BRITISH TRANSPORT POLICE

Report to:	**Audit & Risk Assurance Committee**
Agenda item:	**9**
Date:	**18 September 2013**
Subject:	**HMIC Inspection Update**
Sponsor:	**Deputy Chief Constable**
For:	**Information**

1. PURPOSE OF PAPER

1.1 To provide Audit & Risk Assurance Committee (A&RAC) with an update in relation to Her Majesty's Inspectorate of Constabulary (HMIC) activity.

2. BTP INSPECTION STATUS UPDATE

2.1 <u>Valuing the Police</u>

2.1.1 HMIC inspected BTP week commencing 3 June 2013 with fieldwork conducted over two days. The fieldwork included interviews with individuals from the following areas: Finance, HR, Change, Performance, Collaboration, local policing, and Control Room. Additionally there were two focus groups:

- Focus group 1 – a cross section of local policing and volume crime investigation staff (PC / DC / police staff equivalent)
- Focus group 2 – a cross section of staff in business support, e.g. finance, human resources, estates, fleet.

2.1.2 Further to the above there was also a Support and Challenge meeting at the beginning of the inspection which involved the Chief Constable, Deputy Chief Constable, Interim Director of Corporate Resources, Head of Finance, Chair and Deputy Chair of the BTPA. This was conducted by Stephen Otter HMI and involved testing BTP's strategy and approach to it.

2.1.3 HMIC is currently finalising BTP's detailed Force feedback report. BTP has received a few post inspection queries from HMIC to ensure that the areas of comparison they make with Home Office forces are consistent where appropriate with other forces but

also capture those aspects of BTP which are unique. It is envisaged that the Force feedback report will be sent to BTP for factual accuracy checking by the end of September. BTP has not featured in the thematic inspection report 'Policing in Austerity – Rising to the Challenge'.

2.2   Anti-social behavior

2.2.1   The HMIC anti-social behaviour inspection took place in April 2012. The main aims of the inspection involved assessing:

- How well BTP understand ASB issues including how BTP responds to ASB issues
- Progress made against the outstanding Recommendation 1 from the Police Report Card
- Leadership and governance, managing performance and the use of the National Intelligence Model (NIM)
- Identification and the management of repeat / vulnerable victims and general victim contact
- BTPs short and long term problem solving plans
- Partnership working.

2.2.2   Following the inspection, BTP has developed and maintained a detailed improvement plan to monitor and track progress made against the recommendations. Good progress has been made in relation to addressing the main issues relating to the identification of repeat and vulnerable callers. Territorial Policing Support Department (TPSD) are still undertaking activity to improve processes and finalise the publication of the ASB toolkit.

2.2.3   Following the review of the improvement plan at Integrity & Compliance Board (ICB) in July 2013 and August 2013 there are 3 recommendations which remain open in relation to victim care and crime recording, details of which can be found at Appendix A.

2.3   Stop & Search

2.31   HMIC inspected BTP on 27 and 28 November 2012. BTP was one of seven forces inspected during Phase One of this round of inspections which was later broadened to incorporate all 43 Home Office forces. The format of the inspection was a document

review, reality testing and interviews with key staff, including two focus groups. Additionally HMIC analysed 200 stop and search forms.

2.3.2   The main aims of the inspection were to assess:
1. How effectively and fairly the police are using the power in the fight against crime.
2. How well officers who carry out Stop & Search know how to use it as part of evidence based practice to fight crime and in a way that builds the publics trust in the police.
3. How the power can be used in a way that builds police legitimacy and trust.

2.3.3   The findings from the inspection were captured in the National Stop and Search report: 'Stop and Search Powers: Are the police using them effectively and fairly', which was published on 9 July 2013. BTP's detailed Force feedback report following the inspection was also received in July 2013. A decision was taken by HMIC not to make the individual force feedback report public facing.

2.3.4   Following receipt of both the national and individual Force feedback report, BTP has developed a first draft improvement plan which is attached at Appendix B. Initial responses to the recommendations have been populated and were reviewed at ICB on 2 September 2013. Moving forward ICB will continue to monitor progress on a quarterly basis.

2.3.5   In summary, key areas for improvement relate to:
• Training for officers and supervisors
• Supervision and performance monitoring
• Intelligence products including analysis of stop and search encounters which can be utilised to drive operational activities.

2.4   Strategic Policing Requirement Inspection
2.4.1   HMIC are currently in the process of scoping this inspection. The objective of the inspection is to assure the police service preparations to meet the five national threats

(terrorism, organised crime, public order, civil emergency and large-scale cyber incident) to be measured by their capability, capacity, contribution, connectivity and consistency.

2.4.2   This inspection will involve Home Office forces only and it is not envisaged that BTP will be inspected as part of the programme. However, HMIC has indicated that they may liaise with BTP about aspects of this inspection but this has not yet been confirmed. ACC Operations has been briefed accordingly due to BTP's role as part of the London Region Public Order Group.

3.   MISCELLANEOUS REPORTS PUBLISHED BY HMIC

3.1   BTP monitor all national reports published by HMIC. Where BTP has not been involved in the relevant area of inspection these reports are disseminated to appropriate departments in order to ascertain BTP's current position, risk, and any impact. Action plans are put in place locally with recommendations reviewed and monitored at Force level via ICB and/or submitted to A&RAC for information purposes. The national HMIC reports published recently are as follows:

3.2   Crime Recording in Kent - A report commissioned by the Police and Crime Commissioner for Kent

3.2.1   The Force Crime Registrar undertook a review using the same dataset outlined within the Kent report to ascertain any risks and implications for BTP. The results from this report were presented to Service Excellence Board (SEB) in July 2013. The DCC tasked all Areas with undertaking further analysis of the areas for improvement from the Crime Audit Reports, as well as a plan to address the issues following the review of the Kent report. The areas covered relate to the classification of crime and connecting records, detections, SOCO involvement, CCTV, Victim updates/status, investigation plans, and supervision.

3.2.2   Full updates were provided to SEB on 29 August 2013. Following this Areas have been tasked with locally maintaining their individual action plans. BTP's Audit & Compliance department will continue to conduct bi-monthly audits of the areas identified at 3.2.1 and

progress against the plans will be reviewed in line with the CRIME audit process. Key areas for improvement relate to:

- Processes and procedures – ensuring that common practices are adopted across all Areas
- Guidance on supervision requirements to ensure more intrusive practices are conducted
- Development of investigation plans, and the quality of caution files.

