	1	<p><b><u>August 2013 update</u></b></p> <p>All local authorities have their own equipment and their own process to replace old equipment. This is accepted and understood, however, assurances should be received by the Force, via the groups and partnerships that they are represented</p>

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	longer fit for purpose.				on, to ensure that this recommendation has been actioned. <b><u>January 2014 update</u></b> This issue has now been circulated to all local authorities to gain assurances that this has been addressed. From the responses received, it was confirmed that this issue had been raised and no further action is required.
8	The current Police Attendance Policy should be reviewed to make the best use of available police officer resources. If there is a strong likelihood of an arrest, or gathering evidence then the incident should receive an immediate police visit and should be classified as a grade I attendance, (i.e. attendance up to 15 minutes urban and 20 minutes rural). All other ASB calls for service should be responded through the managed appointment system.	April 2013	Supt Pollard	4	<b><u>August 2013 update</u></b> During the review it was established that the Attendance Management Policy is based on the national guidelines and has not been amended following the Scrutiny Panel report and recommendation. <b><u>January 2014 update</u></b> The Force have considered this particular recommendation and is satisfied that the Attendance Management Policy is in accordance with national guidance. Furthermore, HMIC have commented that the Policy reflects good practice.
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 more proactive in this area to help speed up evidence.			4	<b><u>August 2013 update</u></b> Although Bassetlaw has significantly more RIPA authorities it is unclear from the data how many of these were for ASB cases. This is also true for the City. However, although the data excludes Police RIPA operations, it does show that Bassetlaw Council is much more proactive in the use of RIPA than other authorities in Nottinghamshire. Where there is data available, RIPA operations to tackle ASB per se seems very low when regard is given to the volume of incidents and the nature of incidents which have arisen in the Case Studies reviewed. Following consultation on this report, one Local Authority reported that they will use RIPA authorisations when they are considered necessary to allow the installation of covert CCTV. In their experience it is an investigators judgement call around the need for such evidence collecting methods rather than a simple link that the number of RIPA authorisations approved equals a more proactive investigating authority. It is their opinion that this is a rather crude measure of pro-activeness of enforcement. However, Members



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					<p>view this information as corroborative only as the primary evidence from victims suggested that LA's should be more proactive.</p> <p>There was no evidence available to suggest that local authorities should be more proactive in this particular area.</p> <p><b><u>January 2014 update</u></b></p> <p>The Force is unable to receive numbers from the local authorities in terms of RIPA and the purpose of the usage.</p>
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	1	<p><b><u>August 2013 update</u></b></p> <p>The CCTV advice is a stand-alone document. This has been completed and agreed by Legal department. This particular recommendation is also linked to the specific training that is being considered across the Force, around dealing with ASB.</p> <p>The CCTV guidance document is available on the Neighbourhood policing site and awareness has been raised through local briefing and news site. It was established that the Force do not have an 'expert' that goes out to look at what someone is installing, to provide advice and explain requirements.</p> <p>For the ASB Policy, it is important that the CCTV advice that is provided is incorporated within the document.</p>
11	Due to the limited resources available to the police and partner organisations and the range of multi-agency forums available, such as MAPPA, MARAC, complex families and neighbourhood tasking arrangements. A multi-agency risk assessment and matrix should be developed to ensure vulnerable persons panels (VPP) only focus on complex repeat high risk cases that require a multi-agency response.			1	<p><b><u>August 2013 update</u></b></p> <p>The Force has recently agreed a new risk assessment form and issued new guidance for vulnerable persons. The document includes the identification of risk and the document reflects the outcome of a successful trial in Mansfield and Ashfield.</p> <p>This recommendation has been concluded as 'Being Implemented' as although the risk assessment form has been produced, it needs to be confirmed that its usage is consistent and appropriate. Furthermore, this process needs to be included within the ASB Policy and associated procedures.</p> <p><b><u>January 2014 update</u></b></p> <p>The revised risk assessment process has been included within the ASB Policy.</p>

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12	Dedicated support for victims of ASB was identified as critical to reducing ASB and building confidence of victims to provide evidence in court. In a number of cases funding for these posts has not been confirmed for 2013/14. The Police and Crime Commissioner and partner organisations should jointly fund the continuation of these posts.			2	<p><b><u>August 2013 update</u></b> Although it is noted that this forms part of the PCC Policing Plan, as part of the audit we requested information in relation to how the issue has been raised within the partnering meetings and how the profile of the issue has been raised. It was established that this issue is being dealt with at Chief Officer level and no further information was obtained.</p> <p><b><u>January 2014 update</u></b> No further changes noted to the detail above.</p>
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.	April 2013	Supt Fretwell	1	<p><b><u>August 2013 update</u></b> As part of the audit we were informed that all ASB incidents are reviewed every day to identify any repeat or vulnerable victims, via the Daily Performance Review. Repeats and high risk vulnerable people also feature on the Tasking and Co-ordination fortnightly document. The system used at the Call Centre (Vision), allows that once a name, address is input the system flags if it is a repeat caller. The system identifies how many times the caller has contacted the police.</p> <p>It was noted that this is where there is a potential gap in the process. The information highlighted by the Call Centre system should then link to the officer attending the call, either verbally or via blackberry. The Force highlighted this as a current weakness in the process. We requested whether a procedure is in place for the Control Room for clearly notifying officers of ASB cases and the call history. We were informed that there is no specific procedure and it is down to the call handler to complete a review of the call history. It is noted that there is a regular audit of completed ASB calls which confirms if the call history page was reviewed. It was noted that where there are incidents of the history page not being reviewed, this is addressed appropriately.</p>
					Furthermore, we challenged if the Force uses trend analysis, so for example being able to recognise that the victim has contacted the police at a certain time each day and rather than wait for the victim to call, to potentially send officers to the property to have a real opportunity of obtaining evidence, at that particular time. It was established, through discussions that the Force is currently not utilising this level of intelligence, but it is an area that the Force is intending to develop and it can be completed by the Neighbourhood Policing Team (who currently review all ASB calls on a daily basis). This

