

**Report to:** Audit Committee  
**Agenda item:** 7  
**Date:** 6 December 2011  
**Subject:** HMIC liaison & proposed future  
inspection programme  
**Sponsor:** Chief Executive  
**Author:** Sam Elvy  
**For:** Information and approval

The Forum  
5th Floor North  
74-80 Camden Street  
London NW1 0EG

T: 020 7383 0259  
F: 020 7383 2655  
E: general.enquiries  
@btpa.police.uk

[www.btpa.police.uk](http://www.btpa.police.uk)

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## 1. Purpose of paper

- 1.1 To update the Committee on recent discussions with Her Majesty's Inspectorate of Constabulary (HMIC) regarding a number of issues including governance, charging and possible inspection activities for the remainder of 2011 and looking ahead into 2012.
- 1.2 To invite Members to review, discuss and as appropriate approve the recommendations set out in section 5 below.

## 2. Background

- 2.1 HMIC's relationship with BTPA and BTP is established by section 63 the Railways and Transport Safety Act 2003. The Act identifies HMIC statutory position as the inspectorate for the force but does not prescribe the matters on which, nor the frequency with which HMIC, should inspect BTP or BTPA.
- 2.2 Historically BTP and BTPA's working relationship with HMIC has been effective but relatively informal and the process for requesting inspections, agreeing costs and receiving post inspection reports has been somewhat ad hoc. HMIC has typically approached the Force and/or the Authority with proposals for forthcoming Home Office inspections and has consulted on the appropriateness and relevance of each to BTP.
- 2.3 While undoubtedly helpful in allowing BTP and BTPA to opt into the most relevant inspection activities, recently this flexibility has caused some issues around uncertainty of the timings and nature of inspections and consequently has caused some concerns about BTP and BTPA's ability to effectively schedule

time and resources to fully service these inspections. As HMIC inspection costs are not top-sliced from BTPA's central grant funding, as happens for other Home Office police authorities, there have also been increasing concerns about the unpredictability of the cost of HMIC's inspection activities. The timeliness of recent post inspection reports is also emerging as an area of concern.

- 2.4 In order to address these issues, whilst also considering possible inspection activity for the remainder of 2011 and 2012, representatives from BTP and the BTPA Executive arranged to meet the new team of HMIC liaison officers on 16<sup>th</sup> November. The remainder of this paper sets out the main issues discussed and makes recommendations for our engagement with HMIC over the coming months.

### **3. Governance and inspection costs**

- 3.1 As set out above, in recent months there has been increasing uncertainty about both the charging and reporting arrangements for HMIC inspection activity. From discussions with our HMIC team it seems that this issue has been identified by other non-geographic forces and in response HMIC has been working to develop a draft protocol which it intends to share with us and other forces that pay separately for inspections.
- 3.2 The protocol is a framework which the Authority can use to capture our own requirements but will as a minimum set out the expectations from both sides around the following;
- Total maximum spend on inspections in year
  - How many inspection/consultancy activities will be provided by HMIC for this set fee
  - Normal response times for BTPA to provide inputs to inspections/ comments on draft reports
  - Delivery periods for HMIC to produce draft and final reports
- 3.3 This arrangement would provide some certainty for BTPA around expected costs and will allow us to more effectively track the value being delivered. If all previously agreed inspection activity is not delivered the fee will be reduced accordingly and if additional work is required in year this can be commissioned and a cost calculated.

## 4. Inspection proposals 2011 and 2012

4.1 At the meeting with HMIC on November 16<sup>th</sup> a number of proposals for future inspections were discussed – these were suggested by both HMIC and following consultation with BTP Strategic Command Team. These topics are reviewed in more detail below but included;

- Follow-up ‘support and challenge meeting’ (also known as the *Valuing the Police 2* inspection) with Chief Constables and Authority Chairs
- Anti-Social Behaviour (ASB)
- IT management
- HR /People strategy
- Metal/Cable Theft
- Fatality Management

4.2 **Following-up to 2011 ‘Support and Challenge’ meeting:** BTP/A did not take part in the original inspection on this topic which explored individual force’s preparedness for the impact of the 20% funding reduction for Home Office forces arising from the recent Comprehensive Spending Review. HMIC has advised us that, while elements of this inspection might be of interest, the programmed revisit is probably of very limited value. However useful suggestions were made about the applicability of the inspection templates for IT and HR/People management discussed below.

4.3 **Anti-social behaviour:** This is a programmed inspection for Home Office forces which BTP has been invited to participate in. The draft Terms of Reference (TORs) received from HMIC is attached to this paper at Appendix A for information though the exact details of the inspection are yet to be confirmed. ASB has been a topic kept under close scrutiny by HMIC since its initial work on the report [‘insert HMIC ASB report title’]

BTP has recently been reviewed on its approach to ASB in both the ‘Report Card’ and ‘Data Quality inspections in 2011. While BTPA is yet to receive the final report on the data quality inspection from HMIC, the follow-up inspection on the ‘Report Card’ in October 2011 highlighted ongoing reservations about the effectiveness of BTP’s manual inputting processes to

effectively identify repeat victims of ASB. BTP has indicated that a new process to allow call handlers to capture this information during first contact is being put in place alongside work to explore IT solutions. Exploration of progress with this issue is an outstanding recommendation from the original inspection and is likely to be an element of the inspection proposed by HMIC (see Appendix A).

