
Report to: Police Authority
Agenda item: 7
Date: 24 March 2021
Subject: Chief Constable's Report
Sponsor: Adrian Hanstock QPM
For: Information

1. Purpose of report

1.1 The Chief Constable's report provides an update for Members and a summary of matters likely to be of interest. Themes covered in this report include an update on BTP's ongoing operational and organisational response to the Covid-19 pandemic, effect on crime and incident demand levels, County Lines funding agreement, 'live' and future public inquiries, strategic change ambitions, Information Management, areas of focus for legitimacy & community policing, current matters relating to people & culture, BTP's role in the COP26 Summit and BTP's new external facing website.

2. Covid-19

2.1 BTP's operational response to Covid-19 continues to be directed through a Gold Group chaired by ACC O'Callaghan, which provides a robust oversight of risks (known and emerging) whilst maintaining a flexible operational posture to ensure effective deployment, visibility, engagement and enforcement. The Force is alert to Public Health England guidelines, as well as any variations in the devolved administrations, is actively engaged with local resilience forums, participates in National Police Chiefs' Council (NPCC) debates, and is aligned to government and rail industry developments when responding to iterations of Health Protection Regulations as and when they are issued. The Force is preparing the police requirement for the railways in England, Wales and Scotland in response to the Government's roadmap out of the current lockdown obligations, which was published on 22 February.

2.2 BTP's continues to adopt a proportionate approach to public engagement in line with the '4E' principles – *engage, explain, encourage* or where necessary and appropriate, *enforce*. Since the introduction of the face covering regulations, BTP officers have engaged with more than 87,000 individuals who have been spotted without face coverings on the rail and London Underground networks. More than 90% of people

challenged have either described a lawful exemption under the Regulations or alternatively have put on or obtained a face covering when asked. There have nonetheless been over 6,600 instances (1 in every 13 stops) where further enforcement action has been required and officers have directed individuals to leave a train or station. BTP officers have also issued around 348 Fixed Penalty Notices to people who have refused to comply with the mandatory wearing of a face covering.

- 2.3 To gain insight on passenger habits and levels of compliance, BTP's CCTV Hub continues to conduct a sample review at up to 12 hub stations each week. Using samples of 500 passengers per day at each station during the sample period, and examining both commute and leisure travel timeframes, a benchmark of compliance has been established which allows comparable analysis and informs intelligence led tactical deployments. The analysis in February showed convincing levels of public compliance with an average of 95% of passengers wearing a face covering. BTP uses this data, alongside open source or partnership data and intelligence, to flex its policing response and direct greater visibility or enhanced enforcement at identified locations.
- 2.4 Covid-19 related absences of BTP's police officers peaked early on in the pandemic with 12.7% of officers absent at the end of March 2020 (includes absent with Covid-19 or required to self-isolate). This proportion swiftly reduced and remained under 3% between April to October 2020. In November, as the second wave of the pandemic hit, officer absence levels increased to around 9% between November and January but has since fallen back to 2.6% (78 officers). This data reflects the mature and considerate return rate of officers following periods of illness or self-isolation and compares extremely well against the wider police service. This has also ensured that the Force has not been required to invoke step-up or emergency rosters to sustain operational coverage.
- 2.5 Turning to finance, as at Period 11, the Force spent £7.56m on Covid-19 related expenditure and is forecasting a total spend of £9.12m by the end of this financial year. Costs incurred as a direct consequence of the pandemic incorporate overtime for maintaining business as usual staffing levels through officer absence and enhanced operational activity to support compliance with the regulations across the rail network, provision of suitable PPE, enhanced cleaning of premises and privacy screens to

ensure the workplace is safe for staff. The Department for Transport (DfT) has confirmed it will fully reimburse the Force for all Covid-19 related expenditure.

3. Crime and demand trends

3.1 The railway and London Underground continue to experience a significant reduction in passenger footfall. Since the start of the third national lockdown in January 2021, Network Rail and TfL managed stations have just 15-20% of usual passenger numbers using their services.