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					<p>is something that we would encourage. Furthermore, every fortnight, a Tasking and Co-ordination meeting takes place, which reviews repeat offenders / locations and victims. It is encouraging that this information is available, but it would be beneficial to drill down on the information to identify trends and therefore have the ability to focus limited resources efficiently and effectively.</p> <p><b><u>January 2014 update</u></b> In discussion with the key officers it was established that through the Tasking &amp; Co-ordination documents includes all repeats/profiles, whether the call history page was viewed and highlights violent incidents for review and investigation.</p>
14	District Councils should review and adopt the working practices of the City Council's Community Protection Services twin track approach (civil and criminal) to resolving neighbourhood ASB cases.	April 2013	Richard Antcliff	1	<p><b><u>August 2013 update</u></b> It was established that this is now routine across the County. An example is the Safer Mansfield Enforcement meeting where both civil and criminal sanctions are discussed. A request for evidence of this being in place across all authorities across Nottinghamshire has been made, but no evidence has yet been received.</p> <p><b><u>January 2014 update</u></b> Email correspondence has been reviewed to provide evidence of consistency across the county.</p>
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	2	<p><b><u>August 2013 update</u></b> is a new noise protocol (partnership) in the City that has been developed. This is currently being reviewed by the County. Chief Inspectors for the districts are currently leading on this.</p> <p>On review of the protocol it was established that the document mentions repeat victims of neighbourly noise and actions to be taken.</p> <p><b><u>January 2014 update</u></b> In terms of the County following the noise protocol (partnership) in the City, it has been agreed to adopt the protocol to suit individual areas. The full implementation of the recommendation links to the training around the legislative changes and the opportunities that this provides around noise, from September 2014. (Refer to number 2 above)</p>

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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.		Kevin Dennis	1	<b><u>August 2013 update</u></b> Extensive briefings have been provided to both the PCC and DPCC this year. A number of the recommendations have been incorporated into the Police and Crime Plan and are subject to further delivery through other work streams. The findings of the ASB scrutiny will be incorporated into the Consultancy Tendering brief for Victims and Witnesses later this year in readiness for when the Commissioner takes this responsibility in October 2014. A preliminary scoping piece of work has already been completed on this work to identify the opportunities and interest across the region in taking this work forward.
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.	June 2013	L and D	1	<b><u>August 2013 update</u></b> There is Working Group (Neighbourhood Policing Group) that has been set up by Supt Fretwell, that is specifically considering training and development of PCSO's, together with considering what a standard approach looks like, surrounding dispute management. Supt Fretwell has met with the regional learning and developing lead to consider what enhanced training will look like and how this could be delivered. Once agreed, a business case will be developed to address how this will be achieved. <b><u>January 2014 update</u></b> Training has taken place around this and specifically valuing victims. As part of the training victims have been spoken to by the Neighbourhood Inspectors to understand how victims felt and were dealt with by the Force, as a victim. Furthermore, key training is being delivered by the Regional Training, to provide a consistent approach.
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	2	<b><u>August 2013 update</u></b> Victims Groups are in place and the Force is looking to encompass ASB within these groups. Supt Fretwell is looking at local case specifically, whereby there has been a long running ASB case and lessons are being learnt from the case. The focus group has been held locally with the police and the victim discussing the case. There is some significant learning that has come from the process and Chief Inspector Winter will be circulating this to all Chief Inspector colleagues.

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					<p><b><u>January 2014 update</u></b></p> <p>Some work has been completed locally but the full implementation of this recommendation will also link to the value in victim work that is being completed by the Deputy Police and Crime Commissioner, that has overtaken the original recommendation</p>
19	The Force should consider introducing procedures which would allow officers attending repeat victims of neighbourly ASB to be briefed on the history of incidents.	April 2013	Supt Pollard	2	<p><b><u>August 2013 update</u></b></p> <p>This is an area of operational business that should be routine, however in discussion with SUPT Fretwell it was established that this is not happening consistently, with the first attending officer. Refer to comments included at number 13 above.</p> <p><b><u>January 2014 update</u></b></p> <p>Refer to the comments at number 13 above.</p>
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	1	<p><b><u>August 2013 update</u></b></p> <p>We obtained and reviewed evidence from the Partnerships Coordinator where he had contacted colleagues across other forces to understand the technology that was being used to assist with tackling neighbourly ASB. The responses indicate that there are not currently any differences between what is being used at Nottinghamshire</p> <p>Although it is reassuring to note that there appear to be no significant differences in the technology that is being used at Nottinghamshire compared to elsewhere, it could also be interpreted that the other forces have not thought about doing anything different as well. Therefore, it would be useful to understand if the Force have completed a cost benefit analysis of using CCTV or purchasing cameras – in terms of the cost incurred against the resource time deployed to keep attending ASB incidents.</p> <p><b><u>January 2014 update</u></b></p> <p>Due to the continued austerity measures it is unlikely that any other technological solutions will be made available, with the exception of the required body cameras</p>

				<b>FINDINGS</b>	
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					that are to be worn to record all activities.
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.	Nov 2013	Peter Moyes	2	<p><b><u>August 2013 update</u></b> This is the core function of the ASB Transition Group. Refer to the details included at number 2 above and number 23 below.</p> <p><b><u>January 2014 update</u></b> This is the core function of the ASB Transition Group. Refer to the details included at number 2 above and number 23 below.</p>
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.	June 2013	Paul Dickinson	4	<p><b><u>August 2013 update</u></b> It was established that the Partnerships Co-ordinator is reviewing the options available to see how this can be achieved.</p> <p><b><u>January 2014 update</u></b> It was established that this recommendation has been considered by the Force and agreed that a briefing / crib sheet is not necessary, given that the members of the VPP/CPP panels are professional and aware of the powers at their disposal. Furthermore, it is considered that the briefing / crib document would be lengthy, given the range of powers available. We have therefore categorised the recommendation as superseded.</p>
23	Police, Partners and Local Authority 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	1	<p><b><u>August 2013 update</u></b> The Force has representation on the national group advising of new powers. The draft ASB powers have been circulated by the Chief Officer Support Team internally to police and externally to key individuals for dissemination through their own organisations.</p> <p><b><u>January 2014 update</u></b> It was noted that the outcome of the case studies that were used as part of the Scrutiny Review would probably need to be reviewed to establish if they remain appropriate, given the legislative changes.</p>
24	VPP chairs should receive bespoke partnership training to better equip them with extensive knowledge of partners tools and powers and ASB case management.	June 2013	Paul Dickinson	4	<p><b><u>August 2013</u></b> At the time of the audit no bespoke training had taken place. It was established that the Partnerships Co-ordinator was reviewing the options available.</p>

