

Chief Constable's Report
to
Kent Police and Crime Commissioner's Performance and Delivery Board

INSPECTIONS, AUDITS & REVIEWS

Wednesday 4th December 2019

Updated for Wednesday 4th March 2020

1. Strategic Overview.

Policing is an increasingly regulated public service and the overarching responsibility for governance is set out in the Police Reform and Social Responsibility Act 2011. The legislative framework is complemented by the Policing Protocol 2011 (which came into force in January 2012) and covers the scope of the Act and the specific responsibilities of the key stakeholders including both the Police and Crime Commissioner (PCC) and the Chief Constable. Amongst those responsibilities the protocol states the PCC should: 'scrutinise, support and challenge the overall performance of the Force' and the utilisation of Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS) inspections and others audits and reviews of the force enables the PCC to monitor specific areas of the force that are third party under scrutiny.

2. Aims of the report.

This report will record the key detail of the latest or ongoing inspections, audits or other reviews that have taken place since the last PCC Performance and Delivery Board on 25th September 2019.

3. Her Majesty's Inspectorate of Constabulary and Fire and Rescue Service (HMICFRS).

The role of HMICFRS is to inspect and report on the efficiency and effectiveness of police forces and specified national police agencies. HMICFRS's overall objective is to provide, in the public interest, independent and professional assessments of police efficiency, effectiveness and legitimacy for the public, their elected representatives and the police.

3.1 HMICFRS PEEL Inspection 2018/2019.

As previously reported, the force continues to address the specific areas for improvement (AFI) following the PEEL inspection in December 2018. We have also looked at the broader narrative coming from our 2018/19 integrated PEEL report, and have sought to distil from this material other important areas/issues where improvement could and should be made. The Chief Constable has made clear his intention to tackle effectiveness, with investigations and better support to victims being at the heart of that work.

The HMICFRS Force Lead Liaison (FLL) visited the force on 28th October 2019 to review progress against the AFIs from PEEL and recommendations from other national HMICFRS reports. The AFI relating to 'investigations' was not reviewed during the recent visit however this is planned for mid-November 2019. In respect of the remaining AFIs positive feedback was received. The FLL has advised that some additional reality testing will be carried out in the coming months and if this provides a satisfactory outcome the AFIs will be closed.

Since the submission of the last paper the areas for improvement (detailed below) in respect of counter corruption, FCR and IMU have been signed off and closed by HMICFRS.

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- The force should ensure it: has sufficient capacity and capability in its counter corruption unit to be effective in its proactive approach to counter corruption; has full information and communications technology (ICT) monitoring to effectively protect the information contained within its systems; and builds effective relationships with the groups and organisations that support and work with vulnerable persons.
- The force should, within three months, review its incident management unit recovery plan to ensure it gives victims an appropriate service.
- The force should within three months review its use of THRIVE within the control room and the incident management unit (IMU) and ensure that staff understand the importance of correctly assessing incidents.

In respect of Investigations and POLIT (detailed below), Darren is happy with the verbal updates provided and will continue to monitor progress.

- The force should ensure it progresses cases effectively, even if the victim does not support the investigation, and that officers understand the importance of this.
- The force should review demand and capacity in its police online investigation team (POLIT) and reduce the backlogs in the department.

3.2 HMICFRS Publication - The Poor Relation: The Police and CPS Response to Crimes Against Older People.

As detailed in the last report, on 17th July 2019 the HMICFRS published their national report into the police and CPS response to crimes against older people. The police were praised in the report for their initial dealings with older victims but found that officers struggled to deal with some of the complex needs of older people. This leads to a lack of safeguarding, inconsistent referrals to support services and varying levels of support to give best evidence. Recommendations and areas of improvement were identified for National Police Chiefs' Council, Crown Prosecution Service, College of Policing and Chief Constables.

Kent Police were not inspected as part of the review however Chief Constables have received four recommendations and one area for improvement. The recommendations have been reviewed by D/Chief Superintendent Pritchard (Head of Protecting Vulnerable People) and action has been instigated to ensure the service provided to older victims of crime is enhanced.