3.2.3 Further to the above, there have been a number of communications from the Association of Chief Police Officers (ACPO) in relation to HMIC's forthcoming Crime Data Integrity Inspection of Home Office forces and the role of the Force Crime Registrar. The programme is expected to start later this year and continue into 2014. The inspection will cover:

- An ongoing series of risk based crime recording audits focusing on forces where areas of concern have been identified or further explanation is sought
- Themed crime recording inspections, from time to time. For instance, standards of data quality and service to the public resulting from centralised crime recording versus officer based recording
- Any Police and Crime Commissioner commissioned inspections addressing local matters.

3.2.3 The exact programme and terms of reference for the Crime Data Integrity Inspection have yet to be decided, however it is not envisaged that BTP will be included in this inspection.

3.3 <u>Making the Connections – A thematic inspection of Police force compliance with the memorandum of understanding between the National Ballistic Intelligence Service (NABIS) and Police Forces</u>

3.3.1 Following a request from A&RAC on 31 May 2013, work has been undertaken to identify BTP's position in relation to compliance with the memorandum of understanding (MOU) with NABIS. The thematic inspection of police force compliance noted the following key points:

- Forces should explicitly include NABIS within a strategic approach to firearms related criminality. NABIS strategic intelligence and forensic information about linked incidents should be used alongside local intelligence including any intelligence available from the management of lawfully held weapons.

- Force Operational Single Point of Contacts should be managers who can ensure intelligence and investigative links are being made. Based on the experience of this inspection, it is better if the management of forces NABIS processes rests in their intelligence or dedicated firearms crime investigation departments.

- Through robust quality assurance mechanisms, forces should regularly monitor the end-to-end NABIS process to ensure compliance with the MOU. This should include managerial oversight and accountability for compliance.

- Force systems and processes must be sufficiently robust to ensure that any ballistic item coming into police possession (irrespective of the point of entry) is considered against the MOU. There need to be sufficient measures (e.g. automated alerts or daily review of force systems) to ensure that ballistic items are not overlooked.

- Forces should limit the number of staff who can enter data into the NABIS database, as this reduces the number of people that need to be trained and will provide greater consistency in the quality of submissions.

- Forces should exploit, through their systems and processes, forensic opportunities from the recovery of ballistic items. This may provide evidence or intelligence leads for those investigating firearms criminality.

3.3.2 BTP recognises that processes need to be strengthened around ballistic items. At present, BTP do not have trained personnel or access to the NABIS database. Officers requiring an entry to be created will outsource this task to Home Office forces (dependant on where the ballistic items were recovered) before submitting the item for examination via Scientific Support Unit.

3.3.3 BTP's reliance on Home Office forces to create entries on the NABIS database may potentially result in the failure to identify opportunities to forensically link other incidents, scenes, and/or suspects. Failure to obtain intelligence/evidence may allow suspects to remain unidentified and further firearm criminality to occur.

3.3.4   Moving forward it is anticipated that BTP will be provided with direct access to the NABIS database to enable entries to be created internally however this is yet to be agreed and further scoping is being undertaken in relation to this matter.

3.3.4   Cost implications in relation to the provision of NABIS services have not yet been identified however this will be reviewed as per Home Office forces payment structure which is in accordance with the level of firearm criminality within the Force's geographical area.

3.4   A Criminal Use of Police Cells? - The use of police custody as a place of safety for people with mental health needs

3.4.1   This was a joint review by HMIC, Her Majesty's Inspectorate of Prisons, the Care Quality Commission and Healthcare Inspectorate Wales to examine the extent to which police custody is used as a place of safety under Section 136 of the Mental Health Act 1983.

3.4.2   The review builds on reported findings from the joint inspection of police custody facilities programme; previous studies; and published guidance on the use of police custody as a place of safety for those detained under Section 136 of the Mental Health Act 1983.   HMIC found that there were excellent practices in some areas, with police custody rarely used as place of safety however in other areas the use of police custody remains high.   The review examined the following:

- the extent to which police custody is used as a place of safety under section 136; and
- identifies the factors which either enable or inhibit the acceptance of those detained under section 136 into a preferred place of safety, such as a hospital or other medical facility.

3.4.3   The key findings from the report highlighted the following:

- that police custody was still being used as a primary or secondary place of safety for people detained under section 136
- the reason why police custody was used as a place of safety was not documented in police custody records. When it was recorded, the most common reasons cited were:

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(1) insufficient staff at the health-based place of safety; (2) the absence of available beds at the health-based place of safety; (3) the person had consumed alcohol; or (4) the person was displaying violent behaviour, or had a history of violence.

3.4.4 BTP has undertaken an exercise to review and identify the risks and implications internally, the findings of which were reviewed at ICB on 5 August 2013. There were 11 recommendations highlighted in the HMIC report, of which 4 have generated specific actions to be addressed by BTP:

- A standard reporting process to be developed internally for recording detentions under section 136 and relevant outcomes within BTP. The Suicide Prevent Mental Health (SPMH) team is currently working on an electronic solution with the MPS which could be replicated across the country, however this is some way off and an interim solution is required.

- A review of relevant training and briefing information available for frontline staff. This will incorporate information on legal powers, local protocols, and refresher training.

- Relevant information/data to be provided to all Local Health and Well Being Boards in England and Wales in relation to the transport related demand on health and social care services created by those involved in mental health and suicide related incidents on the transport network.

- The Custody Directorate to issue guidance to all BTP custody officers and suite management explaining BTP's policy in relation to detainees under section 136. In exceptional circumstances where BTP has accepted detainees under section 136 custody officers should ensure that a full explanation is recorded in the custody record as to why a person detained has not been accepted into a health-based place of safety.

3.5 <u>National police units which provide intelligence on criminality associated with protest - A review of progress made against the recommendations in the HMIC's 2012 report</u>

3.5.1 This report sets out the findings from the 2013 inspection which examined the response of ACPO, MPS and Office of Surveillance Commissioners to the recommendations made in the 2012 HMIC review of the systems used by the National Public Order Intelligence Unit to authorise and control the development of intelligence. The report also

suggests a future review of the management of undercover work by UK law enforcement agencies and police forces.