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Ref	Original Recommendation	Original Impl'n Date	Manager Responsible	Status	Comments / Implications / Recommendations
					<b><u>January 2014</u></b> Refer to the comments at number 22 above.
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.	April 2013	Supt Fretwell	1	<b><u>August 2013 update</u></b> It was established that this has been actioned. The most recent event was held on 4 <sup>th</sup> June, which was attended by both partners and police from across the Force area. It was noted that an individual, who is a renowned expert in problem solving, facilitated the day. The subsequent feedback session is arranged for October 2013. The feedback session is to be a Dragons Den style feedback session, where the best three performing problem groups will be awarded extra funding to help their problem solving activity. The 4 <sup>th</sup> June event was promoted as being different from the previous best practice sessions and it was modelled on a successful problem solving training event that was held in Mansfield and Ashfield CSP areas in 2010. The theory being that working on a real problem rather than a hypothetical issue would encourage partners to work effectively on a problem that would make a difference. It was noted on further discussion that the facilitator had not been briefed on the findings of the ASB Scrutiny Review, it would have been even more beneficial and useful if the session had incorporated the feedback from the ASB Scrutiny Review, i.e. that response in such circumstances is key. It is suggested that for any future events, that any relevant feedback from either internal reviews or audits be fed into the session, to ensure the session reflects recent findings and concerns.

				FINDINGS	
Ref	Original Recommendation	Original Impl'n Date	Manager Responsible	Status	Comments / Implications / Recommendations
26	<p>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 (land registry check)</p> <p>b. Encourage the landlord to take appropriate enforcement action</p> <p>c. Advise 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 cases.</p>	April 2013	Supt Fretwell	2	<p><b><u>August 2013 update</u></b></p> <p>This recommendation has not been addressed.</p> <p><b><u>January 2014 update</u></b></p> <p>It was noted that this is being implemented with the City having recently introduced a Private Landlord Scheme, that incorporates the key elements of the recommendation</p>
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.	Jan 13	Kevin Dennis	1	The Commissioner sent a copy of the ASB Scrutiny Report to the Home Office in January 2013 requesting that the findings be taken into consideration when drafting the new ASB Act. Feedback from the Home Office reveals that the Commissioner's submission was incorporated into the Select Committee's considerations. In addition the Commissioner's Office was represented at a Home Office consultation event and provided feedback on how the new legislation could be drafted to better support victims. Not all of the recommendations have been addressed but the new powers overall should provide better support for victims especially in respect of speeding up the process.



				FINDINGS	
Ref	Original Recommendation	Original Impl'n Date	Manager Responsible	Status	Comments / Implications / Recommendations
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	1	<p><b><u>August 2013 update</u></b> This has been raised at a previous forum, chaired by the Community Safety portfolio lead. This issue was raised as part of that meeting and was to be taken to the local housing provider meeting / forum. We have requested an update on how the recommendations from that meeting have been progressed but no update has been received.</p> <p><b><u>January 2014 update</u></b> It was established that the Portfolio holder has provided feedback to the PCC and it is to be incorporated within the Policing Plan.</p>
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	2	<p><b><u>August 2013 update</u></b> During the audit it was established that there is no Offender Management Process in place, for ASB. Any movement of people from one address to another is dealt with at a local level between authorities. This is completed locally and there are no formal processes in place to cover this. Assurances need to be provided to the Force, that this is being managed effectively and the information that is being reported and received is reliable and robust to base decisions on.</p> <p><b><u>January 2014 update</u></b> Refer to the comments at number 30 below.</p>
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	2	<p><b><u>August 2013 update</u></b> This will form part of the E-CINS project, which is being implemented. E-CINS has been purchased by Ashfield District Council and it is our understanding that the City is now also purchasing it. E-CINS is a web based database that can manage a variety of types of cases and Ashfield have purchased it to case manage ASB vulnerable victims and perpetrators. It is being used to manage the Vulnerable Persons Panel. The database allows quicker information sharing and is being used mainly by the Housing provider and local authority at this time, as information sharing protocols have not yet been finalised.</p> <p>Through discussions it was established that the Force will be live with the system in the very near future. Furthermore, the Force is organising an event to show the system to all the other authorities, with the aim of increasing the interest in the system as it needs to be purchased in partnership.</p> <p><b><u>January 2014 update</u></b> As above.</p>

				FINDINGS	
Ref	Original Recommendation	Original Impl'n Date	Manager Responsible	Status	Comments / Implications / Recommendations
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.	Nov 2013	Peter Moyes	2	<p><b><u>August 2013 update</u></b> At the time of the audit this had yet to be taken to the Local Government Justice Board, to ascertain the practicalities around the implementation of the recommendation.</p> <p><b><u>January 2014 update</u></b> Historically, there always used to be a specialist solicitor and through the Transition Group and the linkage to the Local Criminal Justice Board and once the new powers are known and in place, this recommendation will be considered as to whether it is appropriate.</p>
32	The Police and Crime Commissioner should take the lead to address the mental health issues identified in this scrutiny report. This work should be completed in partnership with the Health and Wellbeing Board for Nottingham and Nottinghamshire.	April 2013	Supt Fretwell	2	<p><b><u>August 2013 update</u></b> The Police and Crime Plan contains a priority objective 6 'prevention, early intervention and reduction in re-offending'. The Commissioner has made a commitment to work in partnership to address the mental health needs of offenders and the impact of substance'.</p> <p><b><u>January 2014 update</u></b> This work will be taken forward as a priority within his second year of his office, but he has already met with key mental health providers to gain a better understanding of the problem and how they impact on policing. With the Chief Constable he is supporting street triage where mental health workers patrol with police officers to deal with people in mental distress across the county.</p>

<b>For Information / Consideration</b>	
<b>Public/Non Public*</b>	<b>Public</b>
<b>Report to:</b>	<b>Joint Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>Chief Finance Officer</b>
<b>Report Author:</b>	<b>Charlotte Radford</b>
<b>E-mail:</b>	
<b>Other Contacts:</b>	<b>Angela Ward</b>
<b>Agenda Item:</b>	<b>16</b>

## **INTERNAL AUDIT PROGRESS REPORT**

### **1. Purpose of the Report**

- 1.1 To provide members with an update on progress against the Internal Audit Annual Plan and the findings from audits completed to date.

### **2. Recommendations**

- 2.1 Members are recommended to consider the report and where appropriate make comment or request further work in relation to specific audits to ensure they have adequate assurance from the work undertaken.

### **3. Reasons for Recommendations**

- 3.1 This complies with good governance and in ensuring assurance can be obtained from the work carried out.