The recommendations, AFI and a brief summary of the current position is detailed below:

1. Chief constables should make sure that victim needs assessments are always completed.

Witness Care Unit complete the post charge needs assessments. These are offered to all victims of crime for guilty and not-guilty anticipated plea charges. Pre-charge assessment is the responsibility of the attending officer and/or OIC. In order to fully understand our compliance in this area the Force Inspectorate have recently undertaken an inspection, the findings of which will be reported to the Head of Victim Justice and Head of Protecting Vulnerable People in due course.

2. Chief constables should conduct analysis of the current and future demand for adult safeguarding, including the gap in knowledge that may exist from those cases where referrals aren't made because of errors or omissions. This analysis should be incorporated into force management statements (FMS).

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An 'Older Adults Analysis and Forecast' document was produced within the Central Analytical Team in September 2019. The report contained current and future demand predictions for the next five years. This product will be used to inform work undertaken by the Force Change Team and will also be a key product for the new PVP Chief Inspector portfolio owner and assist in their production of an action plan. This will help to ensure the force is effectively assessing and managing work in this area. This also sets a good framework of data, necessary to inform FMS 2020. One of its main objectives being to inform current and future demand and focus attention on where changes need to be made.

- 3. Chief constables should work with Police and Crime Commissioners and their mayoral equivalents, and other relevant organisations, to review whether victim support services can be provided in a better way.*

On examination of existing processes it is felt that the force's victim services commissioned by the Office of the PCC are likely to be considered as good practice and be adaptable to the needs of vulnerable older adults identified.

- 4. Chief constables should ensure that adult safeguarding referrals are always made when appropriate, with effective processes in place to make sure this happens. The NPCC lead for adults at risk should advise chief constables as to how this is best achieved.*

The force has strong mechanisms in place for identifying risks of financial abuse and safeguards appropriately. Identification of older and vulnerable adult risk is routinely undertaken and referrals to social care made however the numbers are relatively low compared to other vulnerabilities (children in particular) and pertain mostly to clearly identified safeguarding risks e.g. care abuse, rogue traders, and financial abuse.

- 5. Chief constables should find good ways to assess the current demand on the police made by older people. These assessments should include a prediction of future changes in demand, account for the work of other organisations and be incorporated into FMS.*

As per the update provided for recommendation 2, an 'Older Adults Analysis and Forecast' document was produced within the Central Analytical Team in September 2019. The report contained current and future demand predictions for the next five years. This product will be used to inform work undertaken by the Force Change Team and will also be a key product for the new PVP Chief Inspector portfolio owner and assist in their production of an action plan. This will help to ensure the force is effectively assessing and managing work in this area. This also sets a good framework of data, necessary to inform FMS 2020. One of its main objectives being to inform current and future demand and focus attention on where changes need to be made.

Progress of recommendations continues to be monitored through the governance structures in place overseen by the Deputy Chief Constable and Deputy Chief Officer, with formal sign off undertaken by the force's HMICFRS FLL.

HMICFRS FLL Darren Alderson met with the action owners on the 5th December 2019 and was happy with the progress being made in relation to the recommendations. Darren intimated he will look to review again in March 2020.

3.3 HMICFRS Publication – National Child Protection Inspection (Kent).

On 5th September 2019 the HMICFRS published the findings of their inspection of police child protection services in Kent, which took place in April 2019. The force was commended for providing a good service to children and placing child protection issues as a high priority. The report identified a number of areas of good practice including leadership, governance and oversight, dedicated

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resources, effective working arrangements with partners and specialist roles in key areas. Protecting the most vulnerable people in society, including children, is of paramount importance to the force and underlines everything officers and staff do. The force is pleased the report recognises the excellent work being undertaken in this area and the commitment of the force's leadership to protecting children.