3.5.2   Following the publication of the HMIC report, BTP's Director of Intelligence reviewed the recommendations in order to identify any risks and implications for BTP. Of the 12 recommendations highlighted in the HMIC report, one requires addressing by BTP in relation to ensuring that our Authorising Officer (ACC Operations) undertakes accredited training through the College of Policing. The training is to cover the concepts of necessity, intrusion, proportionality, disclosure and risk management.

3.6   <u>Getting Cases Ready for Court – A joint review of prosecution to case files by HMIC and Her Majesty's Crown Prosecution Service Inspectorate (HMCPSI)</u>

3.6.1   This report sets out the findings of a review of the quality of prosecution case files conducted by HMIC and HMCPSI. The review focused on:

- The quality of the police report and other key documents
- The quality of supervision
- The proportionality of the documentation provided by police or requested by the CPS
- The methods and timeliness of communication between agencies
- How far pre-charge decisions and action plans complied with guidance; and
- The quality and accuracy of witness lists.

3.6.2   This review builds on recent related reviews including the NAO report[1], and the HMIC Stop the Drift 2 Report - A Continuing Focus on 21st Century Criminal Justice. The central component of the review was a joint assessment of 180 case files taken from six police forces across England and Wales, and their corresponding CPS areas. The forces selected were Metropolitan Police (CPS London), Greater Manchester Police (CPS North West); North Wales Police (CPS Cymru/Wales); Sussex Police (CPS Southeast); Leicestershire Police (CPS East Midlands); and Wiltshire Police (CPS Wessex). The review was completed in April 2013 and, following publication of this report in July 2013,

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[1] *The Crown Prosecution Service: The Introduction of the Streamlined Process*, National Audit Office, HMIC and HMCPSI, November 2011.

BTP has undertaken an exercise to identify any risks and implications associated with the recommendations highlighted in the report.

3.6.3   Key areas to be addressed by BTP relate to the following:

- Delivery of training for frontline officers including Evidence Review Officer refresher training for newly promoted Sergeants. This training will focus on addressing issues identified from the review and will include guidance on case file preparation paying particular attention to the MG5, MG6C and the Directors Public Prosecutions guidance in determining the anticipated plea.

- Quality of case file preparations, and supervisory assurance checks

- Delivering of disclosure training and viability assessment. Communications to be sent to officers to refer to the CPS & ACPO disclosure manual to ensure that disclosure schedules are completed comprehensively and correctly. This will aid prosecutions and ensure only the relevant items are disclosable.

- Improved communications between CPS and BTP in relation to reinforcing and clarifying best practice. It is to be noted that BTP are working closely with the CPS to implement a BTP specific CPS unit

- Adoption of revised national file standard by CJU staff.

4.   RECOMMENDATION

4.1   Members are asked to note the update provided in this paper. It is recommended that updates in relation to BTP's position against miscellaneous reports published by HMIC are reported to the BTPA by exception.

ANTI SOCIAL BEHAVIOUR IMPROVEMENT PLAN

SCT Portfolio Owner: ACC Territorial Policing & Crime

Improvement Plan Owner: Ch Supt Territorial Policing

Ref	Area for Improvement	Due Date	Action Owner	Initial Response	Progress Update	Latest Update	Date of Update	Complete Yes / No	RAG Status
AREAS FOR IMPROVEMENT FROM DETAILED REPORT									
Are complainants of ASB contacted in line with their needs to update them on police action taken and to check on their view of progress of the reported incident?									
	Overall victim care and updates were apparent for those incidents placed onto the crime recording system. The majority of reported ASB incidents appear to be recorded onto this system as BTP record a far higher number of byelaw incidents. However ASB incidents that do not fall into the crime record category, do not have a structured follow up contact process.	31-Dec-12	Ch Supt Territorial Policing	BTP records a high level of non-recordable and recordable crimes (which would not be recorded by Home Office Forces) and are subject to supervisory overview and follow up via Crime Management Units and Area tasking. If an incident is not crimed, the information is placed on the Force Intelligence System.	Update 4 January 2013 - BTP is looking to implement a process where problem-solving plans will be initiated at locations and lines of route where there are high incidents and intelligence reports even in circumstances where the incidents have not been crimed. This process will enable the early identification of vulnerable persons and locations. Update 12 February 2013 - this will be phase two of the pilot and will commence in March 2013. Update 5 May 2013 - Pilots were run in LU and WW - Birmingham NPT, Wales Core Response and Bakerloo, Central and Victoria lines on LU for a three month period. The demand was about 2/3 a week from each sector. Positive feedback was received on design of the form and minor amendments made. All documentation has gone live on the BTP website and are now live throughout all BTP Areas, which is a non-bureaucratic process and can be used throughout all levels of BTP. A generic email address has been set up for any guidance / advice. This will assist in the creation of Problem Solving Plans as a response to emerging issues.	Update 31 July 2013 - All Areas have been contacted in relation to the process used when an incident is not crimed in relation to ASB. Although there are variations in processes on Areas, in relation to incidents these are recorded on NSPIS C&C and at officer discretion on the FIS system. Incidents and FIS submissions are included in the daily Area Commanders briefing / tasking meeting. A briefing has been prepared which standardises the process for dissemination to Area AIBs / NPT leads informing them of the procedure to follow when an incident is not crimed, including the submission of a FIS report, making the NPT sergeant aware, tactical assessment process, consideration of whether this is a repeat location. This will be published on the Intranet as part of the ASB toolkit and will be assessed in September 2013.	31-Jul-13	NO	AMBER
2.5.1	Where incidents are placed onto the crime recording system they are subject to a computerised evaluation system. This enables the monitoring of incidents to ensure staff are investigating cases appropriately and updating victims. Supervisors are able to monitor the points system and are held to account for any incidents receiving a red or amber status Victim care units also update victims. **However ASB incidents that are not recorded on the crime recording system are not subject of structured monitoring, for instance those ASB incidents placed onto the intelligence system**. HMIC reviewed intelligence reports and found that details of the action taken and results were recorded. The review of calls and incidents revealed a high level of customer focus by call handlers (98 out of 100 displayed good customer care and focus).	31-Dec-12	Ch Supt Territorial Policing	BTP records a high level of non-recordable and recordable crimes (which would not be recorded by Home Office Forces) and are subject to supervisory overview and follow up via Crime Management Units and Area tasking. If an incident is not crimed, the information is placed on the Force Intelligence System.	Update 4 January 2013 - BTP is looking to implement a process where problem-solving plans will be initiated at locations and lines of route where there are high incidents and intelligence reports even in circumstances where the incidents have not been crimed. This process will enable the early identification of vulnerable persons and locations. Update 12 February 2013 - this will be phase two of the pilot and will commence in March 2013. Update 5 May 2013 - Pilots were run in LU and WW - Birmingham NPT, Wales Core Response and Bakerloo, Central and Victoria lines on LU for a three month period. The demand was about 2/3 a week from each sector. Positive feedback was received on design of the form and minor amendments made. All documentation has gone live on the BTP website and are now live throughout all BTP Areas, which is a non-bureaucratic process and can be used throughout all levels of BTP. A generic email address has been set up for any guidance / advice. This will assist in the creation of Problem Solving Plans as a response to emerging issues.	Update 31 July 2013 - All Areas have been contacted in relation to the process used when an incident is not crimed in relation to ASB. Although there are variations in processes on Areas, in relation to incidents these are recorded on NSPIS C&C and at officer discretion on the FIS system. Incidents and FIS submissions are included in the daily Area Commanders briefing / tasking meeting. A briefing has been prepared which standardises the process for dissemination to Area AIBs / NPT leads informing them of the procedure to follow when an incident is not crimed, including the submission of a FIS report, making the NPT sergeant aware, tactical assessment process, consideration of whether this is a repeat location. This will be published on the Intranet as part of the ASB toolkit and will be assessed in September 2013.	31-Jul-13	NO	AMBER