### **4. Summary of Key Points**

- 4.1 The attached report details the work undertaken to date and summarises the findings from individual audits completed since the last progress report to the panel.

### **5. Financial Implications and Budget Provision**

- 5.1 None as a direct result of this report.

### **6. Human Resources Implications**

- 6.1 None as a direct result of this report.

### **7. Equality Implications**

- 7.1 None as a direct result of this report.

## **8. Risk Management**

8.1 None as a direct result of this report.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

9.1 This report complies with good governance and financial regulations.

## **10. Changes in Legislation or other Legal Considerations**

10.1 None

## **11. Details of outcome of consultation**

11.1 Not applicable

## **12. Appendices**

12.1 Appendix A - Internal Audit progress report.

# **Nottinghamshire Office of the Police & Crime Commissioner and Nottinghamshire Police**

Internal Audit Progress Report

17<sup>th</sup> June 2014

## Introduction

The internal audit plan for 2013/14 was approved by the Joint Audit & Scrutiny Panel on 14 February 2013. This report provides an update on progress against that plan and summarises the results of our work to date.

### Summary of Progress against the Internal Audit Plan

Assignment <i>Reports considered today are shown in italics</i>	Status	Opinion	Actions Agreed (by priority)		
			High	Medium	Low
Audits to address specific risks					
Culture	Final Report issued	Advisory*	-	-	-
Commissioning	Final Report issued	Advisory*	-	-	-
Governance – Financial Governance	Final Report issued	Advisory	-	-	-
Data Quality – Medacs	Final Report issued	Advisory	8		
<i>Crime Recording (Partnerships, Performance Management, Contingency &amp; ICT)</i>	<i>Final Report issued</i>	<i>Advisory</i>	-	-	-
<i>Scrutiny Panel – Anti Social Behaviour</i>	<i>Final Report issued</i>	<i>Reasonable Progress</i>	-	-	-
<i>Workforce Planning</i>	<i>Final report issued</i>	<i>Amber/Green</i>	1	-	3
Equality & Diversity	Final Report issued	Green	-	-	3
<i>Health &amp; Safety</i>	<i>Final Report issued</i>	<i>Green</i>	-	2	1
Environmental Policy	Final Report issued	Green	-	2	3
Attendance Management	Draft Report issued	<i>Amber/Green</i>			
Estates	Final Report issued	Green	-	-	1
Payroll	Final Report issued	Green			
Collaboration – Governance & Financial Framework	Final Report issued	Amber/Red			
<i>Follow Up – Collaboration – Governance &amp; Financial Framework</i>	<i>Final Report issued</i>	<i>Good Progress</i>	-	-	-
Training	Complete	Not Applicable			
Follow Up	Final Report issued	Good Progress	-	-	-

\*ADVISORY RECOMMENDATIONS WERE INCLUDED WITHIN THIS REVIEW.

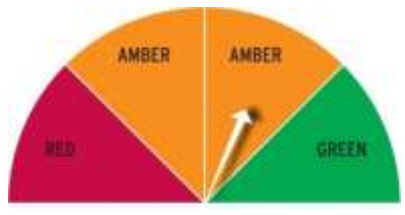
## Other Matters

We have issued five final reports since the last meeting, two of which are included as separate agenda items and the key findings from the remaining three reports are included within this report.

**Information and Briefings:** We have issued the following update since the last meeting:

- Corporate Identity Fraud – January 2014
- Changing Supplier Bank Account Details – April 2014

## Key Findings from Internal Audit Work

<b>Assignment: Workforce Planning</b>	<b>Opinion:</b>	
<p>During our review we confirmed that the following controls were in place and designed effectively:</p> <ul style="list-style-type: none"> <li>• The Medium Term Financial Plan outlines the increases to frontline Policing as promised by the Police and Crime Commissioner in their manifesto and how this increase is to be implemented across the four years.</li> <li>• Procedure notes are in place to provide Human Resources (HR) with guidance through the recruitment and selection process of both Police Officers and Staff.</li> <li>• Police Staff appointments are requested through a completed Vacancy Management Form. Approval for recruitment is granted from the weekly Managing Resources Panel which includes members of the HR and Finance departments. If approval is granted the HR team is authorised to recruit for this position. Once the role has been filled the HR Oracle system is updated to reflect the new employee.</li> <li>• We obtained a report from Oracle of all Police Officer and Police Community Support Officer (PCSO) appointments made since 1 April 2013. We selected a sample of fifteen and requested the corresponding Offer of Employment letters to validate the accuracy of the data included within the HR system. Our testing of this sample identified that the correct process had been followed in all instances and details correctly recorded on the Oracle system subsequent to the offer of employment being made.</li> <li>• The Medium Term Financial Plan provides the authorisation to recruit Police Officers and Staff. Upon successful recruitment of Officers the Oracle system is updated.</li> <li>• A change in the pay grade of a Staff role is approved by the Hay Panel if additional responsibilities have been assigned to that role. Upon approval this is reflected in the Oracle system. We obtained a report from Oracle of all pay grade changes made since 1 April 2013 of which there have been a total of six. We reviewed all six instances and confirmed that the correct procedures had been followed and evidence was available to support the change made.</li> <li>• Upon receiving a fully completed Acting and Temporary Duty Form HR update the Oracle system to reflect changes.</li> <li>• Externally funded roles are recorded as such within the Oracle system.</li> <li>• Upon promotion of a member of staff to a new position, HR complete a Notification to Payroll of Employee Permanent Data Form which is signed as prepared and authorised by two separate members of HR staff. The Oracle system is updated to record Officers who have been promoted. We obtained a report from Oracle of all Force promotions since 1 April 2013 and selected a sample of fifteen. Testing of these 15 confirmed that the process had been correctly applied in all instances.</li> <li>• A Workforce Planning Report is presented to the Force Executive Group on a regular basis which identifies Officer and Staff numbers against target and phased establishment.</li> </ul>		

**Application of and compliance with control framework**

As a result of our audit testing we identified that the following exceptions to compliance with the control framework and we have raised recommendations accordingly:

- A high recommendation has been included in relation to the definitions around Externally Funded and Seconded Officers. It was noted that HR have included Seconded Officers within their definition of Externally Funded positions, this differs to the definition applied by Finance who class Externally Funded positions as those who are paid for by partner organisations. To ensure that the difference in definition would not affect the Workforce Plan we attempted to reconcile the number of Officers and PCSOs within the Force between the Finance and HR systems. The Workforce Planning update prepared by HR stated that as of the 31 August 2013 the number of Police Officers stood at 2046.24 FTE and there were 298 FTE PCSOs.