3.2 In terms of crime levels, BTP is currently recording 45-50% of pre-Covid volume when compared to 2019 levels. Violence, public order, theft of passenger property and drugs account for 60% of recorded crime. Robberies continue at similar levels to pre Covid-19 and are happening later in the evening than previously (between 1600 to 2200 hours). The number of fatalities on the railway (195 year to date) has remained similar to 2019/20 rates, despite the reduction in footfall across the network. Incident demand has averaged 80% of usual levels and is predicted to remain at these levels during lockdown three.

4. County Lines

4.1 In 2020/21 the Home Office granted funding to four forces (BTP, MPS, Merseyside and West Midlands) to tackle criminality associated with County Lines drug trafficking. In 2020/21 BTP's proportion was £3.7m and on 22 February 2021, the Force received formal notification from the Home Office that this would be increased to £4.3m for 2021/22 to support continued activity by the Force's dedicated taskforce. The verification of continued and improved funding is clear acknowledgment of the success of the taskforce in disrupting the drugs/illicit funding supply chain and preventing exploitation of vulnerable individuals.

4.2 Since BTP's County Lines Taskforce (43 resources) was formed in December 2019, the team has made more than 1100 arrests, seized 570 separate drug packages, 215 weapons and 770 mobile phones used in crime, as well as confiscating over £370k in cash. The taskforce has conducted more than 320 joint operations with other police forces, agencies and railway partners, and has referred 61 vulnerable individuals through the National Referral Mechanism to ensure they receive appropriate support.

-
- 4.3 The demographic of those exploited by County Lines gangs across the railway is much younger than seen elsewhere in the country; the average age in BTP's jurisdiction is 18 compared to a national average age of 26. The taskforce routinely deals with boys between the age of 16-17 and therefore safeguarding is the primary consideration when tackling the criminal activity. The Force has introduced specialist training for members of rail staff and is working with agencies such as the Children's Society in relation to spotting and managing vulnerability. As result of the safeguarding approach BTP has secured 15 charges of modern-day slavery for human trafficking offences.
- 4.4 From 1 to 14 February, the taskforce led a two-week high-intensity operation with the first week focused on pursuing and prosecuting offenders using the rail network to transport drugs and exploit vulnerable children and adults. The second week focused on education and engagement, including 'The Look Closer' campaign to achieve a joined-up approach to safeguarding vulnerable persons suffering from criminal exploitation. This incorporated a virtual seminar '*Safeguarding on Rail: Protecting Vulnerable People*' created to inform industry colleagues of the County Lines issue and demonstrate how safeguarding training can prevent child criminal exploitation and contribute towards accreditation by the Safeguarding on Rail scheme. Seven MPs were introduced to BTP's County Lines taskforce through a virtual briefing session to promote awareness of the wider societal issues associated with these types of crime. During these two weeks BTP's taskforce made 94 arrests and reached over 750 people through the engagement sessions.

5. Public Inquiries

5.1 Manchester Arena Inquiry

The Manchester Arena Inquiry is an independent public inquiry to examine the circumstances leading to the death of the 22 victims of the 2017 Manchester Arena terrorist attack. Since the Inquiry commenced on 7 September 2020, eight BTP officers have given evidence under Chapter 7 of the Inquiry (Chapter 7 evidence relates to the Manchester Arena complex and security arrangements prior to the attack).

Chapter 10 of the Inquiry, which commenced in February, will hear evidence relating to the emergency response post-attack. During this Chapter BTP officers and staff are scheduled to give evidence about their role following the explosion, with 10 March being the first scheduled date (at the time of writing this report) for BTP witnesses to

give evidence. The Deputy Chief Constable will provide Members with an updated verbal briefing during the Police Authority meeting.

5.2. Croydon tram derailment Inquest

On 9 November 2016 a tram derailed and overturned near to the Sandilands tram stop in Croydon killing seven people and injuring sixty-one other passengers. The Inquest into the cause of this derailment is due to commence on 17 May 2021 and is expected to last twelve weeks.