Ref	Area for Improvement	Due Date	Action Owner	Initial Response	Progress Update	Latest Update	Date of Update	Complete Yes / No	RAG Status
2.5.3	Victim care units and crime management centres update victims and the points system ensures follow up contact is carried out and recorded on the crime system. **However those incidents which are not recorded on the crime recording system do not have a process to ensure follow up contact is conducted.**	31-Dec-12	Ch Supt Territorial Policing	BTP records a high level of non-recordable and recordable crimes (which would not be recorded by Home Office Forces) and are subject to supervisory overview and follow up via Crime Management Units and Area tasking. If an incident is not crimed, the information is placed on the Force Intelligence System.	Update 4 January 2013 - BTP is looking to implement a process where problem-solving plans will be initiated at locations and lines of route where there are high incidents and intelligence reports even in circumstances where the incidents have not been crimed. This process will enable the early identification of vulnerable persons and locations. Update 12 February 2013 - this will be phase two of the pilot and will commence in March 2013. Update 5 May 2013 - Pilots were run in LU and WW - Birmingham NPT, Wales Core Response and Bakerloo, Central and Victoria lines on LU for a three month period. The demand was about 2/3 a week from each sector. Positive feedback was received on design of the form and minor amendments made. All documentation has gone live on the BTP website and are now live throughout all BTP Areas, which is a non-bureaucratic process and can be used throughout all levels of BTP. A generic email address has been set up for any guidance / advice. This will assist in the creation of Problem Solving Plans as a response to emerging issues.	Update 31 July 2013 - All Areas have been contacted in relation to the process used when an incident is not crimed in relation to ASB. Although there are variations in processes on Areas, in relation to incidents these are recorded on NSPIS C&C and at officer discretion on the FIS system. Incidents and FIS submissions are included in the daily Area Commanders briefing / tasking meeting. A briefing has been prepared which standardises the process for dissemination to Area AIBs / NPT leads informing them of the procedure to follow when an incident is not crimed, including the submission of a FIS report, making the NPT sergeant aware, tactical assessment process, consideration of whether this is a repeat location. This will be published on the Intranet as part of the ASB toolkit and will be assessed in September 2013.	31-Jul-13	NO	AMBER