Finance was able to produce reports from the September payment run which identifies hours worked during August 2013. Finance reported that a total of 2030 FTE Police Officers were employed by the Force during August 2013, 16 FTE lower than the figure reported by HR. For PCSOs Finance reported 295 FTE, 3 FTE lower than the figure reported by HR.

The difference in the definitions could be part of the reason for the difference and it has been recommended that the definition be agreed and applied consistently. If there are any further differences between the Finance and HR system, following this, then that needs to be explored and reconciled by the Force.

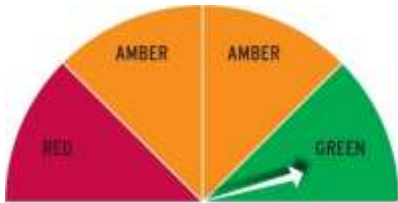
Furthermore, some duplication was highlighted as part of the review as both HR and Finance request budget holders to confirm the Externally Funded and Seconded Officers, within their department, on a monthly basis. It would seem reasonable that once the definitions are agreed that either Finance or HR request the information, moving forward.

- The recruitment and selection procedures for both Police Staff and Officers had not been reviewed since 2004 and 2006 respectively as a consequence the procedures may not reflect current working practices. The recruitment and selection procedures have been reviewed and updated. They are being presented to the Force Executive Board in March 2014.
- The decision to recruit was not being recorded by the Managing Resources Panel. Upon approval a member of the panel should sign and date the Managing Resources Form to confirm that appropriate approval has been granted and to create an audit trail.

Action	Responsible Officer	Date
The Force should ensure that the review of the recruitment and selection policies for both Officers and Staff is completed, confirming that the policies reflect current working processes. (Low)	James Lunn (Senior HR Partner)	31/03/2014
The Force should ensure that the decision of the Managing Resources Panel is recorded on the newly introduced Managing Resources Form to confirm that appropriate authorisation from the Chief Officer Team or a Business Case has been reviewed by the HR and Finance Business Partner prior to advertising the post. (Low)	Already Implemented	Implemented
An authorised Acting and Temporary Duty form should be on file for all acting Police Officers and temporary changes.  Also a Notification to Payroll of Employee Permanent Data Form should be completed and authorised and retained on file. (Low)	James Lunn (Senior HR Partner)	31/08/2014



<p>The definition of Externally Funded and Seconded Officers should be consistently applied across the Force to ensure that Seconded Officers are included within the Workforce Plan whilst still being paid by the Force. If there are any further differences between the Finance and HR system, following this, then that needs to be explored and reconciled by the Force.</p> <p>Furthermore, once the definitions and associated figures are agreed, between the Finance and HR system, a report can then be issued by either Finance or HR and forwarded to the budget holders for them to confirm the accuracy of the postholders and data, as opposed to the two monthly reports that are currently being sent by both HR and Finance. (High)</p>	<p>James Lunn (Senior HR Partner)</p> <p>David Machin (Management Accountant Manager)</p>	<p>31/03/2014</p> <p>31/05/2014</p>
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<p><b>Assignment: Health &amp; Safety</b></p>	<p><b>Opinion:</b></p>	
<p>During our review we confirmed that the following controls were in place and designed effectively:</p> <ul style="list-style-type: none"> <li>The Force has a Health and Safety Policy in place, providing guidance to staff. This is due to be updated to reflect the changes which have taken place due to the transfer from the Police Authority to the Police and Crime Commissioner. It has been identified that there is currently a national debate underway to identify the persons responsible for overall Health and Safety within each Force, this being, the Commissioner or the Chief Constable. A draft policy has been created reflecting the changes but this will not be authorised until the Force has received guidance on overall responsibility from the Health and Safety Executive.</li> <li>Health and Safety procedures/guidance notes are available for staff to view on the intranet which includes intelligence received from other forces about newly identified Health and Safety issues. An alert entitled 'Health &amp; Safety Alert Concealed Neck Knives' was provided. Such alerts are circulated to officers by email and are available on the intranet.</li> <li>All newly recruited Police Staff and Officers are required to undertake Health and Safety training through the use of the e-learning computer systems. In addition to this Officers are required to also complete the half day training delivered by the Health and Safety Team.</li> <li>The responsibility of Officers and Staff in regard to Health and Safety are clearly defined within the Health and Safety Policy.</li> <li>Risk assessments are completed by qualified risk assessors. Generic templates of frequently used risk assessments are available on the intranet</li> <li>All accidents and near misses are entered onto the Health and Safety system and lessons learnt are recorded.</li> <li>Incidents and Health and Safety trends are discussed at Divisional, Committee and PCC level. Statistics of incident reports are reported to and monitored by the Divisional Health &amp; Safety Committee on a regular basis. On review of the minutes of the meetings it was confirmed that incidents and near misses at Division are discussed. Furthermore, a Performance Insight report is produced on a monthly basis, highlighting incident / accident trends, assaults and near misses. For the PCC, this report is presented to the Local Policing &amp; Operational Support Performance Board.</li> </ul>		

- Information from Divisional Health & Safety Committees is reported to the Force Health & Safety Committee. At the time of the audit, the Force Health & Safety Committee had been temporarily suspended, to provide an opportunity for a review and consideration to a revised Terms of Reference for this particular Committee. Whilst the Committee is suspended, the linkage for the Divisional Health and Safety committees is with the Force Executive Board, through exception reporting.

#### **Application of and compliance with control framework**

During our audit testing we identified non-compliance with the control framework in the following areas:

- Our audit testing identified that not all newly recruited Officers PCSOs and Staff are completing the required e-learning Health and Safety modules, with some new starters not yet having an e-learning account assigned to their personal number. We were also unable to obtain evidence that Officers have completed the additional mandatory half day Health and Safety training.