The HMICFRS also identified some areas which required improvement and as a result the force result received seven recommendations (detailed below). The force accepts these recommendations and following the inspection in April 2019 put in place a comprehensive plan to address and improve our services further to ensure our provisions for protecting the most vulnerable members of society are the best they can be. The action plan which sets out the activity to be undertaken to address the recommendations has been shared with HMICFRS.

The recommendations and a brief summary of the current position is detailed below:

- 1. Kent Police should review its assessment processes within the force control room, to ensure that child protection incidents are appropriately prioritised. This should include the creation of response or 'trigger' plans for those children frequently reported missing.*

There is now an action plan in place for all CP recommendations, managed at the PVP Child Centred Policing Board. A review of current systems and processes within the Force Control Room has been undertaken to ensure the appropriate prioritisation of child protection related incidents. In addition, a review of current systems and processes where children are frequently missing has been carried out and re-design of the approach to ensure consistency has been implemented. Work is on-going in this area and many sub-actions have been satisfactorily addressed.

- 2. Kent Police should review referral processes for domestic abuse cases involving children to ensure that relevant information and risks are shared appropriately with the local authority (this should include a review of processes within the central referral unit to ensure that cases involving cumulative risk and hidden harm are correctly identified).*

Work is being progressed in relation to six key areas. The Central Referral Unit (CRU) are conducting checks to enhance the understanding of risk and context when passing information to Children's Services and other partners. Op Encompass has been rolled out across the county with plans in place to meet with the Head of Education and the Director of Children Missing in Education to discuss the creation of an SLA. Improvements are being made to ensure there is an effective flow of information regarding children and families to ensure the appropriate action is taken. Officers are being reminded of their responsibility to contact the CRU during incidents where children are present. A new process will be implemented to ensure daily intelligence is reviewed. An escalation process has been implemented to ensure issues effecting timeliness were identified and resolved expeditiously.

- 3. Kent Police should undertake a review jointly with children's social care services and other relevant organisations to satisfy itself that its management of children in police detention is appropriate and reflects the standards of current national best practice.*

There is a 12 point action plan in place to ensure this recommendation is met. It involves agreed plans with key stakeholders from Kent County Council, local NHS Partnership Trusts, Kent Police Custody lead and the Children's and Young People Manager. Amongst other things Transfer Agreements are being reviewed, statutory responsibilities and national guidance have been re-circulated, Trauma Informed Policing and Adverse Childhood Experience (ACE) awareness is being delivered and a training video on the 'Voice of The Child' has been widely circulated. Internally, a review is underway to ensure that process and efficiency around

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detention certificates is appropriate when a juvenile is brought into custody, ensuring Children's Social Care are notified.

4. *Kent Police should take steps to ensure that it records all relevant information properly and makes it readily accessible in all cases where there are concerns about the welfare of children. Guidance to staff should include:*
- *reinforcing the importance of 'golden hour' principles to secure best evidence of offences;*
 - *ensuring that children's concerns, behaviour and demeanour are recorded; and*
 - *making sure that effective safeguarding measures are implemented.*

A review of the Multi Agency Safeguarding Hubs (MASH) model and functionality is underway to identify best practice. In addition the Kent Police Child Abuse policy is under review to ensure best practice is reflected within this document.

A key theme within the Quality Policing campaign is recording areas of vulnerability. Part of this includes planned work with Corporate Communications to enhance the wealth of domestic abuse related guidance already in existence by creating a more intuitive interface to assist officers and staff in finding guidance with ease. Policies will also be stream lined with a vision of moving towards aide memoirs, tool kits and flowcharts. Learning and Development will be creating a series of videos to cover golden hour principles, identifying and recording children's concerns, even when they have been unable to speak with a child directly, ensuring effective safeguarding measures are in place.