STOP & SEARCH INSPECTION 2012 IMPROVEMENT PLAN

National Recommendations	SCT Portfolio Owner: ACC Operations

Improvement Plan Owner: Supt Phil Trendall

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Date of Update	Complete Yes/No	RAG Status
1	Chief Constables and the College of Policing should establish in the stop and search Authorised Professional Practice document a clear specification of what constitutes the effective and fair exercise of stop and search powers, and guidance in that respect. This should be compliant with the code of practice.	Supt Phil Trendall	31-Dec-13	This will be organised by College of Policing and therefore requires no input from BTP. The Home Secretary stop & search public consultation concludes on 13 August 2013. The aim of the consultation is to understand how the public and those involved in policing view the use of these powers. It is not envisaged that BTP will formulate a response in relation to this consultation however BTP will be involved in the collated response lead by the ACPO lead for stop & search if undertaken.	N/A	N/A	N/A
2	Chief Constables should establish or improve monitoring of the way officers stop and search people, so that they can be satisfied their officers are acting in accordance with the law (including equality legislation and the code of practice), and that the power is used effectively to prevent crime, catch criminals and maintain public trust. This monitoring should, in particular, enable police leaders to ensure officers have the reasonable grounds (and, where applicable, authorising officers have the reasonable belief) required by law to justify each stop and search encounter.	Supt Phil Trendall	31-Mar-14	This will be covered by the introduction of a Stop & Search Manual of Guidance. The final draft manual of guidance will be launched by the end of September 2013 at the Stop & Search Steering Group once formally signed off by the ACC Operations. The Stop & Search Steering Group meet on a quarterly basis and consulting and monitoring with key stakeholder will take place at this meeting as well at the Stop, Account & Search Strategy Group meetings. Working with community groups and partnership agencies will ensure participative information exchanges regarding the independent monitoring of stops and searches thus providing better information about stops and searches. Territorial Policing Support Department (TPSD) will introduce a 3 tier monitoring process (Supervisors, Area Level, and FHQ FIB) to enable correct supervision and to provide the relevant assurance that Supervisor's are adhering to their responsibilities as set out in the stop and search guidance document. Dip sampling/monitoring of forms submitted to FHQ will be submitted on a monthly basis with results reported to the Stop & Search Steering Group Key messages will be cascaded via targeted Briefings, operational orders, focus groups, training, and the dedicated stop & search intranet page. The stop & search intranet page will be launched by the end of September 2013 BTP stop & search code of practice will also be accessible to staff via the intranet pages.	23-Aug-13	NO	AMBER
3	Chief Constables should ensure that officers carrying out stop and search encounters are supervised so that they can be confident that the law is being complied with and that the power is being used fairly and effectively. Particular attention should be given to compliance with the code of practice and equality legislation.	Supt Phil Trendall	31-Mar-14	TPSD will introduce a 3 tier monitoring process (supervisors, Area Level, and FHQ FIB) to enable correct Supervision and to provide the relevant assurance that Supervisor's are adhering to their responsibilities as set out in the stop and search guidance document. Key messages will be cascaded via targeted briefings, operational orders, focus groups, training, and the dedicated stop & search intranet page. The stop & search intranet page will be launched by the end of September 2013. BTP stop & search code of practice will also be accessible to staff via the stop & search intranet pages.	23-Aug-13	NO	AMBER
4	The College of Policing should work with Chief Constables to design national training requirements to improve officers': understanding of the legal basis for their use of stop and search powers; skills in establishing and recording the necessary reasonable grounds for suspicion; knowledge of how best to use the powers to prevent and detect crime; and understanding of the impact that stop and search encounters can have on community confidence and trust in the police. Specific training should also be tailored to the supervisors and leaders of those carrying out stops and searches.	Supt Phil Trendall	31-Mar-14	This will be organised by College of Policing and therefore requires no input from BTP. BTP will be advised accordingly in relation to the roll out of a national package from the college of policing in relation training. Superintendent Behavioural Assessment (BAS) Training will be re-launched, however this is subject to review. BTP will continue to use packages such as the NCALT Stop & Search Package. BTP will also look to roll out BAS Training for Chief Inspectors and Inspectors as a means of further supporting officers to conduct effective and fair stops and searches, however as previously highlighted this is subject to review. Further to the above MPS are conducting training for officers in relation to the quality of encounters which BTP may look to adopt.	23-Aug-13	NO	AMBER
5	Chief Constables should ensure that officers and supervisors who need this training are required to complete it, and that their understanding of what they learn is tested.	Supt Phil Trendall	31-Mar-14	BTP will be advised accordingly in relation to the roll out of a national package from the college of policing in relation training. Superintendent Behavioural Assessment (BAS) Training will be re-launched, however this is subject to review. BTP will continue to use packages such as the NCALT Stop & Search Package. BTP will also look to roll out BAS Training for Chief Inspectors and Inspectors as a means of further supporting officers to conduct effective and fair stops and searches, however as previously highlighted this is subject to review. Further to the above MPS are conducting training for officers in relation to the quality of encounters which BTP may look to adopt.	23-Aug-13	NO	AMBER
6	Chief Constables should ensure that relevant intelligence gleaned from stop and search encounters is gathered, promptly placed on their force intelligence systems, and analysed to assist the broader crime fighting effort.	Supt Phil Trendall / D/Supt Director of Intelligence	31-Dec-13	Section 60 powers will include a stop and search plan incorporating community engagement. All stops/searches are recorded on FIS. Stop and search forms must be inputted onto FIS within 24 hours of the search to allow BTP to publish timely data and to ensure relevant intelligence is captured. Further development of this area will be explored with AIBs with the intention of regular dip samples of FIS which will form an intelligence strategy. All searches are not currently being recorded on CRIME due to resource implications.	23-Aug-13	NO	AMBER

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Date of Update	Complete Yes/No	RAG Status
7	Chief Constables should, in consultation with elected local policing bodies, ensure that they comply with the code of practice by explaining to the public the way stop and search powers are used in their areas and by making arrangements for stop and search records to be scrutinised by community representatives. This should be done in a way that involves those people who are stopped and searched, for example, young people.	Supt Phil Trendall	31-Mar-14	Feedback in relation to the use of stop & search by BTP is monitored and discussed with community representatives at the Stop, Account & Search Strategy Group meetings where there a representatives from the follow areas: National Independent Advisory Groups and Support Association for Minority Ethnic. Stakeholders such as Crown Prosecution Service, Youth Offending Team, and Social and Probation Services are also invited to provide feedback to BTP in this area. Engagement with different sections of the community promote partnership working and reflects the geographical remit and operational areas of BTP and the diversity of the travelling public, resulting in continued community knowledge and community intelligence. Stop, Account & Search Strategy Group meetings take place on a quarterly basis and minutes of the meeting are published. Further to this LU officers engage with youth board representatives and give talks on a variety of policing issues including the police use of stop and search. The scope to widen this activity is currently being managed and reviewed centrally by TPSD.	23-Aug-13	NO	AMBER
8	Chief Constables should ensure that those people who are dissatisfied with the way they are treated during stop and search encounters can report this to the force and have their views considered and, if they wish, make a formal complaint quickly and easily. This should include gathering information about dissatisfaction reported to other agencies.	Supt Phil Trendall	31-Mar-14	TPSD Manual of Guidance for Stop & Search details the process to be communicated to people who are dissatisfied with their encounters. The complaints procedure is located on BTP's public facing Internet site and internally complaints are dealt with via local resolution or an investigation by Professional Standards Department (PSD). BTP also use social media websites (Twitter), and IPCC to gather information and address any reported encounters where people are dissatisfied. Further to this options could be explored to conduct follow-up encounter calls with individuals who have been stop & searched. This would be managed centrally by TPSD.	23-Aug-13	NO	AMBER
9	Chief Constables should introduce a nationally agreed form (paper or electronic) for the recording of stop and search encounters, in accordance with the code of practice.	Supt Phil Trendall	N/A	This will be organised by College of Policing and therefore requires no action from BTP. Direction from the College of Policing will be sought in relation to this matter. BTP will not be revising current stop & search forms being used in light of this recommendation. However it is to be noted that BTP are currently exploring opportunities to carryout alterations to PDAs to enable better supervision requirements if feasible.	23-Aug-13	N/A	N/A
10	Chief Constables should work with their elected local policing bodies to find a way of better using technology to record relevant information about stop and search encounters, which complies with the law and reveals how effectively and fairly the power is being used.	Supt Phil Trendall	31-Mar-14	TSPD are currently exploring opportunities to carryout alterations to PDAs to enable better supervision requirements if feasible. BTP are currently exploring options to adopt Greater Manchester Police Service Airwave initiative. Officers would record the grounds of the search over their radio to the control room. Ethnicity, object, power and outcome are recorded via text responses on the officers radio. A receipt is given to the person searched and any intelligence is written in PNB and entered onto FIS.	23-Aug-13	NO	GREEN