<b>Action</b>	<b>Responsible Officer</b>	<b>Date</b>
In order for new Staff to complete the e-learning modules the Force should ensure that all new starters are communicated to the ICT Trainer Learning and Development Team who create the user accounts. Additionally, Line Managers should monitor the completion of these e-learning modules and confirm that new Staff complete these modules within the 15 day deadline set by the Force. (Medium)	James Lunn (Senior HR Partner)	31/08/2014

<b>Assignment: Follow Up – Collaboration Governance &amp; Financial Framework</b>	<b>Opinion:</b>	<b>Good Progress</b>
<p>We have undertaken a review to follow up progress made to implement previous internal audit recommendations made within our Collaboration – Governance &amp; Financial Framework report that was issued earlier on during 2013/14.</p> <p>Within the original report there were five medium and two low priority recommendations that had been agreed by the PCC and Force, for implementation. The focus of this review was to provide assurance that all recommendations previously made have been adequately implemented.</p> <p>In our opinion the Organisation has demonstrated good progress in implementing actions agreed to address internal audit recommendations.</p> <p>For two of the medium priority recommendations we were unable to confirm that the recommendation had been fully implemented as implementation is relying on the utilisation of the revised Business Case document, which is effective from 1<sup>st</sup> April 2014. Therefore, we will ensure that this is followed up during 2014/15, to provide assurance that all recommendations made within our original report have been fully addressed and actioned.</p>		

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The matters raised in this report are only those which came to our attention during the course of our review and are not necessarily a comprehensive statement of all the weaknesses that exist or all improvements that might be made. Recommendations for improvements should be assessed by you for their full impact before they are implemented. This report, or our work, should not be taken as a substitute for management's responsibilities for the application of sound commercial practices. We emphasise that the responsibility for a sound system of internal controls rests with management and our work should not be relied upon to identify all strengths and weaknesses that may exist. Neither should our work be relied upon to identify all circumstances of fraud and irregularity should there be any.

This report is supplied on the understanding that it is solely for the use of the persons to whom it is addressed and for the purposes set out herein. Our work has been undertaken solely to prepare this report and state those matters that we have agreed to state to them. This report should not therefore be regarded as suitable to be used or relied on by any other party wishing to acquire any rights from Baker Tilly Risk Advisory Services LLP for any purpose or in any context. Any party other than the Board which obtains access to this report or a copy and chooses to rely on this report (or any part of it) will do so at its own risk. To the fullest extent permitted by law, Baker Tilly Risk Advisory Services LLP will accept no responsibility or liability in respect of this report to any other party and shall not be liable for any loss, damage or expense of whatsoever nature which is caused by any person's reliance on representations in this report.

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We have no responsibility to update this report for events and circumstances occurring after the date of this report.

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'Corporate identity fraud' is a term used to describe the impersonation of an organisation for financial or commercial gain.

A form of corporate identity fraud is Company Impersonation, also known as Corporate Hijacking. This illegal activity involves perpetrators setting up email addresses similar to that of target organisations to fraudulently procure goods and services in their name for which they have no intention of paying. Often, the fraudster's emails will contain convincing corporate branding, such as the legitimate organisation's logo, to make emails appear more authentic. Goods that are primary targets for this type of fraud are items that can easily be sold on, such as mobile phones and laptops.

Another common method of Corporate Hijacking involves fraudsters accessing registered company records, changing details of the company directors and registered address, and using the stolen identity to order goods which are then intercepted at the fake address.

### Mitigating actions

The trend for this type of fraud is growing and occurrences have been seen across a number of different sectors, most recently in higher education where organisations have reported instances of fraudulent orders being placed involving tens of thousands of pounds.

One mitigating action organisations registered with Companies House can take is to sign up for its email alert monitoring system. The service sends automatic email notifications to nominated accounts when documents that organisations choose to 'monitor' are received and accepted or when attempts to change company details are made. Read more about this [here](#).

Organisations should also ensure they monitor domain name registrations similar to their own which may have been set up for illegitimate purposes.

Raising suppliers' awareness of this type of scam is also an effective way of minimising risk as well as assuring them that all procurement requests will be made through the established channels. To mitigate risk, supplier organisations can undertake the following checks:

- Validate email addresses against the requesting organisation's original details.
- Contact suppliers using original contact details held on file rather than those given on suspicious emails to ensure that a purchase order exists and to verify the delivery address.

The importance of awareness should not be underestimated in relation to this type of fraud and in addition to ensuring that sufficient safeguards are in place, organisations should make certain their people are well informed of this fraud risk and able to respond appropriately.



### Need more help or advice?

Baker Tilly's Fraud Solutions team will be happy to assist you and your organisation to mitigate this fraud risk.

**David Foley**  
Director, Fraud  
Solutions



Tel:  
07721977523

[Email David](#)

If this email doesn't display properly you can [view it in your web browser](#)

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<b>For Information</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>ACO Resources</b>
<b>Report Author:</b>	<b>Beverley Topham, Strategic Support and Review Officer</b>
<b>E-mail:</b>	<b>Beverley.topham@nottinghamshire.pnn.police.uk</b>
<b>Other Contacts:</b>	<b>Read Hibbert, Planning and Policy Officer Julie Mair, Organisational Development Manager Paul Steeples, Interim Head of Business and Finance</b>
<b>Agenda Item:</b>	<b>17</b>

## **AUDIT AND INSPECTION**

### **1. Purpose of the Report**

- 1.1 To provide the Audit and Scrutiny Panel with an update on the status of audits and inspections taking place in Force. This report also informs the Panel of expected future audits and inspections.

### **2. Recommendations**

- 2.1 That the Audit and Scrutiny Panel note the progress made against audit and inspection recommendations.
- 2.2 That the Audit and Scrutiny Panel take note of forthcoming audit and inspections.

### **3. Reasons for Recommendations**

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

### **4. Summary of Key Points**

- 4.1 The actions outlined in this report are the result of recommendations made by the Force's internal auditor Baker Tilly (formerly RSM Tenon) and external inspectorates, such as Her Majesty's Inspectorate of Constabulary (HMIC) and Criminal Justice Joint Inspectorate (CJJI). They are managed through the Force Action Plan process and reported at the Chief Officer Portfolio Boards on a monthly basis.
- 4.2 Status of actions arising from audits and inspections – Appendix 1 outlines the status of all live actions arising from audits and inspections and those completed in Quarter 4.

4.3 **Completed actions** – Appendix 2 outlines the actions arising from audits and inspections that have been completed during Quarter 4.

4.4 **Overdue actions** - There is 1 action arising from audit and inspection which is currently overdue:

- **RSM Tenon (Baker Tilly) – Environmental Policy.**

**Action:** Update the Carbon Management Plan to include understanding of current performance against the reduction target and report this quarterly to the Environmental Management meeting.

**Comment:** The Carbon Management Plan has been updated to show all new and prospective energy reduction initiatives. Benchmarked data is currently being processed to show realisation of benefits in line with previous year's performance and will be presented at the next Environmental Management Group. The efficiency savings feature also in the 'Designing the Future' strategy.