5. *Kent Police should produce a plan to improve its child protection investigations, paying attention to:*
- *undertaking risk assessments that consider the whole of a child's circumstances and risks to other children;*
 - *improving the oversight and management of cases (to include auditing child abuse and exploitation investigations to ensure that standards are being met);*
 - *the accuracy and timeliness of recording activity and planning;*
 - *ensuring that investigations are allocated to those with the skills and experience to manage them effectively.*

The Force Control Room are reviewing activity to ensure that during initial contact child vulnerability is considered and the voice of the child is heard in order that risks are identified and addressed. This will include the issue of Dynamic Risk Assessments (DRA) in fast moving scenarios. In addition, Learning and Development are reviewing their learning programmes to ensure that child vulnerability is considered and the voice of the child is heard. Beyond this, the force has recently employed a Head of Crime Policy and Investigation Standards. Whilst this is not purely for the purpose of Child Protection, changes will most certainly be considered with regards to skill sets, experience and investigation allocation.

6. *Kent Police should take steps to ensure that it records all relevant information properly and makes it readily accessible in all cases where children are taken into police protection. Guidance to staff should include:*
- *guidance as to what information they should record (and in what form) on their systems to enable good-quality decisions; and*
 - *an emphasis on the importance of ensuring that records are made promptly and kept up to date.*

Plans are underway to address this recommendation, activity includes dip testing to understand any gaps in recent/current police protections. The findings of this work will be shared with partners in the Central Referral Unit to support and underpin further work. A review of the guidance and training provided to officers and staff dealing with police

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protections is being undertaken along with a review of processes within the Central Referral Unit around how police protections are recorded and stored.

- 7. Kent Police should review its approach to providing appropriate information on registered sex offenders to neighbourhood police teams and ensure that staff in the MOSOVO teams understand their responsibilities to make appropriate referrals when they consider that a child may be in need of safeguarding support.*

Activity is underway to address this recommendation. The Central MOSOVO team have conducted in house reality testing, identifying areas for improvement and ensuring these are implemented. In addition contact is being made with other forces to identify best practice. Further reality testing will be carried out in early 2020 to assess whether changes have embedded successfully.

The HMICFRS have advised they will revisit the force early next year which is thought to be around February/March 2020 to assess progress. The recommendations and action plan continue to be monitored through the Child Centred Policing Board with oversight by both the Deputy Chief Constable and Deputy Chief Officer. Formal sign off is undertaken by the force's HMICFRS FLL.

3.4 HMICFRS Publication – PEEL Spotlight Report: Shining a Light on Betrayal (Abuse of Position for a Sexual Purpose)

On 27th September 2019 the HMICFRS published their national report entitled 'Shining a light on betrayal: abuse of position for a sexual purpose'. The report was published as part of the HMICFRS's ongoing annual assessment of PEEL and draws on findings from all 43 forces.

The report summarised that forces were demonstrating progress and understanding in respect of corruption. The inspection also identified some forces were felt not to be doing enough to prevent officers abusing their position for a sexual purpose. The report sets out five recommendations, three of which were directed at Chief Constables.

As a result of Kent's PEEL inspection in 2018-19, HMICFRS highlighted an AFI in respect of the capacity and capability of the Counter Corruption Intelligence Unit (CCIU). Following the inspection a comprehensive plan was put in place to address and improve the counter corruption provision for the force. Two of the three recommendations detailed in the national report were already known to the force and being reviewed and progressed where appropriate. The force is confident improvements in the capacity and capability of counter corruption have been made to ensure Kent is able to prevent, detect and deal with serious corruption. As detailed in paragraph 3.1 positive feedback on the AFI progress was received following our FLL visit.

Progress is monitored through the governance structures in place overseen by the Deputy Chief Constable and Deputy Chief Officer with formal sign off undertaken by the force's HMICFRS FLL.

Following reality testing by HMICFRS, all four recommendations (detailed below) have been signed off and closed.

- By July 2020, all forces that haven't yet done so should vet all personnel to the appropriate standard. Forces should also have a clear understanding of the level of vetting required for all posts, and the level of vetting held by all their officers and staff. Forces should make sure all personnel have been vetted to a high enough level for the posts they hold.
- By April 2020, all forces that haven't yet done so should: record corruption using the national corruption categories; produce a comprehensive annual counter-corruption strategic threat assessment, in line with the authorised professional practice; and establish regular links between

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their counter-corruption units and those agencies and organisations who support vulnerable people.

