

ORIGINATOR: CHIEF CONSTABLE

PAPER NO: AP18/64

**SUBMITTED TO: ACCOUNTABILITY AND PERFORMANCE PANEL -
14 DECEMBER 2018**

**SUBJECT: PROGRESS AGAINST HMICFRS INSPECTION
RECOMMENDATIONS**

SUMMARY:

1. This report provides an overview of progress made by the Constabulary against a number of recommendations set by the HMICFRS as a result of recent inspections.

RECOMMENDATION:

1. The Accountability and Performance Panel is asked to note the contents of this report.

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

Overview of Inspections

- 1.1 HMIC is now known as HMICFRS (Her Majesty's Inspector of Constabulary and Fire and Rescue Services) since they also took on responsibility for inspecting the Fire Service in 2017.
- 1.2 This report is intended to provide an update on the outstanding recommendations and areas for improvement (AFIs) for Suffolk Constabulary as identified by the HMICFRS through their inspection activity. This paper focuses specifically on the HMICFRS reports into Efficiency, Legitimacy and Effectiveness (collectively known as PEEL).
- 1.3 Each HMICFRS inspection considers a core set of questions and results in an overall grading and a series of recommendations and AFI's which forces are required to act on and report back to HMICFRS in future inspections.
- 1.4 For 2018/19 and beyond, HMICFRS are taking a new approach to their inspection regime and have introduced a new Integrated PEEL Assessment (IPA) which incorporates the pillars of Effectiveness, Efficiency and Legitimacy. The areas which each force will be inspected upon is decided using a risk based assessment (RBA).
- 1.5 This year Suffolk will be inspected on the following areas, some of which are mandatory and some identified through RBA;

How effective is the force at investigating crime and catching criminals? (RBA)

How effective is the force at protecting those who are vulnerable from harm and supporting victims? (Mandatory)

How effective are the force's specialist capabilities? (Mandatory)

How well does the force plan for the future? (Mandatory)

How well does the force ensure that its workforce behaves ethically and lawfully? (Mandatory)

How well does the force treat its workforce with fairness and respect? (Mandatory)

- 1.6 AFIs and recommendations for all forces can also arise from the national reports. These do not just relate to police forces and are usually higher level which can relate to changes in practice and policy, for example recommendations for the College of Policing to publish guidance or authorised professional practice on a particular subject matter.
- 1.7 Alongside the PEEL process, HMICFRS will also inspect forces on key thematic areas, usually requested by the Home Office. These usually relate to crime types where there have been concerns raised about the level of service provided, or triggered by a national event. Thematic inspection reports will not usually result in a force receiving a grading but there will be AFIs and recommendations arising, where appropriate. Suffolk Constabulary was inspected in March 2018 on Hate Crime with a specific focus on Disability. The report was published in July 2018.