STOP & SEARCH INSPECTION 2012 IMPROVEMENT PLAN

Detailed Force Feedback		SCT Portfolio Owner: ACC Operations	

Improvement Plan Owner: Supt Phil Trendall

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Date of Update	Complete Yes/No	RAG Status
Does the force use stop and search effectively and fairly in the fight against crime?							
Leadership & Governance							
pg 5	All staff that we spoke to during the inspection were able to name the chief officer responsible for stop and search, which indicates that the role is given a degree of visibility and profile. However, they were unable to express what key messages had been cascaded from leaders about how stop and search powers should be used. This was recognised by the force and clearer messages about how stop and search powers should be used is a key element of a development plan that is being overseen by the strategic lead.	Supt Phil Trendall	30-Sep-13	The manual of guidance clearly names the chief officer responsible for stop and search, which indicates that the role is given a degree of visibility and profile. Clearer messages in relation to stop & search are being cascaded via the Stop & Search Steering Group; the Stop, Account, and Search Strategy Group and the further development of the internal intranet is this area. Further to this guidance regarding fair use of stop & search is circulated as part of an action plan and the manual of guidance highlights officers personal responsibility in relation to stop & search.

The final draft manual of guidance will be launched by the end of September 2013 at the stop & search steering group once formally signed of by the ACC Operations. | 23-Aug-13 | N/A | AMBER |
| pg 6 | BTP work closely at an operational and strategic level with surrounding forces, but this relationship is more prominent in London with the Metropolitan Police's Safer Transport Command. Yet even in London, it remains a real challenge for BTP to seek feedback about their use of stop and search as the views of specific residential communities do not represent the views of their service users. The force interacts with the travelling public at a national level and therefore provides policing services to a transient population. The main geographically based communities are the permanent staff at rail stations and user groups from the rail industry. Whilst this group provides some opportunity for the force to engage and seek feedback about police interactions, it is limited. At St Pancras, however, we found that this engagement had widened to include local businesses, hotels and schools, where community officers give talks on a variety of policing issues including the police use of stop and search. | Supt Phil Trendall | 31-Mar-14 | Feedback in relation to the use of stop & search by BTP is monitored and discussed with community representatives at the Stop, Account & Search Strategy Group meetings where there are representatives from the following areas: National Independent Advisory Groups and Support Association for Minority Ethnic. Stakeholders such as Crown Prosecution Service, Youth Offending Team, and Social and Probation Services are also invited to provide feedback to BTP in this area. Engagement with different sections of the community promote partnership working and reflects the geographical remit and operational areas of BTP and the diversity of the travelling public, resulting in continued community knowledge and community intelligence. Stop, Account & Search Strategy Group meetings take place on a quarterly basis and minutes of the meeting are published.

Further to this LU officers engage with youth board representatives and give talks on a variety of policing issues including the police use of stop and search. The scope to widen this activity is currently being managed and reviewed centrally by TPSD. This could be further developed with targeted stop & search surveys. | 23-Aug-13 | N/A | AMBER |
| **Performance Management** | | | | | | | |
| pg 6 | BTP were not actively monitoring stop and search activity within a performance management framework. They do not collect or analyse positive outcomes from stop and search encounters or conduct any results analysis to ascertain the effectiveness of stop and search where it is used as part of a tactical plan. However they do collate the number of stops and searches completed and break this down into, ethnicity, location and the legal power used. | Supt Phil Trendall | 31-Jan-14 | Stop & Search data is compiled, monitored, and analysed through monthly Force Management Information reports at a number of forums including Stop & Search Steering Group which is chaired by ACC Operations who is accountable for BTP's performance and statutory responsibilities nationally in this area. This forum is also used to develop training and share good practice forcewide.

BTPA's Performance Review Group also carries out detailed work on scrutinising BTP's use of Stop & Search powers and exploring any issues of disproportionality in usage.

BTP have made a decision to move away from positive outcomes due to a working relationship with the Metropolitan Police (MPS) who are no longer measuring in this manner and are now measuring outcomes against the number of arrests. There is not a nationally recognised defintion of a positive outcome. BTP are adopting the same approach as the MPS on the basis that arrests are a definitive and transparent outcome. Other measures of positive outcomes do not instill public confidence.

Further to the above the TPSD stop & search manual of guidance will also include specific instructions regarding monitoring stop & search activity at all levels including FHQ. | 23-Aug-13 | N/A | AMBER |
| pg 6 | The force's stop and search development plan, has clear owners and timescales. Within it are several areas that are described as work in progress, for example the issue of new guidance to officers about the effect and fair use of the powers, training using an e-learning package which has been circulated by the National Centre for Applied Learning and Technology (NCALT) and the widening of the public surveys to include questions about stop and search. The force's stop and search steering group, chaired by the ACC, is tracking the progress of actions in the development plan and is holding people to account for its delivery. | Supt Phil Trendall | 31-Mar-14 | TPSD are finalising the stop & search manual of guidance with publication expected in end of September 2013. The manual of guidance will provide guidance to officers in relation to quality of encounters, appropriate usage of powers, and personal responsibilities.

BTP will continue to use packages such as the NCALT Stop & Search Package. NCALT compliance is at 92% average for stop and search across the Force. Superintendent Behavioural Assessment (BAS) Training will be re-launched, however this is subject to review. BTP will continue to use packages such as the NCALT Stop & Search Package.

BTP will also look to roll out BAS Training for Chief Inspectors and Inspectors as a means of further supporting officers to conduct effective and fair stops and searches, however as previously highlighted this is subject to review.