- Where forces are yet to implement an effective ICT monitoring system that allows them to monitor desktop and handheld devices, they should do so as soon as reasonably practicable. By September 2020, all forces should have completed a review of their use of encrypted apps on police ICT systems to understand the risk they pose and to take any necessary steps to mitigate that risk.
- By April 2020, all forces that haven't yet done so should make sure they have enough people with the right skills to look proactively for intelligence about those abusing their position for a sexual purpose, and to successfully complete their investigations into those identified.

3.5 HMICFRS Publication – Keep the light on – An inspection of the police response to cyber-dependent crime.

On 24th October 2019 the HMICFRS published their national report entitled 'Keep the light on – An inspection of the police response to cyber-dependent crime'. The inspection took place between April and June 2019 across ten police forces. Recommendations and areas for improvement were identified for the Home Office, Cabinet Office, National Police Chiefs' Council, National Crime Agency, City of London Police and Chief Constables.

The report was positive in respect of working arrangements between law enforcement agencies, identification and response to emerging threats and the development of local cyber-dependent crime teams. Concerns were raised however in respect of financial sustainability, understanding of demand and too many local variations in delivery. As a result the report recommends the government should consider the establishment of a national policing response.

Kent were not inspected however the Regional Organised Crime Unit (ROCU) to which Kent are aligned was included within inspection activity. All Chief Constables received one area for improvement which focused on how the force makes use of cyber specials and volunteers. The area for improvement has been reviewed by Mr McKinnon (Director of Corporate Communications and Citizens in Policing) and an evaluation is underway.

In addition, as with all national reports, the force has reviewed the findings to ensure all important areas or issues where improvement could be made are identified and assessed. Progress of the area for improvement will be monitored through the Deputy Chief Constable and Deputy Chief Officer with formal sign off undertaken by the force's HMICFRS FLL.

3.6 HMICFRS Publication – Value for Money (VfM) Profiles.

On 31st October 2019 the HMICFRS published the 2019 Value for Money (VfM) profiles for each force. The VfM profiles provide comparative data on a wide range of policing activities from 2012 up to 2019/20 and allows for detailed analysis of:

- how much forces spend on different policing activities;
- how crime levels compare across forces, as well as what outcomes forces achieve; and
- workforce costs, broken down by role, rank and gender.

The VfM profile will be reviewed by Corporate Finance in due course to identify any areas where the force is an outlier and evaluation undertaken to understand the reasons for this.

3.7 HMICFRS Counter Terrorism Inspection (CT5).

Since the last PCC Performance and Delivery Board, the force has been subject to an HMICFRS inspection in relation to counter terrorism. The inspection looked to test the capability and capacity of the force response to a terrorist attack, establish the armed capacity of the force and assess the regional and national interoperability arrangements in place.

The inspection took place between the 15th and 17th October 2019 with fieldwork comprising of interviews and focus groups with staff central to a terrorist attack response. These included the Assistant Chief Constable (ACC) with responsibility for firearms, incident managers, tactical and strategic firearms commanders, silver and gold commanders and initial responders such as armed response vehicle officers and Counter Terrorism Specialist Firearms Officers (CTSFO).

At the end of the inspection a debrief with the lead Inspection Officer took place, the feedback was very positive. The HMICFRS intend to submit a single thematic report, combining evidence from England, Wales and Scotland, to the Home Secretary by 31 March 2020. Individual reports for forces will not be provided.

4. Internal and External Audit Functions.

4.1 External Audits.

As reported at the September Performance and Delivery Board the Final Accounts for the PCC and Kent Police Group as well as those of the Chief Constable were published according to the statutory timetable on 31st July with an unqualified audit opinion.

