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| Committee(s): | Date(s): |
| Police: Performance and Resource Management Sub Committee Audit and Risk Committee | 4 th December 2014 |
| Subject: HMIC Inspection update 2014/15 | Public |
| Report of: Commissioner of Police Pol 75-14 | For Information |

Summary

This report provides an update to your Sub-Committee on the City of London Police response to Her Majesty's Inspectorate of Constabulary (HMIC) inspection reports as they are published over the course of the 2014/15 financial year. This report provides updates on the following inspections, which have been published since the last report to your Sub Committee:

- **The Strategic Policing Requirement – City of London Specific report.** HMIC found that the Force has all the necessary capacity, capability, consistency and connectivity to fulfil its obligations across the five areas of the Strategic Policing Requirement (terrorism, civil emergencies, public order, serious organised crime and large scale cyber attacks). Some comments are made regarding improvements that could be made with respect to cyber crime, however, the report does not make any formal recommendations (**paras 2-4**).
- **Undercover Policing** - a national inspection into the effectiveness of the arrangements in place in all police forces to carry out, manage and scrutinise undercover operations (**paras 5-10**).

An update of the imminent Interim PEEL assessment is included, together with a comprehensive Appendix of all HMIC recommendations from recent reports that are currently being managed by the Force.

Additionally, your Sub-Committee's attention is drawn to inspections that have taken place but for which there are currently no reports, and inspections which are due to take place in the near future.

Recommendation

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

Main Report

Background

1. Members will be aware that Her Majesty's Inspectorate of Constabulary (HMIC) conducts a number of assessments of police forces in England and Wales as part of their ongoing inspection programme. This report provides an up to date position on any national recommendations together with any specific City of London Police observations made by HMIC.

Strategic Policing Requirement – City of London specific report.

2. This report, published in late October, was one of eighteen force-specific reports. It is a supplementary report to the national report that was previously brought to your Sub Committee's attention (Pol 41-14 refers) and to the report on Public Order, which was reported to your last Sub Committee. It should also be noted that although the report has only now been published, the inspection took place in September 2013, therefore some of the findings contained within the report might be historic.
3. HMIC's findings are ordered under the four headings of: Capacity and Contribution; Capability; Consistency; and Connectivity. Each of those headings are assessed with respect to Terrorism, Civil Emergencies, Serious Organised Crime, Public Order and Large Scale Cyber Incidents.
 - **Capacity and Contribution:** HMIC found that the City of London Police has the necessary capacity to fulfil its national obligations in all of the areas cited immediately above. They found that with regard to terrorism, the Force's close working relationship with the Metropolitan Police is effective. They highlight the fact that terrorism is considered in the Force's strategic threat and risk assessment and that it features as a priority in the policing plan. They were impressed that the Force has adapted its response to PREVENT so that those vulnerable to radicalisation can be identified and assessed through a multi-agency approach.
 - HMIC also found that the arrangements in place to deal with civil emergencies and serious organised crime are robust. HMIC notes that the Force has sufficient numbers of trained officers to deliver Chemical, Biological, Radioactive and Nuclear (CBRN) response capabilities.
 - With regard to Serious Organised Crime, the Force's national role leading the response to economic crime is highlighted together with the fact that nationally approved methods to disrupt the most serious organised crime groups are used. HMIC found the Force's Public Order capacity to prepare for and respond to public order incidents to be strong.

- The only area cited where improvements could be made was with respect to cyber crime. The report notes that the Force was still developing its response to cyber crime and there was no action plan or strategic level cyber threat and risk assessment. As previously mentioned, that was the position when the Force was inspected in September 2013. Since then the Force has completed the College of Policing's Cyber Crime Toolkit with attendant action plan and has conducted a cyber crime threat and risk assessment.
- **Capability:** HMIC found that the Force has the necessary capability to deliver its obligations under all five strands of the strategic policing requirement. As with Capacity immediately above, the only area cited where improvement was recommended was with regards training staff to recognise and deal with cyber crime. That is being addressed, with NCALT¹ training packages being rolled out and is a requirement of the Force's Cyber Crime Strategy. The report does note that Force high tech crime investigators have been trained to national standards with respect to cyber crime.
- **Consistency:** HMIC only considered public order and the Force's response to CBRN incidents for this area. They found that with regard to public order there were good levels of consistency with the metropolitan police in respect of standards of training, equipment and tactics. The arrangements in place to deal with a CBRN incident were found to be equally robust and consistent.
- **Connectivity:** The report concludes that the Force has effective processes to mobilise and co-ordinate resources and share information securely and effectively with other forces and partner agencies. It notes that whilst the Force has never been faced with a large scale cyber incident requiring a joint response, there are sufficient processes in place to ensure that in any such event the Force could respond appropriately.