Management of AFIS and Recommendations

- 1.8 HMICFRS has recently introduced a recommendations register which details the outstanding recommendations for all 43 forces and outlines the progress updates against each. This is currently only available for forces to view but this will be made public on the HMICFRS website in the future.
- 1.9 The recommendation updates are submitted by the Force Liaison Officer (FLO) through the Force Liaison Lead (FLL) for sign off prior to upload on the recommendations register. HMICFRS then allocate a status for each recommendation of “new”, “being progressed”, “awaiting review” and “completed”.
- 1.10 HMICFRS terminology dictates that whilst live the recommendation is allocated a status of “being progressed” and once HMICFRS are satisfied that it has been completed this will be update to “awaiting review” subject to final sign off by a dedicated decision maker. This will then be completed and will not appear on the live register but will be available to view through an historic search.
- 1.11 Each PCC has a statutory requirement to comment on the content of the report and the arising recommendations within 56 days of publication. The update is then submitted through the Home Office. This is in conjunction with or in response to any comment by the Chief Constable. The HMICFRS plan to add the PCC comments to the recommendations register in the near future.
- 1.12 The FLO will be responsible for circulating any new reports, published by HMICFRS, to the Chief Officer Team and Suffolk Senior management team, as well as the OPCC. The OPCC will then be responsible for ensuring the PCC submits the PCC response within the statutory time limits.
- 1.13 The agreed process for local governance of the recommendations will be done through the monthly 2025 strategic board, which is chaired by the ACC for local Policing. Any new published reports will be discussed and an appropriate individual identified as the recommendation owner. They will also be responsible for reviewing the report to identify any best practice or potential improvement opportunities to be flagged to the 2025 team.
- 1.14 The report owner will also be responsible for collating the Chief Constable response and submitting it to the OPCC for PCC comment. It will then be the responsibility of the recommendation owner to ensure appropriate progress is made against each of the recommendations and regular updates are provided to the FLO. Governance of the process and a review of progress will be done through the monthly 2025 Strategic Board with any action points recorded for audit and oversight. Reporting back to the PCC will be through the six monthly APP meetings.
- 1.15 Attached at Appendix A is the current “live” (Being progressed) recommendations for Suffolk with updates on progress,

2. HMICFRS REPORT – UNDERSTANDING THE DIFFERENCE: THE INITIAL POLICE RESPONSE TO HATE CRIME

- 2.1 In 2016, the former Home Secretary commissioned HMICFRS to carry out an inspection of police forces’ understanding of, and response to, hate crime of all types.
- 2.2 As part of this national thematic Inspection, HMICFRS visited six forces and in addition to the general approach to hate crime in each force HMICFRS looked at the approach that the force had taken to one specific strand.

2.3 The six forces visited, and the specific strands considered, were:-

- Avon and Somerset Constabulary – locally-defined hate crime;
- Greater Manchester Police – transgender identity;
- Gwent Police – sexual orientation;
- Nottinghamshire Police – race;
- Suffolk Constabulary– disability;
- West Yorkshire Police – religion.

2.4 The HMICFRS published the national report in July 2018.

2.5 In September 2017, the Safer Stronger Communities Group (SSCG) discussed a number of issues in relation to hate crime following a stakeholder engagement event in 2016. This highlighted the need for service improvements for victims of hate crime in Suffolk.

2.6 In December 2017, Superintendent Kerry Cutler was requested to lead the Constabulary's preparation for the inspection by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS). As part of the initial preparation work undertaken Superintendent Cutler identified a number of key areas requiring improvement:

- Preventing hate crime;
- Responding to hate crime in our communities;
- Increasing the reporting of hate crime;
- Improving support for the victims of hate crime;
- Building our understanding of hate crime;
- Improve the quality of our investigations.

2.7 Following the initial HMICFRS thematic inspection early work was commenced in partnership with Suffolk County Council to develop a county wide approach to tackling hate crime. Since January 2018 an officer within the Community Safety Team at Suffolk County Council has been identified to lead the work, and as part of the Constabulary 2025 plans Superintendent Cutler was appointed as the force lead to drive forward change. This has resulted in a joint continuous improvement plan and developments in key partnership areas to ensure the work around hate crime is more joined up, informed by data and victim led.

2.8 The vision is to provide a quality service to victims, their families and the wider community and the plan has three key objectives:

- Raise awareness of hate crime;
- Encourage reporting;
- Prevent and challenge prejudices that lead to acts of hate crime.