Further, due to the seriousness of the impact of this crime has on both rail passengers and staff, ASB has again been recommended by our stakeholders for inclusion as a Policing plan target in 2012/13. The proposed inspection will include research with victims of ASB and will allow BTP to assess its own quality of service against that provided by geographic forces. Taking these points into consideration the Executive is therefore minded to recommend that the Force engages in the programmed inspection on ABS.

However it should be noted here that BTP has made the following representation to the Authority against this proposal.

*BTP believe that the background to this HMIC ASB inspection is based on several recent and well publicised high profile ASB incidents outside of the BTP Policing context. These often involved the protracted repeat victimization of residential victims of crime. In particular such elongated repeat incidents that may have contributed to such victims taking their own lives, such as the woman and daughter who were killed by fire in their own car in Leicestershire.*

*Whilst this is clearly of Public and wider Policing interest the reality is that BTP do not police such residential populations, who are often unfortunately subject to this type of protracted victimisation.*

*2012 will be an extremely busy Policing year for the BTP due to the long programme of events leading up to and including the Olympics. Irrespective of the timing of such HMIC ASB inspections in early 2012 the Force is heavily engaged in delivering its armed capability and rationalizing its estate plans pre Olympics within this period. This also involves the brigading of several functions that contribute towards MTFP efficiencies and in particular the Centralised Performance and Analytical functions that would be necessary to support such an inspection. Additionally repeat victimization was highlighted*

*within the recent HMIC Inspection in October 2010 and BTP has introduced new Force wide procedures to improve this on the 27th June 2011.*

*In summary BTP we feel that both the nature and timing of the ASB Themed Inspection will only add limited value in terms of our own policing context and at an exceptionally busy time as we prepare operationally for the challenges of 2012.*

- 4.4 **IT Management & People Strategy:** As set out above HMIC has suggested that elements of the Support and Challenge inspection could be adapted for BTP/A's use at such time as we decide that HMIC intervention would add value in evaluating the impact of our current work. It is proposed here that further thought is given outside of this meeting to how, when and where this should happen.
- 4.5 **Fatality management:** This inspection has been requested by BTP though no draft TORs have been scoped to date. HMIC has suggested that, as this area of work was inspected in 2010<sup>1</sup> there may be limited value in reengaging their services on this topic at this time. However, a helpful suggestion was made by HMIC that an external force peer review could be an appropriate methodology if BTP had specific questions to answer. BTP has indicated that an external assessment of its handling of unexplained fatalities would be beneficial in assisting its strategic focus on reducing disruption. HMIC has further suggested that any significant issues identified through a peer review could then be explored by them on a consultancy basis which would allow for tailoring of the themes covered and level of advice given. BTPA recommends further discussion on these proposals to clarify the outcomes sought and the best value mechanism for achieving these.
- 4.6 **Metal/cable theft:** Somewhat surprisingly we understand that there is currently no plan for the Home Office to commission an inspection of force responses to the increasing problem of metal theft. However HMIC has indicated that it could carry out a bespoke thematic inspection of BTP in the current business year

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<sup>1</sup> As part of the report card inspection

under the overarching heading of 'serious' or major crime'. By way of initial work on a possible inspection on this topic, our ACC Territorial Policing and Crime has drawn up draft TORs which are attached to this paper at Appendix B. Subject to approval at this Committee further work will be carried out with HMIC colleagues to clarify the scope and outputs required from an inspection on this topic.

## **5. Recommendations**

- 5.1 That BTP and BTPA continue to work with the HMIC team on the development of a protocol to include an annual fixed cost, what programmed work this fee will buy us and agreed timeframes for the inputs to and outputs from future inspections.
- 5.2 That the HMIC inspections on i) ASB and ii) cable/metal theft as set out in section 4 above be discussed and approved for completion in 2011/12.
- 5.3 That further work is carried out by BTP and BTPA to identify how, where and when HMIC can add most value to the ongoing work on IT management and HR Strategy; seeking to use existing HMIC inspection templates where appropriate to allow for benchmarking.
- 5.4 That BTP initially explores the opportunity for a peer review of its fatality management practices as set out in 4.5 above. The need to invite HMIC to review any significant issues arising during 2012 can be explored thereafter.

## **6. For approval**

- 6.1 Members are invited to review and approve the proposed way forward with regard to governance and paying for future inspections at 5.1.
- 6.2 Members are also asked to review and approve the recommendations for future inspection work as set out at 5.2-5.4 above.

## Appendix A: Draft TORs from HMIC on ASB

The Forum  
5th Floor North  
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London NW1 0EG

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The three main aims involve assessing;

- How well the force understands its ASB issues,
- How well the force responds to its ASB issues, and
- What progress, if any, has been made since the inspection in 2010

To assess the first bullet point we will focus on;

- Leadership and governance
- Managing performance
- Use of NIM

And to assess bullet two we will focus on;

- Effective identification of and management of repeat and vulnerable Complainants,
- Short term and long term problem solving,
- Partnership working, and
- Victim contact

Each force will receive a detailed force feedback report.

We will again commission a survey of victims. Forces will provide us with details of at least 1200 ASB victims and we will survey at least 200 in each force.

A force level report will be produced.

We will also produce a Public Facing Report for each force amalgamating the inspection findings and survey results.

**Appendix B:**

**HMIC Metal Theft review 2012.  
Terms of Reference**

1. The existence and effectiveness of governance arrangements
2. Progress against the 57 recommendations
3. Level, quality and effectiveness of support for Areas by the central resources
4. Functionality and productivity of the DSU capability
5. Functionality and effectiveness of the Fusion unit.
6. Standard and effectiveness of communication between, management, personnel, areas and stake holders/partners.
7. Progress against areas of improvement identified in previous HMIC review.

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