

Report to: Performance Review Committee

Agenda: 3.1

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Subject: BTPA Firearms oversight

Sponsor: Committee Chair

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For: Discussion and approval

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1. Purpose of paper

- 1.1 To provide a short summary of know firearms oversight arrangements within external policing bodies.
- 1.2 To make recommendations about appropriate equivalent arrangements for the oversight of the British Transport Police's (BTP's) firearms capability by the British Transport Police Authority (BTPA).

2. Background

- 2.1 At the May 2012 meeting of this Committee (formerly the Performance Review Group) Members received a presentation on the development of a firearms capability for the BTP. At that meeting a discussion took place regarding appropriate arrangements for the oversight of this new capability by BTPA. Guidance issued by the Association of Police Authority (APA)¹ to former police authorities in relation to firearms offers no advice on the establishment and oversight of such a capability but focuses on assessing the threat levels relating to and monitoring levels of crime in which firearms have been used.
- 2.2 A number of oversight options were therefore explored with colleagues both internally and externally. The Authority Finance Director confirmed that the internal audit function could add a review of policy compliance to the internal audit plan and, while this would enable independent testing of adherence with BTP's own processes, it would not offer any additional expert input in relation to the appropriateness of BTP's arrangements with regard to national standards for police firearms. This would also be work additional to the agreed audit plan and would attract a supplementary charge.

¹ APA (2008) Guidance for police authorities on the performance monitoring and scrutiny of protective services.

- 2.3 Her Majesty's Inspectorate of Constabulary (HMIC) does not ordinarily have any inspection role to play in this area but agreed that they could be commissioned by the Authority to carry out an inspection if required. However they would be likely to call on the College Policing for specialist input to such an inspection. HMIC therefore directed the Authority Executive to the College of Policing for advice on this matter as this is the body responsible for both issuing firearms training licenses to the police service and inspecting forces on compliance with the legislative requirements for holding those licenses.
- 2.4 The College of Policing provides specialist input on firearms matters relating to planning, command, debriefing and training for the police service. They may also attend firearms incidents and operations subject to risk assessment criteria. The College provided specialist support and advice to BTP as it established its firearms unit and has been in regular contact regarding BTP's plan to establish itself as a licensed firearms training provider. Discussions with representatives from the College of Policing revealed they were not aware of any regular or recommended processes that had been established for police authority oversight of firearms matters, and it was their view that this was not a role typically undertaken by authorities.
- 2.5 However they did suggest that, should BTPA want to undertake such a role, the regular independent licensing inspections the College would carry out should serve as sufficient evidence for the Authority of the maintenance (or otherwise) of proper standards within the BTP firearms unit. This regular inspection work would include reviews of mandatory initial and refresher training, maintenance of ranges and secure storage of weapons and ammunition. The Authority would need to request copies of the post inspection reports to satisfy itself of the findings.
- 2.6 Other options explored in discussion with the College of Policing were more frequent inspections to be carried out by the College or the independent peer reviews by partner force. Both emerged as options that could be called upon should there be some concern about standards; however they were not felt to add a great deal of value as a general approach should College inspections otherwise indicate satisfactory standards were being maintained.
- 2.7 A complicating factor in bringing forward a recommendation at this time has been the transition from police authorities to Police and Crime Commissioners (PCCs) in November 2012. While the previous practice by police authorities is well known by the College of Policing, the arrangements developed by PCCs for this area of work are yet to emerge. For that reason it is recommended that the oversight arrangements agreed at this

meeting are revisited in a year's time to ensure that any emerging conventions are considered.

3. Summary of options emerging

3.1 The following table summarises the options identified by and discussed with the Police College, HMIC and BTP's ACC Operations, Steve Thomas. These options would supplement rather than replace the ongoing oversight of this committee of delivery of mandatory training and use of firearms.

Option	Advantages	Disadvantages	Cost implications
1. Add as a thematic to internal audit plan	Easily accommodated by an extension to the current internal audit plan and will provide an extra degree of assurance on BTP compliance with SOPs	Likely to be a largely paper exercise on policy compliance - no added value of expert input on the quality/appropriateness of arrangements	£400 per day +VAT - number of days required would need to be determined
2. HMIC to carry out regular inspections	Well established inspection relationship between BTP and HMIC, the quality of HMIC's inspection work is recognised internally and externally. HMIC is able to access specialist input to support their own expertise	HMIC has limited inspection experience in this area but could commission specialist input in support - likely to come from the College of Policing. HMIC inspection resources are stretched and we may not be able to secure a slot in their inspection plan without significant extra cost	Would not be accommodated within current inspection plan budget - significant extra cost would be incurred (likely to be >£5k)
3. College of Policing (a) - scheduled inspections of compliance with legislative requirements and ACPO NPFTC ² thresholds of as part of BTP status as a licensed firearms training force	This is consistent with the current arrangements elsewhere in the police service - inspections consider quality and frequency of mandatory training and refresher training, equipment storage and ranges. BTPA could receive a copy of these inspection reports	Frequency of inspections is determined externally and may not satisfy the Authority	No additional cost

² ACPO National Police Firearms Training Curriculum

Option	Advantages	Disadvantages	Cost implications
4. College of Policing (b) additional inspections commissioned as required	The Authority can commission additional inspection activity from the Police College as a regular programme or as an ad hoc visit if it has concerns about standards	Will add to the frequency of inspection activity but will not bring any additional independent oversight	Likely to incur a cost - quantum yet to be confirmed
5. Peer review	<p>This would be relatively easy to arrange and would give us further independent assurance and <u>should</u> be at zero cost (though this is uncertain)</p> <p>Could be used on an ad hoc basis if there were concerns about standards but this would likely require supporting input from the College of Policing</p>	<p>Unlikely to add much value beyond what the Police College ordinarily inspects as part of issuing a licence</p> <p>BTP would likely need to offer a similar review in return so there will be a cost in terms of time</p>	Cost in terms of time for a reciprocal

4. Recommendations

- 4.1 Members are asked to review the discussion, analysis and options set out in sections 2 and 3 above.
- 4.2 Dialogue with the College of Policing and ACC Thomas suggests that for the first year of oversight, option 3 would be the recommended approach with the opportunity to commission additional work on policy compliance from the internal auditor (option 1) or the College of Policing (option 4) held in reserve if areas of concern emerge.
- 4.3 Members are advised to revisit these arrangements at the start of the 2014/15 business to enable them to take into account and guidance or practise emerging from PCC oversight of Home Office force firearms capabilities.