4.5 **Recent Audits and Inspections.**

**HMIC: Making Best Use of Police Time. 24<sup>th</sup> – 27<sup>th</sup> March 2014.** (Hot debrief notes only).

**HMIC: Custody Health Check (rolling programme). 2<sup>nd</sup> May 2014.** Awaiting feedback.

**Baker Tilly: Absence Management 10<sup>th</sup> – 14<sup>th</sup> March 2014.** Awaiting final report.

**Baker Tilly: Data Protection Act Compliance. 22<sup>nd</sup> - 24<sup>th</sup> April.** Awaiting final report.

**Baker Tilly : Workforce Planning. December 13/14.** On Force Action Plan.

**Baker Tilly: Estates Management. October 13/14.** On Force Action Plan.

**Baker Tilly: Health and Safety. November 13/14.** On Force Action Plan.

**Baker Tilly: Environmental Policy. September 13/14.** On Force Action Plan.

**Baker Tilly: Data Protection Act Compliance. 22<sup>nd</sup>-24<sup>th</sup> April 2014.** Awaiting final report.

4.6 **Forthcoming audits and inspections –**

**HMIC: Valuing the Police 4 (VtP4). 12<sup>th</sup> – 14<sup>th</sup> May.**

- In VtP4 HMIC will seek an update on how forces are responding to the remainder of the spending review but in particular look at the preparations for 2015/16 and beyond. It is their intention to have a stronger focus on service delivery, the effectiveness of forces' responses (in particular the contribution of collaboration) and the management and approach to future risk.



### **HMIC: Building the Picture – Information Management. 23<sup>rd</sup> - 25th June.**

The inspection will focus on:

- If force strategies, policies and procedures for information management adhere to the principles of the MoPI doctrine, are proportionate to risk and fit for purpose;
- If information and intelligence are captured, recorded, evaluated, acted upon, audited and retained by the police (including safeguarding interventions) in an effective way;
- If the use of the PND is effective and efficient;
- If HMIC can identify inspection criteria that can be introduced into other future inspections
- Specific considerations during field work will be;
- How information is recorded, reviewed, and retained, and deleted;
- The provision, quality and timeliness of data to PND;
- The process for inclusion and handling of sensitive information;
- The ability of forces to automate or link police information and intelligence data.

### **Baker Tilly: ICT Resilience (Disaster Recovery). 24<sup>th</sup> – 26<sup>th</sup> June.**

- This audit will review what systems there are: Restart process, backup / system resilience, assurance system providers, compatibility of and, interoperability and integration of systems

### **HMIC: Police Integrity and Corruption. 23<sup>rd</sup> – 25<sup>th</sup> July**

- The inspection will assess the integrity and leadership across the whole police service, but with a particular focus on officers and staff at superintendent level and above as the senior leaders of the service, including those who aspire to the highest levels of the service.
- Given the links between leadership, integrity and culture matters HMIC will liaise closely with the College of Policing assessment of culture.
- What progress police forces have made on relationship integrity and transparency issues since our December 2012 report.
- Whether the boundaries and thresholds in relation to professional conduct and standards are consistent and clear, including forces' progress in communicating and embedding the Code of Ethics.
- How the Police Service looks for, challenges and investigates unprofessional conduct and standards and whether this is undertaken in an efficient and effective way. A focus on counter corruption capability and capacity.

4.7 Two audit and inspections have been confirmed from Quarter 2 – 2014/15.

### **CJJI: Effectiveness of local criminal (CJ) partnerships. Fieldwork scheduled from July 2014. (actual date tbc)**

- A joint report published in May 2012, identified that changes to funding and accountability arrangements had led to some LCJBs merging, and others operating in a more limited way or even shutting down altogether. The report found that there was little clarity about how the activities of local

CJS agencies would be coordinated in the future, in many parts of the country. The focus is how local CJ inter-agency work is managed and supported and the effectiveness of relationships in driving new and innovative changes to improve efficiency and effectiveness.

**HMIC: Thematic. Crime Data Integrity (CDI). Audit 30<sup>th</sup> June – 4<sup>th</sup> July. Inspection 8<sup>th</sup> – 10<sup>th</sup> July.**

- This inspection will examine the effectiveness of the police in dealing with reports of crime by members of the public. It is envisaged that this will include whether the police determine correctly that there has been a crime. HMIC will examine incidents already reported to the police and crimes which have subsequently been recorded. Interviews with staff and visits to departments will help us understand the reasons for any issues around crime recording standards. In addition to crime recording, HMIC intend to examine some categories of outcomes (detections).
- Audit only. For the audit element of the inspection we intend to examine a number of incidents recorded on forces' incident systems and track them through the process.

- 4.8 A number of audit reports have recently been received and actions need to be agreed for these, there are also a number of reports due. All of these reports will be scrutinised and where necessary actions agreed and added to the Force Action Plan.

**Audit reports received and actions to be generated:**

General Ledger

Payroll Expenses

Payments and Creditors

**Audits reports due:**

Budgetary Control

Cash, Banking and Treasury Management

Income and Debtors

Fixed Assets', inventories and insurance

<b>5. Financial Implications and Budget Provision</b>
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- 5.1 There are no direct financial implications. If financial implications arise from recommendations raised from audits, inspections and reviews these implications are considered accordingly. Where an action cannot be delivered within budget provision, approval will be sought through the appropriate means.

<b>6. Human Resources Implications</b>
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- 6.1 There are no direct HR implications. Where an audit or inspection has Human Resources implications, these will be managed through the Force Action Plan.

## **7. Equality Implications**

- 7.1 There are no direct equality implications. Any equality implications which arise from an audit or inspection recommendation will be managed on an individual basis.

## **8. Risk Management**

- 8.1 There is a risk to Force reputation, if mandatory or agreed actions identified as a result of audit or inspections are not completed. The degree of risk will depend on the nature of the audit or inspection and will be assessed on a case by case basis.

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 Where an audit or inspection recommends changes to Force Policy or Strategy, those changes will be managed through the Force Action Plan.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 Where an audit or inspection relates to a change in Legislation or other legal considerations, those changes will be managed through the Force Action Plan.

## **11. Details of outcome of consultation**

- 11.1 This process for monitoring audits, inspections and reviews has been agreed by the Chief Officer Team (COT).
- 11.2 Issue owners are consulted through the action monitoring process.