BTP led the investigation into the matter which resulted in a Crown Prosecution Service determination that the driver would not face any criminal action. Three BTP officers and staff are due to give evidence to the Inquest. On 3 June Superintendent Horton will give evidence on BTP's operational response following the derailment and Detective Superintendent Richardson will provide evidence regarding Operation Hinge, BTP's comprehensive investigation into the derailment. A third BTP witness is scheduled to give evidence on 13 July regarding analysis of the tram driver's mobile phone.

6. **Strategic Change**

6.1 Strategic planning

The Force has worked closely with the BTPA Executive to refresh the 2018/21 strategy and, as endorsed by Strategy & Planning Committee on 2 March, is presented in the agenda for the Police Authority to consider and endorse. The revised strategy reflects the impact of Covid-19 on operational policing as well as the emergency arrangements for the rail industry and offers continuity as we exit from lockdown. The one-year 'extension' will create opportunity for a more fundamental review of BTP's strategic direction under the stewardship of the new Chief Constable and in knowledge of any fundamental recommendations outlined in the anticipated Williams Review.

6.2 Smarter Working

Smarter Working is a key strand of BTP's transformation programme intended to develop technology, organisational culture, review processes and capture the lasting lessons from Covid-19 arrangements in order to identify and codify new ways of working. The Smarter Working programme is focused on six key areas of activity (i) processes, (ii) spaces, (iii) technology, (iv) culture, (v) leadership and (vi) information.

In addition, the Force is exploring agile and/or permanent home working options (subject to contractual changes, safe working practices and assessment of applicable allowances/HMRC implications) which will inform estates planning, IT and technology requirements as well as the longer-term people strategy. The approach was supported in principle by Force Executive Board in February and will be developed further to construct a case for change for consideration by the Chief Constable and Police Authority in due course.

6.3 Estates

If the Force adopts 'Smarter Working' principles and in turn a reduce fixed estate, there are some significant decisions to be considered and taken forward over the next two years, including:

- Birmingham estate - at the Police Authority meeting on 23 September 2020 Members approved the outline business case to relocate from the current Axis House building in Birmingham to an alternative location at Baskerville House by December 2021. Further details were discussed at the Strategy Committee on 2 March 2021 and will be outlined in that Committee's report to the Police Authority meeting.

- London estate – the TfL PFI for Central London Police Station expires in March 2022 and the lease for Force Headquarters expires shortly afterwards in December 2024. The Force is exploring future estate provision including (i) 'no change' option by extending the leases subject to landlord agreement (although this does not support the Force's modernisation, operational or efficiency plans) (ii) consolidate these locations into the vacant MPS police station at Belgravia (supports a modern consolidated estate, operational objectives and smarter working) (ii) retain FHQ only and consolidate the TfL sites into existing BTP estates (builds on current footprint at FHQ, achieves smarter working aims but not the operational plans). The BTPA Executive are being closely included in the deliberation of these options, including a site visit to Belgravia Police Station with the BTPA Chief Executive and new Chief Constable on 25 February. Members continue to receive updates on the developing options through the Transformation Working Group and Strategy & Planning Committee.

6.4 Frontline capability

- Safeguarding, public protection & identifying vulnerability continues to stimulate stakeholder interest and inspire commitment to improved collaborative working to address all aspects of vulnerability in a comprehensive way. This commitment was strengthened by the launch of the “*Safeguarding on Rail Scheme*” in February and a pilot of ‘PreCog’ analytics capability to identify potentially vulnerable individuals at high impact network locations.
- The Force is bringing the functions of the Embedded Disruption Teams under a consolidated HQ-led leadership structure to help improve coordination of problem-solving initiatives that focus on high-harm people and locations, as well as improve strategic capability with stakeholders to reduce crime and disruption on the network.
- Following successful post-implementation reviews of the centralisation of the intelligence and investigations functions, work continues to professionalise these capabilities including an assessment of skills and experience across all detective roles. The intention is to ensure that every detective in BTP and detective supervisors are trained and accredited to a minimum standard but also to provide enhanced and specialist training to enable them to investigate the increasing areas of complexity that BTP is now dealing with such as exploitation of children, vulnerable adults, sexual offences, county lines and modern-day slavery.

