

Committee(s): Police: Professional Standards and Integrity Sub Committee- For information	Date: 5 th March 2017
Subject: HMICFRS PEEL Legitimacy Inspection 2017	Public
Report of: Commissioner of Police	For Information
Report author: Stuart Phoenix, Head of Strategic Development	

Summary

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), published both National and Force Reports on the Police PEEL¹ Legitimacy Inspection 2017 on the 12th December 2017. This report to your Sub Committee provides a detailed overview of the findings of the Inspection, ownership of Areas for Improvement and arrangements for oversight of progress.

The City of London Police received an overall grading of REQUIRES IMPROVEMENT.

The Force report identified 7 Areas for Improvement (AFIs) which are listed below.

No	AFI
1.	The Force should ensure that all relevant officers have received appropriate training on the use of stop and search powers
2.	The Force should maintain and monitor a comprehensive set of data to understand the impact of its use of stop and search powers.
3.	The Force should ensure that all relevant officers and supervisors understand what constitutes reasonable grounds for stop and search and how to record them.
4.	The Force should improve how it investigates allegations of discrimination and take action to ensure that all complainants and officers and staff subject to allegations of discrimination receive a good service from the force.
5.	The Force should improve the quality and timeliness of updates to complainants and witnesses during investigations in line with IPCC statutory guidance.
6.	The Force should improve its ability to monitor and improve the fairness and effectiveness of its processes for managing individual performance and development and communicate this to the workforce.
7.	The Force should improve its understanding of its workforce's wellbeing and use this to prioritise the services it provides.

¹ PEEL- Police Efficiency, Effectiveness & Legitimacy

The national report identifies 1 Cause for Concern and makes 2 Recommendations which are directly applicable to the Force in the area of Stop and Search.

The report was recently presented at the Force Strategic Management Board on the 31st January 2018, where Senior Responsible Officers were agreed for ownership and delivery of the actions required. These will be monitored through the Forces Performance Management Group and updates will be submitted to the Performance and Resource Management Sub Committee as part of the regular HMICFRS update.

Recommendation(s)

Members are asked to receive the report and note its contents.

Main Report

Background

1. The PEEL Inspection programme is HMICFRS's annual all-force inspection programme covering forces' effectiveness, efficiency and legitimacy. In November 2014 the first PEEL Assessments were published and have been undertaken annually since this time.
2. On 12th December 2017 HMICFRS published its PEEL Police Legitimacy 2017 Inspection reports, the findings of which were reported at the January 2018 meeting of the Force Strategic Management Board and Senior Responsible Officers identified to take forward the Areas for Improvement (AFIs).
3. In the 2016 round of PEEL Legitimacy Inspections, the Force received the overall judgment grading of GOOD.

Current Position

Force Report

4. In the 2017 PEEL Legitimacy Inspection the Force received an overall judgment grading of REQUIRES IMPROVEMENT for the overarching question of:

“How legitimate is the Force at keeping people safe and reducing crime”

5. Against each individual question set for this inspection the Force received the following grades:

- i. To what extent does the force treat all of the people it services with fairness and respect? Graded: REQUIRES IMPROVEMENT

This question gave a more focused consideration than in previous years of how forces deploy 2 coercive powers – use of force and stop and search – including monitoring and scrutiny of these powers as well as leaders' and wider workforces' understanding of how to use them fairly and with respect.

It also examined workforce understanding of procedural justice by checking the understanding of the concept of unconscious bias and awareness of effective communication skills.

ii. How well does the force ensure that its workforce behaves ethically and lawfully? Graded: REQUIRES IMPROVEMENT

This question considered the extent to which forces develop and maintain an ethical culture to reduce unacceptable types of behaviour in workforce. It also re-examined how well forces handled complaints and misconduct cases focusing specifically on access to complaints system and handling of allegations of discrimination.

iii. To what extent does the force treat its workforce with fairness and respect? Graded: GOOD

This question considered how well forces identify individual and organisational concerns within their workforce and act on these findings, including in the context of workforce wellbeing. It also included an assessment of the extent to which forces are taking action to make their workforce more representative of the communities they serve.

6. The detailed findings against each question set for the Force and National Reports are attached at Appendix A.

Force report- Areas for improvement

The Force report identified 7 Areas for Improvement (AFIs) which are listed below.

