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**Report to:** Audit Committee

**Agenda item:** 9

**Date:** 31 May 2012

**Subject:** HMIC report 'Without Fear or Favour': recommendations for BTPA

**Sponsor:** Chief Executive

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**For:** Discussion and approval

## 1. Purpose of paper

1.1 To invite Members to note the detail of, and key recommendations arising from, 'Without Fear or Favour' the HMIC report into police integrity and media relations.

1.2 To also consider the implications of the report for BTPA; in particular, Members are asked to review and discuss the proposed interim response from the Authority as set out in section (5) below and at Appendix A.

1.3 Subject to any further discussion during the meeting Members are invited endorse this as the interim way forward as we await publication of national standards by the Home Office.

## 2. Background

2.1 In summary, in response to high profile allegations about phone hacking HMIC was commissioned by the Home Secretary to carry out a review of police integrity and police/media relations during the autumn of 2011 with a report to be produced by December 2011. The single national report, entitled 'Without Fear or Favour', presented a series of findings and the recommendations arising, from a review of the entire police service in England and Wales.

2.2 The review looked more widely at the range of risks (and potential conflicts of interest) the police service current faces from threats of corruption and fraud. It also considered whether and how these risks were being identified and addressed and

made recommendations about the steps the police service and its governing bodies needed to be taking in the future to *'safeguard the requirement for the impartiality and honesty of policing in England and Wales[1]'.*

2.3 Members will recall that a brief overview of this HMIC report, and the key issues to be considered by BTP and BTPA, was included in the Chief Executive's report to the full Authority at its meeting in January 2012. Members will also recall that BTP, following a review by SCT, set out its own initial response in a paper from the Chief Constable presented to the full Authority in March 2012. Most recently the Authority's Professional Standards Committee received a short presentation from BTP on the key interim actions they already have underway.

## 3. Key findings

3.1 The headline messages emerging from the HMIC report included:

- There is no evidence of endemic corruption within the police service though there have been a number of serious cases
- The majority (61%) of the public also do not believe the police service is corrupt but a significant proportion think there are problems
- There is a general lack of consistency within the service about what constitutes acceptable police national standards and appropriate ways to manage risks arising from corruption and police relationships. In particular there is a need to focus on;
    a. What constitutes appropriate police/media relations and an absence of clear guidance for officers and staff on how those relationships should be managed – and specifically in relation to unauthorised release of information (leaks).

[1] HMIC (2011) *Without Fear or Favour: A review of police relationships;* p8.

b. Developing real transparency about the nature and frequency of police contact with the media
c. The levels and nature of recording of gifts and hospitality and improving compliance with internal policy
d. The level of use of government procurement cards and scrutiny of that usage should cause concern– some 5000+ cards are currently issued to police forces in England and Wales with a total annual purchasing power of £100m
e. There is a need to improve scrutiny of lower level procurement activities particularly those with a value of less than £5k

- Within the wider police service, and in more generally in the public and private sectors, there is little evidence of sufficiently sensitive and robust audit and oversight arrangements that can identify and manage the potential risks addressed by the report

- In responding to the challenge of ensuring police integrity there is a need to balance greater transparency with minimising the bureaucratic burden

- Very few forces and authorities had any of these issues on their radar prior to the emergence of the phone hacking scandal and subsequent investigation – ACPO and the APA must work together to develop this radar as soon as possible

## 4. HMIC's recommendations

4.1 The main recommendations emerging from the report are;

- Forces and Authorities should institute robust systems to ensure risks arising from relationships, information disclosure, gratuities, hospitality, contracting and secondary employment are identified, monitored and managed

- There should be clear boundaries and thresholds in relation to these matters. Such limits should be consistent and service wide

- Training courses should include appropriate input in relation to integrity and anti-corruption. In particular, given the importance of leadership to securing high standards of integrity the Strategic Command Course and the High Potential Development Scheme should encompass these issues.

- Chief Officer teams should review their corporate governance and oversight to ensure that those arrangements are fulfilling their function in helping promote the values of their force in the delivery of its objectives, and that they are, through their actions and behaviours, promoting the values of the organisation and making sure good corporate governance is seen as a core part of everyday business

- HMIC expects the service (ACPO and APA) to have detailed proposals in the above areas ready for consultation with all relevant parties by April 2012

- An assessment relating to these matters should be conducted by HMIC in October 2012 to inform PCCs and PCPs.

## 5. Implications for BTPA

5.1 The HMIC report highlights the key areas of risk BTPA (and BTP) should focus on in terms of its own internal governance arrangements and in discharging its oversight and scrutiny role. In the absence of agreed national standards on the matters above, HMIC included in its report an interim self assessment questionnaire to assist with early thinking on possible topics to review in progressing work in this area. BTPA has used this questionnaire in developing its early thinking in responding to the key recommendations within the report (see Appendix A).

5.2 In summary BTPA is likely to need to review and consider its ability to demonstrate appropriate and effective arrangements in respect of the following.

| BTPA is able to demonstrate evidence of; | In relation to the following topics; |
|---|---|
| *The existence of appropriate internal policies/guidance and supporting training<br><br>* Compliance with policies robust monitoring of compliance<br><br>* Mechanisms to capture and review any intelligence emerging from monitoring compliance regarding corruption risks<br><br>*Investigations into and use of sanctions following apparent breaches of policy<br><br>* Effective oversight of BTP's arrangements to do the same | * Counter fraud and corruption<br><br>* Media relations and other relationships<br><br>* Information management<br><br>* Secondary employment<br><br>* Sub- £5k procurement activity<br><br>* Issuing and use of procurement cards<br><br>* Use of social media |

5.3 There is clearly scope for the internal annual audit plan for 2012/13 to make a contribution to some of the activities above.

## 6. Recommendations

6.1 Members are invited to note the publication of the above report and the headline themes emerging.

6.2 Following the publication of Police Service guidance and national standards, as recommended by HMIC, that an update paper be presented to the Audit and Professional Standards Committees setting out the proposed way forward for the Authority, and highlighting key activities and risks to be addressed by each committee. In particular the Audit Committee is likely to want to reflect on the relevance of this work stream to its other activities in the coming year, such as oversight of the annual internal audit plan.

6.3 In the absence of final or draft national standards guidance for the police service from the Home Office (supported by ACPO and APA) at the time of writing this paper the recommendations set out in section 5 above and Appendix A attached are offered as an interim approach by which the Authority might begin to explore and mitigate the main risks and meeting the (duties) identified in section 5. Members are asked to review and discuss

these proposals and, if appropriate approve them as the interim way forward.