The Force Chief Finance Officer and Commissioner's CFO met with the audit director, manager and lead auditor in October for a planned review to discuss the audit process and to establish any lessons learned which could be applied by either party to improve the process for the 2019/20 Accounts. The meeting went well and the auditors were extremely complimentary about the work of the Finance Department and the confidence they have in the quality and timeliness of the work contributing to the year-end process. This led to confirming a similar timetable to the 2018/19 close-down with the auditors and will allow for a review by the Joint Audit Committee prior to planned publication of the Draft Accounts in early May. It is worth noting that not all forces or local authorities were able to meet the July deadline, some for technical reasons and some for capacity issues with their auditors being unable to complete the work by the end of July. Kent's standing with our auditors help us to remain at the forefront of the timetable and have enabled us to avoid these issues.

Our auditors will be on site again next month to begin their work on the 2019/20 close down and undertake process walk throughs. They will return in February to review the 'soft-close' (months 1 to 9) which enables them to review the remaining three months more quickly in May and speeds up the audit process considerably as well as facilitating the flagging up of any issues early in the year-end cycle and allows time for clarifications or corrections if necessary.

4.2 Internal Audits.

The 2019/20 agreed internal audit programme is shown in the table below. This programme has been agreed between the auditors, RSM, the Deputy Chief Officer, Commissioners CFO and Force CFO as being the primary areas we seek assurance on. The programme may be subject to a degree of change if necessary in order to accommodate periods of leave or other absences.

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Audit	Planned start	Status
Body-worn video (Joint)	02/05/2019	Draft report issued 18/06/19
Risk Management	20/05/2019	Fieldwork complete but awaiting evidence – technical issue around submitting evidence now resolved.
IT Audit – Software Licensing follow up (Delayed from 2018/19)	22/05/2019	Complete – Reasonable Assurance
Payroll and Pension payments to HMRC	30/09/2019	Fieldwork underway – delayed due to the auditor being ill
Firearms Storage and Destruction	03/07/2019	Draft report issued 15/08/19
Follow Up Part 1	17/07/2019	Revised draft report issued 04/10/2019
Capital Accounting and Fixed Assets	22/07/2019	Complete – Substantial Assurance
Road Risk Action Plan and Insurance (Joint)	30/07/2019	Draft report issued 04/09/19
Treasury Management	07/08/2019	Complete – Reasonable Assurance
Covert Funds	27/02/2020	Revised start date due to staff availability
General Ledger	02/09/2019	Draft issued – Force CFO providing additional evidence to auditors
Medium Term Financial Plan and Savings Plan	09/09/2019	Draft report issued 11/10/19 – Reasonable assurance
Payroll	30/09/2019	
IT Audit (Joint)	Q2/3	
Communications and Engagement	14/10/2019	Field work complete
Estates Strategy - Sale of Assets	28/10/2019	Field work complete
Creditors	18/11/2019	
Vehicle Telematics (Joint)	06/01/2020	
Follow Up Part 2	20/01/2020	

As can be seen from the table above four of the audits have been finalised at the time of writing with three providing reasonable assurance and one substantial assurance. A further five draft reports have been issued and are being chased by the Finance Team to ensure there are converted to final reports.

There are currently no concerns despite the delays in converting some of these drafts to final reports. Transferring data to the auditors for them to substantiate their findings and undertake the necessary internal scrutiny and review has proven more difficult this year although with the assistance of the Information Security team a solution has been identified which meets the force data confidentiality requirements.

5. Risks.

This paper conveys a breadth of scrutiny, governance and monitoring arrangements that are established and embedded. When these work streams are combined together they may appear to be extensive in volume. It is important to ensure that such events are where possible 'joined-up' and duplication is avoided. Overall, the outcomes of the foregoing events and processes often lead to improvement opportunities and the Force has gained a reputation for being transparent in the audit process and both receptive and responsive of the recommendations that may follow.

6. Summary.

The Force welcomes and benefits from varying levels of scrutiny and governance. This demonstrates our commitment and drive to provide the very best service to victims, witnesses and the people of Kent. The extensive programme of internal inspections also reflects the Force's commitment to provide a quality service across all of our business.