7. **Information management**

7.1 Investigatory Powers Commissioner’s Office (IPCO) Inspection

In December 2020 the IPCO conducted an inspection of BTP’s procedures relating to the use of surveillance and CHIS powers, and in January 2021 examined the arrangements made by the Force in relation to the acquisition of communications data under the Investigatory Powers Act 2016. The IPCO noted their inspection ‘...*once again identified a very good standard of compliance, reflecting well on the professionalism of BTP officers and staff and providing a reassuring indication of the effort expended in maintaining high performance*’. The IPCO made no recommendations following its inspection, although it made five observations where processes could be strengthened and identified three examples of good practice for

other organisations to consider. The T/Chief Constable has written to Sir Brian Levenson to acknowledge the inspection's outcome.

7.2 Deletion of data from the Police National Computer

In January, following a software update error, the Home Office advised that 209,550 records had been accidentally deleted from the Police National Computer (PNC). This error affected No Further Action (NFA) cases which are weeded from PNC by the Home Office PNC Department each month. No conviction records were deleted. Following the data loss, the Home Office worked closely with the National Police Chiefs' Council and National Crime Agency to undertake a risk assessment, and BTP has understandably been fully engaged in this process. As far as BTP has been affected, just 679 NFA records were incorrectly deleted from PNC. Of these, only 12 cases were deleted in their entirety. The Home Office PNC Department is developing new software in an attempt to restore the 'lost' data and the Force is waiting to hear how effective this effort has been. The Home Office has appointed Lord Hogan-Howe, former MPS Commissioner, to review the circumstances that led to the updating error and he is due to report his findings in March.

8. **Trust, Legitimacy and Community Policing**

8.1 Chief Superintendent Dennis Murray joined BTP in November 2020 as the dedicated lead officer for Trust, Legitimacy and Community Policing. This appointment was one of the key steps to enable the Force to make significant cultural change to its black, Asian and ethnic minority employees' experience of working for BTP, as well as focus on the legitimacy and proportionality of the Force's policing posture and contact with the public and rail industry. To date the following progress has been made:

- Comprehensive review of the Force's use of powers to ensure broader understanding of operational activity and data analysis to help interpret disproportionality (including stop & search, use of force, Taser, criminal justice outcomes, coercive powers, professional standards and hate crime)
- Evaluation of governance and oversight structures to channel public transparency and harness critical feedback
- BTP has been included as one of four police forces working with the College of Policing to examine how to identify disproportionality issues around the use of Taser.

-
- Design of a bespoke BTP BAME development course aimed at all ranks / police staff roles shaped on a six-month modular programme focused on issues identified that effect the confidence and progression of BAME employees.
 - Established a Race & Inclusion Consortium which 30 forces have already joined as a mechanism to share good practice on the race agenda.
 - Working with the National Superintendents Association to increase BAME representation at Superintendent rank
 - Through positive action activities, secured successful applications from 110 BAME and 200 female candidates for future officer intakes

9. People & Culture

9.1 Police Covenant

In September 2020 the Home Secretary announced that a Police Covenant will be enshrined in law as part of the Police Powers and Protections Bill to enhance support and protection for all serving or former police personnel. Whilst the specific mention of the Force in the Police Covenant is greatly welcomed, the Force is equally disappointed that under current Home Office plans for implementation of the Covenant, BTP will not be included in the statutory provisions of the Bill but instead be made the subject of a memorandum of understanding (MOU). It is considered that an MOU will not have the same legal basis or protections, nor will it be subject to Parliamentary scrutiny in terms of application. It is within this context that the previous Chief Constable wrote to the Rail Minister at the beginning of February 2021 seeking support for BTP to be included in the principles of the Covenant equivalent to that proposed for Home Office forces. The BTP Federation and Superintendents Association have contacted the Force and BTPA Executive setting out the wide concerns of officers on this matter. The T/Chief Constable has written to both Chairs outlining the actions taken and engagement underway.