Further to the above MPS are conducting training for officers in relation to the quality of encounters which BTP may look to adopt. Increased scrutiny of stop and search encounters/forms at all levels and feedback from focus groups will identify any specific training needs. | 23-Aug-13 | N/A | AMBER |
| pg 6 | The force does not currently track action against risks highlighted through stop and search monitoring. However actions in the development plan are intended to make sure this is done in future. | Supt Phil Trendall | 31-Mar-14 | Better analysis of Area performance will result from the instructions in the manual of guidance and this should assist to alleviate this issue. | 23-Aug-13 | N/A | AMBER |
| pg 7 | The force operates a dual recording system for stop and search. Officers can use a paper form or an electronic Person Digital Application (PDA) to enter details of stops and searches. Approximately 15% of stop and search records are directly entered into the intelligence system by a PDA. The remaining 85% are initially recorded on a paper form and the information is later transferred by the searching officers onto the intelligence system. The paper records are submitted to their supervisors for checking but we found limited evidence of any supervision of the information recorded on the force database. | Supt Phil Trendall | 31-Dec-13 | Better supervision and monitoring will see an improvement as FHQ (TPSD) begin to provide detailed feedback to Areas.

TPSD will introduce a 3 tier monitoring process (supervisors, Area Level, and FHQ FIB) to enable correct supervision and to provide the relevant assurance that supervisor's are adhering to their responsibilities as set out in the stop and search guidance document. Key messages will be cascaded via targeted Briefings, operational orders, focus groups, training, and the dedicated stop & search intranet page. | 23-Aug-13 | N/A | AMBER |
| pg 7 | The issuing of stop and search authorities under section 60 of the Criminal Justice and Public Order Act 1994 presents a real challenge for BTP. Authorities granted by local forces often incorporate railway stations. In these cases, BTP officers are not always aware that authorities have been granted, who has given the authority or for what purpose. This undermines both the effectiveness of the power and the officers responsible for policing an area where serious violence has occurred or is anticipated. Internally, BTP collate their authorities relating to section 60 Criminal Justice and Public Order Act 1994 centrally, but they do not use the information to test the decision making of the authorising officer, or monitor the effectiveness of the use of this intrusive power. The force has developed new guidance for authorising officers and is planning refresher training for all Superintendents. | Supt Phil Trendall | 31-Dec-13 | The new edition of the force guidance on stop and search and the guidance on the authorisation of section 60 will be launched at the next Stop & Search Steering Group. The guidance will point towards the need for greater supervision (to the standard required by the codes of practice as a minimum) of use and recording stop & search.

Section 60 guidance has been re-issued in the interim ready for refresher training for all Superintendents. Superintendent training workshops will take place by December 2013. | 23-Aug-13 | N/A | AMBER |