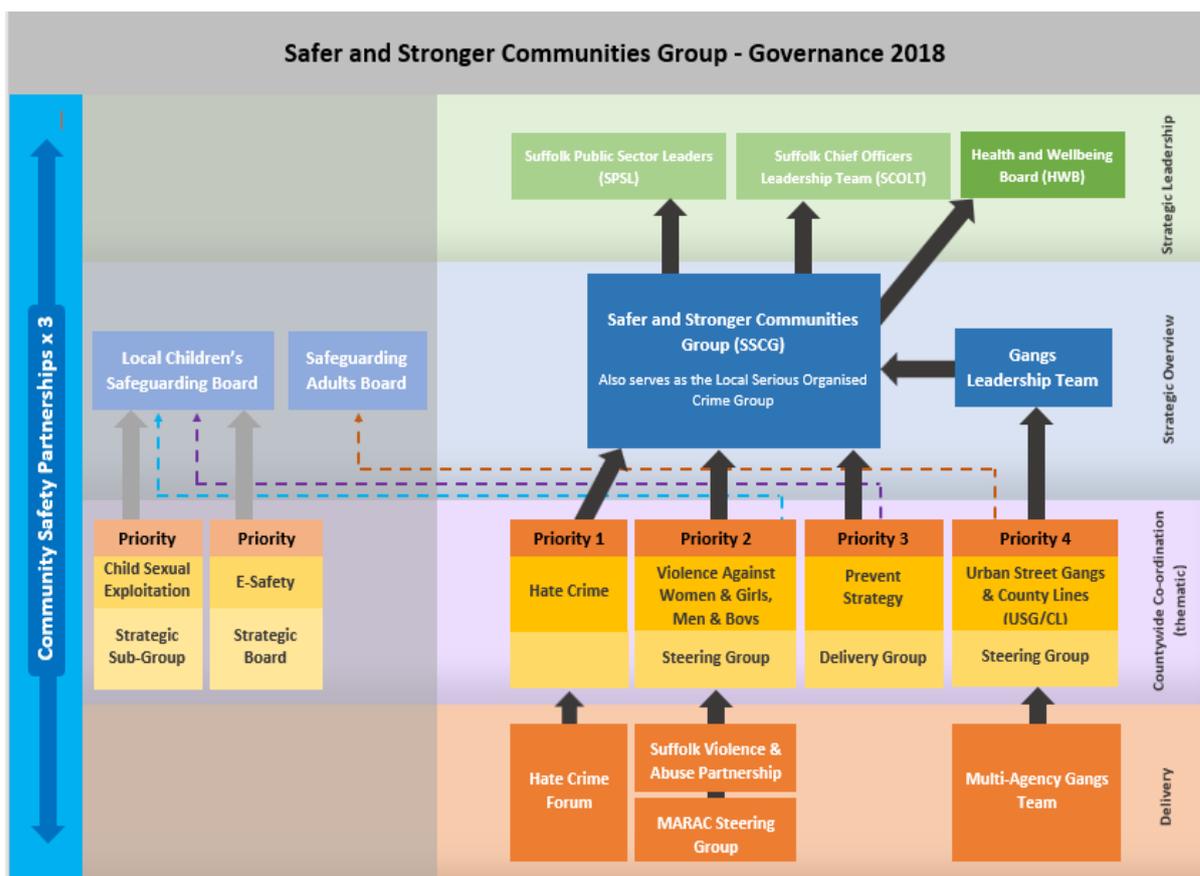
2.9 The plan was further reviewed to ensure it encompasses the recommendations from the HMICFRS thematic 2018 report 'Understanding the Difference - The Initial Police Response to Hate Crime' which was published in July. The plan focusses five key areas to tackle hate crime from beginning to end – from understanding the drivers of hate crime and dealing with its causes to providing improved support to victims.

Governance, Leadership and Accountability

2.10 To provide system wide strategic support to a multi-agency Hate Crime Network (HCN) and ensure there is co-ordination and communication between stakeholders

within the system. This includes an action to monitor the adherence to the victim's code of practice by Suffolk Police.

- 2.11 Delivery of the action plan will be overseen by the lead officers responsible for the actions, the wider Hate Crime Network and the Police Internal Hate Crime Working Group. Progress will be reported back to the Safer Stronger Communities Group, and internally to the Constabulary Vulnerability Board.
- 2.12 Internally, a Hate Crime Working Group has been established by Superintendent Cutler to progress actions. The Working Group is made up of representatives from across the Constabulary and also from Staff Associations including SEPA, LGBT, SAWP and the Christian Police Association.