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5.	The Force should improve the quality and timeliness of updates to complainants and witnesses during investigations in line with IPCC statutory guidance.
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National Cause of Concern and recommendations

7. HMICFRS is concerned that forces are not able to demonstrate that the use of stop and search powers is consistently reasonable and fair. In particular, there is over-representation of Black and Minority Ethnic (BAME) people, and black people in particular, in stop and search data which many forces are unable to explain.
 - I. By July 2018, all police forces across England and Wales should be regularly and frequently monitoring a comprehensive set of data and information on use of stop and search powers to understand:
 - The reasons for any disproportionate representation of different ethnic groups in the use of stop and search.
 - The extent to which find rates differ between people from different ethnicities, and across different types of searches (including separate identification of find rates for drug possession and supply-type offences)
 - The prevalence of possession-only drug searches, and the extent to which these align with local or force level priorities

Where forces identify disparities through monitoring, they should demonstrate to the public that they have:

- Carried out research and analysis in an attempt to understand the reasons for the disparity, and
- Taken action to reduce the disparity, where necessary.

HMICFRS expect forces to publish this analysis and any actions taken at least on an annual basis, from July 2018.

- II. By July 2018, and ongoing following that date, forces should ensure that all officers who use stop and search powers have been provided with and understand, training on unconscious bias and College of Policing Authorised Professional Practice (APP) on stop and search.
8. Activities and delivery of improvements cross cut a number of different service areas and SROs have been identified and tasked to lead on the delivery of each AFI as agreed at the January Force Strategic Management Board Meeting as follows:
 - **Stop and Search (AFIs 1-3 and national recommendations 1 and 2)**

Lead officer, Supt Operations Lee Presland (currently A/Supt Rob Wright)

Monitoring and governance for delivery to be via Stop and Search and Use of Force Working Group.

Work has already commenced around quality assuring and monitoring grounds recording for Stop and Search.

- **Complaints (AFIs 4 & 5)**

Lead officer Detective Supt Maria Woodall, PSD Director

Monitoring and governance of delivery to be via Professional Standards Department Working Group.

It should be noted that many of the identified shortcomings were originally revealed during the file review which took place in advance of the full inspection and that immediate action was taken at the time to address findings.

- **Performance and Wellbeing (AFIs 6 & 7)**

Lead officer, HR Director, Julia Perera

Monitoring and governance for delivery to be via Strategic Workforce Planning and Force Health & Safety (including Wellbeing) meeting.

National Report

9. The (overview) national report details that HMICFRS' overall assessment of forces was positive.

Included within the report are a number of 'positive expectation' statements from HMICFRS as well as areas of best practice being cited, the below relate to CoLP, which is encouraging.

- ✓ CoLP has developed a BAME 2018 plan in addition to its existing People Strategy *{to help it understand and address under representation in its workforce}*.
- ✓ CoLP has a percentage figure for officers on sickness absence (as at 31.03.17) of 1.3% (the lowest of all 43 forces, with the highest being 6.1% in Cleveland Police).

Detailed findings against each question set are attached in Appendix A.

Corporate and Strategic Implications

10. The PEEL Inspection process is an annual process but HMICFRS have indicated that they will continue to develop the methodology for future inspections.

11. For 2018 HMICFRS are also proposing to move towards an integrated PEEL assessment process (IPA) which will involve moving to a more risk-based approach with greater focus on the aspects of policing in forces which HMICFRS determine present the greatest risks to the public, it is clear that Stop and Search will fall into this category. Part of these changes will mean that there will not be a round of inspection activity in the spring of 2018 (normally the Efficiency and Legitimacy pillars) but a rolling programme of integrated inspection fieldwork will

commence in the autumn across all pillars. Data collection will also move to a quarterly submission from June 2018 onwards.

Conclusion

12. The Force accepts the Areas for Improvement that HMICFRS has identified in the 2017 Legitimacy Inspection. The Force is committed to making the improvements required and these will be reported in the quarterly HMICFRS update to the Police Performance and Resource Management Sub Committee.

Appendices

- Appendix A- detailed findings against each question set for the Force and National Reports

Background Papers

PEEL: Police Legitimacy 2017 Report

<https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/peel-police-legitimacy-2017-1.pdf>

City of London Police – PEEL Police Legitimacy (including leadership) 2017

<https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/peel-police-legitimacy-2017-city-of-london.pdf>

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