4. There were no formal recommendations made within the report for the Force to address.

Undercover Policing

5. The report, 'An inspection of undercover policing in England and Wales', is a response to a commission from the Home Secretary in June 2013, for HMIC to inspect the effectiveness of the arrangements in place in all police forces to carry out, manage and scrutinise undercover operations.

¹ Cyber crime introductory course (all investigators – 268 of 289 staff have completed the course)
 Cyber crime first responders course (226 of 248 staff have completed the course)
 Cyber crime & Digital Police Investigation (198 of 223 staff have completed the course)
 73 officers have completed the 1 week long Cyber Crime Course.

6. HMIC's inspection examined all 43 police forces and law enforcement agencies that have the capability and capacity to deploy undercover officers and this is the first time that such an inspection has taken place.
7. The report's principal findings are that undercover officers are dedicated individuals that deliver their roles professionally. The essential need for undercover policing is also recognised. Those involved in undercover policing have a thorough understanding of the Regulation of Investigatory Powers Act 2000 and the human rights environment in which they are required to work. With regard to those who directly manage undercover officers, HMIC found, generally, a high level of understanding of their roles and responsibilities.
8. However, HMIC also finds that greater clarity should be brought to the need for authorisation under the Regulation of Investigatory Powers Act 2000 in all instances where legend-building is undertaken. Legend-building is the process whereby undercover officers visit locations and construct a personal history in order to develop or maintain a covert identity where there is not an intention to engage with the subjects of an investigation or operation.
9. The report makes a total of 49 recommendations across policies, systems, training and leadership of undercover operations which HMIC feel are necessary to address the inconsistencies and shortcomings identified by the inspection. Of these, 15 have been assessed as being relevant to all forces to consider, with the remainder for national lead organisations to implement.
10. The recommendations relevant to forces are reproduced in Appendix A. The report was received in Force in mid-October 2014 and the recommendations are currently being assessed by subject matter experts and have not yet been incorporated into an action plan. Your Sub Committee will be able to see the progress the Force makes against recommendations as the Appendix will be an ongoing feature of future update reports.

PEEL Assessment

11. On 27th November 2014, HMIC will publish its first 'interim' PEEL assessment. PEEL (Police Effectiveness, Efficiency and Legitimacy) is being introduced by HMIC as a regular series of annual assessments looking at the areas cited above, which are to be known as the 'three pillars'. Each pillar will be assessed against a series of high level questions (13 in total).
12. The questions will assess how well the Force:
 - carries out its responsibilities including cutting crime, protecting the vulnerable, tackling antisocial behaviour, dealing with emergencies and other calls for service (*effectiveness*);
 - provides value for money (*efficiency*); and
 - operates fairly, ethically and within the law (*legitimacy*).

13. Each pillar will be graded (Outstanding, Good, Requires Improvement and Poor), although the interim assessment will only provide a grading for the Efficiency pillar as HMIC does not consider it has sufficient evidence to grade the other two pillars.
14. The evidence for the grades will come from inspections that have been conducted over the preceding 12 months. The interim assessment will therefore draw on the results of the inspections conducted since November 2013² to inform the findings which will be published on HMIC's PEEL website.
15. The website will present a high level narrative judgement for each pillar together with an overall assessment of the force based on the HMI's professional judgement. Readers will be directed to individual inspection reports for detailed findings.
16. HMIC will continue to conduct thematic inspections based on either perceived risk or as commissioned by the Home Secretary. The results of those inspections will provide supplementary evidence for the annual series of inspections that will constitute the PEEL assessment.

Future HMIC reports

17. Since your last Sub-Committee, the Force has received advance copies of the proposed reports examining Integrity and Corruption in the Police Service, and the Interim Crime Inspection. As these reports have not yet been formally published they cannot be included within this report, however, they will be reported to your next available Sub Committee. As with all other Force reports conducted over the past 12 months, the findings from these reports will inform the Interim PEEL assessment to be published on 27th November 2014.

Conclusion

18. The Force continues to consider and adopt relevant recommendations from the findings of HMIC inspections to continuously improve its internal processes and ultimately service to the public. Members should be reassured by the Force's approach and track record for implementing recommendations of HMIC reports. The information presented to your Sub Committee will allow Members to continue to provide strategic governance and scrutiny to drive this important area of work.

Appendices:

Appendix A- HMIC Recommendations being managed by the City of London Police.

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² "Valuing the Police 4", "Making Best Use of Police Time" (Core Business), "Crime Data Integrity", "Police Integrity and Corruption", "Strategic Policing Requirement" and "Interim Crime"