Preventing Hate Crime

2.13 This reflects the importance of preventing hate crime happening in the first place. It looks at the role the wider partnership arena, such as Community Safety Partnerships (CSPs), Schools and front line officers, can play to prevent and challenge those attitudes that can lead to discrimination and divisions within society. It also gives direction towards cyber related hate incidences to better understand the levels and response.

Increasing Knowledge

2.14 Through a closer working relationship between Suffolk County Council, Suffolk Police and the wider Hate Crime Network there is the opportunity to draw upon a wide range of data (police recorded hate crime and non-police reported incidences) and expertise to better understand the drivers of hate crime, and how it can be addressed.

Enhancing the ability to flag incidences of hate crime on Athena will allow better direction of resources and prevalence of incidences.

Increasing Reporting and Improving Support

- 2.15 In order to respond to victims, there is a need to ensure that the process of reporting crimes and incidents is as easy as possible, whether this is through the police or other reporting mechanisms. The ambition for Suffolk is to have third party reporting through a wide range of partners, enabling victims to have the ability to report and receive support at the same time. Work needs to be done to encourage reporting from groups who may under-report, such as disabled people, Muslim women and new refugee communities.
- 2.16 Norfolk and Suffolk Victim Care (previously known as Victim Support) have been commissioned by the Police and Crime Commissioner to offer emotional and practical support to victims of Hate Crime. The service is free and confidential, and referrals can be made by the police, partner agencies or self-referral.
- 2.17 The Constabulary will also look to work effectively with perpetrators, working with youth offending and through the principles of restorative justice where appropriate. Good news stories will also be publicised to increase the confidence of victims to report hate crime.
- 2.18 As part of the 2025 changes, the Southern Area Neighbourhood Partnership Team (NPT) has lead thematic responsibility for hate crime and activity is now being driven by an Inspector and Sergeant. In addition, a new staff role of Diverse Communities Co-ordinator was created. The purpose of this role is to assist with the development, promotion and maintenance of positive recruitment initiatives by effective engagement with local communities. To ensure the application of diversity and equality related legislation and to provide tactical advice across the organisation as appropriate. To support the organisation in promoting effective initiatives focussed on protected characteristics.

Improve the Quality of Investigations

- 2.19 This area is mainly led by the Constabulary but will be supported by the wider system where appropriate, and supports the overall vision. Using internal scrutiny processes the Constabulary can work on the quality of investigations, and ensure a better approach to dealing with the criminal proceedings for hate crime offenders and support to victims. This is a new process to ensure officers are involved with the scrutiny process. The constabulary already takes part in the Crown Prosecution Service East of England Hate Crime Scrutiny & Involvement Panel.
- 2.20 The purpose of the internal Panel is to provide the open and transparent scrutiny review of hate crime investigations conducted by the Suffolk Constabulary. The panel will meet on a quarterly basis and at each meeting will review six investigations. This will comprise of six hate crimes randomly selected from the panel's area. Each investigation selected for review will involve cases where the Constabulary has taken the decision to take no further action (NFA) against an identified suspect. All cases must not be subject to sub judice. As part of the panel an independent member (external to the constabulary) is being identified. An initial panel has been held and Staff Associations attended as observers.

3. FINANCIAL IMPLICATIONS:

- 3.1 All of these streams of work will have financial implications for the Constabulary, which are managed by the departments assigned to ownership of each of the identified AFIs or recommendations.

4. OTHER IMPLICATIONS AND RISKS:

- 4.1 None

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No
Has the PCC's Chief Finance Officer been consulted?	No
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	No
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	No
Has communications advice been sought on areas of likely media interest and how they might be managed?	No
Have all relevant ethical factors been taken into consideration in developing this submission?	Yes