9.2 National Police Wellbeing Programme (NPWS)

The NPWS provides support to police officers and staff in relation to mental and physical health, mental health outreach support and training to improve the provision of wellbeing support across the police service. The NPWS has developed a UK Peer Support Model which recognises the nuances of police culture and the barriers officers, staff and volunteers may face in seeking help. In February the Force Executive Board endorsed the establishment of a Wellbeing Service Support

Programme in BTP that adopts the NPWS guidance and framework to further ensure there is an effective peer support programme in place which will contribute to the overall wellbeing of BTP's workforce. The establishment of this programme is being taken forward by the Wellbeing team and a further update will be given to Members once this has formalised an approach.

9.3 New Performance Development Review (PDR)

In 2020 the use of the E-Right Track performance management system was suspended as it was identified as a 'hinderance stressor' in BTP's Employee Survey and was the subject of critical feedback from both officers and staff. In recognition of this the Force conducted an employee engagement exercise with more than 500 employees to co-design a new PDR system. The revised process, which was endorsed by Force Executive Board in January, will provide a more straightforward, customised approach to annual performance and development reporting that is based on coaching to improve performance, supported by a simpler PDR form to capture evidence and actions which will be hosted on an internal digital platform. The new PDR process will launch in time to support the objectives set out in the Policing Plan agreed for the 2021/22 performance year.

9.4 E-leave

On 2 March, as part of the Force's modernisation and self-service ambitions, the Force discontinued the manual form-fill process for booking annual leave and moved to E-leave, an online system that links to the Origin HR system which enables employees to access live duty data to plan and request annual leave. This will automate the process and provide immediate approval to applicants if minimum resourcing levels are maintained. E-leave will also standardise process, remove transactional activity and result in efficiencies of 5 posts in the Resource Planning structure.

9.5 Inspector's Promotion Board

Following an internal selection programme held throughout February, the Force has qualified 26 sergeants to inspector; six of the successful candidates were female and five from ethnic minority backgrounds. Inspectors have been posted to a number of operational frontline Station Commander, Control Room, Detective Inspector and Specialist Operations roles.

10. COP26 Summit

10.1 The UK will host the 26th UN Climate Change Conference of the Parties (COP26) in Glasgow on 1 – 12 November 2021. The COP26 summit will bring parties together to accelerate action towards the goals of the Paris Agreement and the UN Framework Convention on Climate Change. Planning for the live event is underway although there is a contingency plan in place in case the Summit is held virtually. A large-scale protest in Glasgow is anticipated during the Summit (the previous COP summit in Madrid saw 1.5 million people involved in protests).

10.2 Police Scotland is the lead force for this significant policing operation which is likely to require it to seek mutual aid from all UK forces and will result in substantial cost requirement for policing. BTP has an Inspector and Sergeant in Glasgow dedicated to planning BTP's role in the Summit, as well as impact to our business as usual activities during what will be a period of increased travel in/to Scotland, and the Force is fully linked in with Police Scotland's planning team. Any increase in passenger capacity by TOCs during the Summit is still to be confirmed, however there will undoubtedly be greater impact on BTP's support to the industry and public during this period. Funding of any additional policing costs have yet to be determined and the BTPA Executive is closely involved in discussions with Government on this point. Chief Constable D'Orsi has undertaken a peer review of Police Scotland plans in her current role and therefore has good prior knowledge of the likely operational impact.

11. BTP website

11.1 BTP's new external facing website (www.btp.police.uk) was launched on 26 February. The new website is hosted on Single OnLine Home, a multi-agency platform which was developed by the MPS and which 27 police forces are now using. The website allows members of the public to report crime on line with the system fully integrated into the Niche system to enable automatic transfer of details to crime reports. The platform also transfers cases to the most appropriate force, for example if a member of public reports a crime to their local force but it occurred at a train station, the system will automatically transfer it to BTP and vice versa. The new website is fully compliant with the Welsh Language Scheme and auto-translate options provide much information immediately to Welsh speakers. A partner portal is currently in development which will allow rail industry staff to report crime directly to the Force via the portal. This functionality should be live by April 2021.