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Date of Update	Complete Yes/No	RAG Status
Intelligence and Information							
pg 7	Across England and Wales, we found that many forces did not record information or intelligence gathered from their use of stop and search powers to contribute to the force's overall intelligence picture. Intelligence is a valuable by-product of stop and search encounters, but cannot be the purpose of the search (as this would be unlawful). However, overall, we found that forces were not able to demonstrate an approach to using stop and search powers that were based upon knowledge of how to make best use of them to prevent crime and catch criminals.	Supt Phil Trendall / D/Supt Paul Shrubsole	30-Sep-13	The Manual of Guidance will help but due to resourcing challenges in AIBs, and the ongoing force restructuring, this area will be subject to review. To assist with work in this area TPSD will seek to meet operational constables in a 'focus group' format to ensure that the policy message on this subject is clear. The first focus group will be arranged for September 2013 through AIB stop & search leads	23-Aug-13	N/A	AMBER
pg 7 - 8	BTP as an organisation, uses intelligence products which are informed by analytical work to drive their operational activities, including tasking and resourcing. However, like many other forces in England and Wales, this does not include analysis of stop and search encounters. BTP are not currently analysing stop and search data to inform officers on how to use the powers more effectively. Encouragingly, the force's development plan for stop and search focuses upon improving the quality of the encounter and includes a recognition of the intelligence opportunities from such interactions. Stop and search records are already inputted onto the force intelligence system and individual records are used to inform the overall intelligence picture. The challenge is for the force to develop a greater understanding of where and how the powers are being used most effective and fairly.	Supt Phil Trendall / D/Supt Paul Shrubsole	30-Sep-13	The Manual of Guidance will help but due to resourcing challenges in AIBs, and the ongoing force restructuring, this area will be subject to review. To assist with work in this area TPSD will seek to meet operational constables in a 'focus group' format to ensure that the policy message on this subject is clear.The first focus group will be arranged for September 2013 through AIB stop & search leads	23-Aug-13	N/A	AMBER
pg 8	Stop and search within BTP is not generally used as a specific or directed tactic, rather it is seen as a general power afforded to constables who apply their professional judgement on when it is appropriate to use the powers. Leaders view stop and search as a discretionary power where officers are expected to know their powers and when to apply them. However, HMIC also found that some policing areas within BTP were still focusing on the number of stops and searches carried out by officers, where volume was used as an individual performance measure.	Supt Phil Trendall	30-Sep-13	To assist with work in this area TPSD will seek to meet operational constables in a 'focus group' format to ensure that the policy message on this subject is clear. The first focus group will be arranged for September 2013 through AIB stop & search leads .	23-Aug-13	N/A	AMBER
Is the stop and search power carried out by officers who know how to use it as part of evidence-based practice to fight crime?							
Training							
pg 9	BTP provide training in behavioural assessment (BAS) as well as stop & search techniques and powers for most operational police officers. BAS is based on behavioural psychology and was originally used by the police service to spot terrorists, but is now used in wider applications to help police officers know how to establish reasonable grounds to exercise the power of stop and search. The programme is designed to demonstrate to officers how suspicious behaviour can be detected through observing peoples emotional reactions to police contact and how to identify stress indicators in people who are doing something that they know is wrong. Officers were enthusiastic about the training given and explained that it gave them confidence to carry out a stop and search encounter. BTP use classroom and practical training for probationers as well as the e-learning package that is provided by NCALT. The force recognises the benefits in extending the behavioural assessment training to supervisors and longer serving officers who had not received it at the time of the inspection.	Supt Phil Trendall	31-Mar-14	BTP will be advised accordingly in relation to the roll out of a national stop & search package from the College of Policing in relation training. Superintendent Behavioural Assessment (BAS) Training will be re-launched for supervisors and longer serving officers, however this is subject to review. BTP will continue to use packages such as the NCALT Stop & Search Package. BTP will also look to roll out BAS Training for Chief Inspectors and Inspectors as a means of further supporting officers to conduct effective and fair stops and searches, however as previously highlighted this is subject to review.	23-Aug-13	N/A	AMBER
pg 9	BTP use an established intelligence network with other forces to assist in informing officers of crime hotspots and trends. For the policing of pre-planned events, officers are provided with comprehensive briefings that include a reminder of relevant legislation, police powers likely to be used and the desired policing style. However, more could be done in relation to providing officers with information and intelligence at routine daily briefings to support the effective application of stop and search powers as part of their general patrolling activities.	Supt Phil Trendall / D/Supt Paul Shrubsole	31-Mar-14	The manual of guidance will highlight 'best practice' methods of linking intelligence to the effective use of stop and search powers.	23-Aug-13	N/A	AMBER
Supervision and monitoring							
pg 9 - 10	There is a recognised lack of supervision of stop and search particularly in the "outer reaches" of the large geographic area BTP has to cover. Officers will go for long periods of time without seeing a supervisor, as such, stop and search encounters are not closely monitored or supervised. The force has invested in PDAs for operational officers and this has enabled recording of stop and searches directly onto the force's IT systems. These entries are un-supervised at the point that they are placed onto the IT systems. The force has decided to meet their legal monitoring responsibilities through a process of retrospectively checking, however this process was not embedded at the time of this inspection. They were not discharging their duties according to the code of practice. These responsibilities are important in protecting the public from the misuse of this intrusive power.	Supt Phil Trendall / Head of ICT	31-Mar-14	The PDA issue is being addressed with Information Technology, however TPSD has been advised that there is a contractual issue that has delayed progress. TSPD are currently exploring opportunities to carryout alterations to PDAs to enable better supervision requirements if feasible.	23-Aug-13	N/A	AMBER
pg 10 -11	Trend analysis to show how stop and search powers are used by the force is not currently being completed but the force performance and audit lead attends the stop and search steering group and the stop, search and account group to provide an update on the data collection which is limited to volume and location. The data presented only separates out stops and searches conducted under section 60 of the Criminal Justice and Public Order Act 1994, all other powers to stop and search are counted together under the heading "reasonable grounds" making it difficult to make informed judgements about what needs to be improved.	Supt Phil Trendall / Research & Development Manager	31-Mar-14	TPSD has are working closely with SDD, Research & Development to develop the content of the monthly stop & search Force Management Information reports. TPSD are further looking to develop the Force Management Information report to breakdown the different powers used e.g. Section 23 Misuse of Drugs Act), Pace Section 1, Section 47 Firearms Act, Section 7 Sporting Events Act as opposed to them being captured as 'reasonable grounds'.	23-Aug-13	N/A	AMBER
pg 11	The BTP do not request feedback from members of the public who have been subject to a stop and search, although they do seek feedback from groups of people who are more likely to be stopped and searched, e.g. young men.	Supt Phil Trendall	31-Mar-14	Feedback in relation to the use of stop & search by BTP is monitored and discussed with community representatives at the stop, account & search strategy group meetings where there a representatives from the follow areas, National Independent Advisory Groups and Support Association for Minority Ethnic. Stakeholders such as Crown Prosecution Service, Youth Offending Team, and Social and Probation Services are also invited to provide feedback to BTP in this area. Engagement with different sections of the community promote partnership working and reflects the geographical remit and operational areas of BTP and the diversity of the travelling public, resulting in continued community knowledge and community intelligence. Stop, Account & Search Strategy Group meetings take place on a quarterly basis and minutes of the meeting are published. Further to this LU officers engage with youth board representatives and give talks on a variety of policing issues including the police use of stop and search. The scope to widen this activity is currently being managed and reviewed centrally by TPSD.	23-Aug-13	N/A	AMBER

Ref	Area for Improvement	Action Owner	Due Date	Initial Response	Date of Update	Complete Yes/No	RAG Status
Is the stop and search power used in a way that does not erode public trust in the police?							
Compliance with legislation							
pg 11	From the BTP samples, we found that 156 of the 200 records checked had sufficient information recorded which amounted to "reasonable grounds for suspicion." This represents a 78% compliance rate compared to the national average of 73%. Of the search records reviewed, the percentage with sufficient grounds recorded ranged from 6% in one force to 96% in others, with the majority (22) between 71% and 90% compliance.	Supt Phil Trendall	31-Dec-13	The manual of guidance will provide guidance to officers in relation to quality of encounters, appropriate usage of powers, and personal responsibilities. Better supervision and monitoring will see an improvement as FHQ (TPSD) begin to provide detailed feedback to Areas. TPSD will introduce a 3 tier monitoring process (supervisors, AHQ AIBs, and FHQ FIB) to enable correct supervision and to provide the relevant assurance that supervisor's are adhering to their responsibilities as set out in the stop and search guidance document. Key messages will be cascaded via targeted Briefings, operational orders, focus groups, training, and the dedicated stop & search intranet page.	23-Aug-13	N/A	AMBER
Information publish about stop and search							
pg 12	The findings from our national public survey showed that the vast majority of the public have not themselves experienced a stop and search encounter, and do not know how frequently the powers are used, or how frequently they result in an arrest. This suggests that the public are not kept informed about how the police service uses the powers. HMIC found that the BTP approach to communicating with the public about stop and search, was like many other forces, fairly limited. The force does publish all stop and search data collected on their external website and this data is subject to scrutiny by groups concerned about racial discrimination. The force has also produced a stop and search policy which is also available on its public facing web site.	Supt Phil Trendall	31-Mar-14	BTP use the public facing website and social media websites (Twitter) to communicate to the public in relation to all police activity including stop & search. The public facing website will have more information regarding stop and search and BTP are improving the quality of information on the site to ensure it is more meaningful. TPSD is working closely with SDD, Research & Development to develop the content of the monthly stop & search Force Management information reports as well as exploring opportunities to conduct targeted surveys and the dissemination of this information to the public.	23-Aug-13	N/A	AMBER