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Report to: Audit Committee

Agenda item: 10

Date: 31 May 2012

Subject: BTP, BTPA & HMIC Protocol for approval

Sponsor: Chief Executive

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For: Approval

1. Purpose of paper

1.1 To invite Members to formally approve the new BTP, BTPA and HMIC tripartite working protocol.

2. Background

2.1 Members will recall that a paper was presented to the December 2011 meeting of this Committee setting out the proposed HMIC inspection activities for 2012/13 (subsequently approved in March) and introducing the work already underway to develop a more structured working relationship between the Force, the Authority and HMIC.

2.2 HMIC's statutory relationship with the Force and the Authority is established by section 63 the Railways and Transport Safety Act 2003. The Act identifies HMIC's formal position as the inspectorate for the force but does not prescribe the matters on which, or the frequency with which HMIC should inspect BTP or BTPA.

2.3 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 a decision has been made at the time based on the appropriateness and relevance of each to BTP.

2.4 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/sequencing and the nature of inspections and

consequently has caused some concerns about BTP and BTPA's ability to effectively schedule time and resources to fully service those inspections. As HMIC inspection costs are not top-sliced from BTPA's central grant funding, as is the arrangement 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 has also emerged as an area of concern.

2.5 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 met the new team of HMIC liaison officers on 16th November 2011 with a view to exploring better ways of working. At this meeting HMIC updated us that similar discussions had taken place with other non-Geographic forces (and their oversight bodies) and as a result a protocol was being developed to address some of the challenges experienced historically.

3. Purpose of the protocol

3.1 As set out above and in our paper from December 2011 there has been increasing uncertainty about the sequencing, charging and reporting arrangements for HMIC inspection activity. The draft protocol attached at Appendix A is therefore a framework by which the Force, the Authority and HMIC can formalise and capture their own requirements in relation to;

- The total maximum spend on inspections in year – to be added to the protocol on an annual basis
- How many inspection/consultancy activities will be provided by HMIC in year for this set fee
- Normal response times for BTP and BTPA to provide inputs to inspections/ comments on draft reports
- Delivery periods for HMIC to produce draft and final reports

3.2 This arrangement will provide some certainty for both BTP and BTPA around the likely timing and burden of expected activity and projected costs; it will also 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 on an ad hoc basis.

4. For approval

4.1 This document has previously been reviewed and informally approved by the BTP Strategic Command Team and the BTPA Executive; the document was also shared off line with Members of this committee early in May. Members are now invited to review and formally approve the draft tripartite protocol attached to this paper at appendix A.