## **12. Appendices**

- 12.1 Appendix 1: Status of actions arising from audit and inspections – Quarter 4.  
Appendix 2: Summary of actions completed during Quarter 4.



## Appendix 1. Audit and Inspection Action Status Report - Quarter Four

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						
Title	Scrutiny Body	Audit / Inspection	Chief Officer Lead	Total number of actions	Number overdue	Number on schedule	Number completed	Status
Procurement - Programme of Change	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	7			7	Complete
Culture Review	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	2		1	1	On going
Proceeds of Crime Act Audit Report 01.11/12	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	7		1	6	On going
Partnerships Governance 2012	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	1		1		On going
Environmental Policy	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	2	1	1		On going
Estates Management	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	1		1		On going
Health and Safety	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	1		1		On going
Workforce Planning.	Baker Tilly (RSM Tenon)	Audit	ACO Monckton	4		4		On going
				25	1	10	14	

## Nottinghamshire Police Appendix 2: Completed Actions

System Reference	Project or Action overview	Priority	Action Owner	End Date	Original End Date	Action Status	Action Update Detail
BT/849e/141113	<p><b>Action:</b> Develop and deliver a People Plan to address culture, motivation and Morale.</p> <p><b>Issue or recommendation:</b> A review of the PEOPLE strategic plan should be undertaken, particularly with the appointment of the PCC to demonstrate what this looks like now, what has been delivered against the plan and what is in the pipeline for the future.</p>	Very High	Sharon Ault (Head of HR and Organisational Development)	30/4/2014	30/4/2014	closed	<p><b>Update Jan 2014:</b> The people strategy will be developed for the 2014/15 Business Planning process. Separate work is being undertaken to identify the strands of work required for the culture programme.</p> <p><b>ACO Scrutiny 25/02/2014.</b> Sharon Ault reports this review is now complete and she needs to share with ACO.</p> <p><b>DCC Scrutiny 03/03/2014.</b> People plan presented. Feedback given. Needs further development.</p> <p>DCC scrutiny 31/03/2014. Support closure. This is now goverened through the Corporate Services Board.</p>

<b>Consideration</b>	
<b>Public/Non Public</b>	<b>Public</b>
<b>Report to:</b>	<b>Audit and Scrutiny Panel</b>
<b>Date of Meeting:</b>	<b>17<sup>th</sup> June 2014</b>
<b>Report of:</b>	<b>The Chief Executive</b>
<b>Report Author:</b>	<b>Sara Allmond</b>
<b>E-mail:</b>	<a href="mailto:sara.allmond@nottsc.gov.uk">sara.allmond@nottsc.gov.uk</a>
<b>Other Contacts:</b>	
<b>Agenda Item:</b>	<b>18</b>

## **PANEL WORK PLAN AND MEETING SCHEDULE**

### **1. Purpose of the Report**

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

### **2. Recommendations**

- 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 as a direct result of this report

### **6. Human Resources Implications**

- 6.1 None as a direct result of this report

### **7. Equality Implications**

- 7.1 None as a direct result of this report

### **8. Risk Management**

- 8.1 None as a direct result of this report

## **9. Policy Implications and links to the Police and Crime Plan Priorities**

- 9.1 This report meets the requirements of the Terms of Reference of the Panel and therefore supports the work that ensures that the Police and Crime Plan is delivered.

## **10. Changes in Legislation or other Legal Considerations**

- 10.1 None as a direct result of this report

## **11. Details of outcome of consultation**

- 11.1 None as a direct result of this report

## **12. Appendices**

- 12.1 Work Plan and schedule of meetings



## JOINT AUDIT AND SCRUTINY PANEL WORK PLAN

<u>ITEM DESCRIPTION</u>		<u>REPORTING REQUENCY</u>	<u>PANEL ASSURANCE</u>	<u>LEAD OFFICER</u>
<b>23 September 2014 – 2pm</b>				
1.	<b>(23 &amp; 24)</b> Statement of Accounts and Summary Statement of Accounts	Annually	Financial Reporting	OPCC & Force
2.	<b>(10 &amp; 42)</b> Annual Governance Statements	Annually	Good Governance	OPCC & Force
3.	External Audit – Annual Governance report (ISA260 report)	Annually	Good Governance and External Audit	OPCC CFO
4.	<b>(43)</b> Risk report on monitoring and actions for mitigation update	6 monthly	Risk Management	OPCC & Force
5.	<b>(35)</b> Force Governance monitoring, assurance and improvement outcomes for decision making	6 monthly	Good Governance	Force
6.	Regional Collaboration Update	Annually	Value for Money/ Best Value	Force
7.	Annual Review of Assurance mechanisms including statutory responsibilities	Annually	Good Governance	OPCC CFO?
	<b>Standard items:-</b>			
	Updates on scrutiny and other reviews	As required		OPCC & Force
	PCC Update Report	Quarterly	Good Governance and Value for Money/Best Value	OPCC
	<b>(12) &amp; (40)</b> Internal Audit Progress Report	Quarterly	Internal Audit	OPCC CFO
	<b>(40)</b> Audit & Inspection Report	Quarterly	Internal Audit	ACO Resources
<b>10 December 2014 – 2pm</b>				
1.	<b>(5)</b> IPCC investigations, recommendations and actions (April – September)	6 monthly	Good Governance	Force
2.	<b>(36)</b> Force Improvement Activity Lessons Learned monitoring, IPCC lessons learned report (April – September)	6 monthly	Good Governance	Force
3.	<b>(6) &amp; (7)</b> Whistle Blowing Policy and review of compliance (April – September) and Anti-Fraud and Corruption Policy - review of compliance update (April – September)	6 monthly	Counter Fraud and Corruption	Force & OPCC
4.	External Audit Annual Audit letter	Annually	External Audit	OPCC CFO

<u>ITEM DESCRIPTION</u>		<u>REPORTING FREQUENCY</u>	<u>PANEL ASSURANCE</u>	<u>LEAD OFFICER</u>
	<b>Standard items:-</b>			
	Updates on scrutiny and other reviews	As required		OPCC & Force
	PCC Update Report (including budget process information)	Quarterly	Good Governance, Value for Money/Best Value External Audit and Financial Reporting	OPCC
	<b>(12) &amp; (40)</b> Internal Audit Progress Report	Quarterly	Internal Audit	OPCC CFO
	<b>(40)</b> Audit & Inspection Report	Quarterly	Internal Audit	ACO Resources