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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

## Annual scrutiny plan 2019-20

March 2019

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Improving Policing Across Scotland

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## Introduction

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Our Annual Scrutiny Plan for 2019-20 sets out how HM Inspectorate of Constabulary in Scotland (HMICS) will meet its statutory purpose to inquire into the state, efficiency and effectiveness of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA). It is published in terms of Section 75 of the Police and Fire Reform (Scotland) Act 2012 and sets out our scrutiny priorities from April 2019 until March 2020.

We keep this plan under review and changes can be made over the course of the year. We have consulted with a wide range of people (see appendix) interested in policing to arrive at this plan, and will consult further prior to making any revisions. We will publish this plan and any revised version on our website and make it directly accessible to those we consider likely to have an interest in it.<sup>1</sup>

Our approach is to support Police Scotland and the Scottish Police Authority to deliver services that are high quality, continually improving, effective and responsive to local needs.<sup>2</sup>

We are committed to assessing the quality of policing service experienced by communities across the country. In this scrutiny year 2019-20, we will not be carrying out an inspection into a specific territorial division. Rather we will examine a number of significant policing issues and see how those issues are addressed in different parts of Scotland.

Thematic reviews will include an examination of the role of the Scottish Police Authority and the extent to which it is discharging its function under the Police and Fire Reform (Scotland) Act 2012, as well as an assessment of Police Scotland and the Scottish Police Authority's commitment to the professional development and training of police officers and staff.

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<sup>1</sup> Police and Fire Reform (Scotland) Act 2012, Section 75(4).

Our plan includes *Audit and Assurance reviews*, which scrutinise areas where there is a need to provide targeted assurance over key processes in high risk areas such as the introduction of the Contact Assessment Model and adherence to the Scottish Crime Recording Standard. Working with other scrutiny bodies features throughout the plan, specifically in our *Collaborative reviews*, which include participating in the joint inspection programme led by the Care Inspectorate to inspect services for children and young people.

The work to follow up on previous reviews into key areas of business is shown in our plan, which for this year consists of assessing progress in the Police Scotland response to breaches of home detention curfew.

Our approach to scrutiny is supported by our Inspection Framework. This provides structure to our activities and the means to assess policing in Scotland in a transparent, consistent and objective manner. Our framework has been independently reviewed and endorsed by Quality Scotland, the National Partner Organisation of the EFQM.

Our scrutiny reports and annual report will be published and laid before the Scottish Parliament and I will take the opportunity in my annual report to comment on the overall state, efficiency and effectiveness of policing in Scotland and on the performance of Police Scotland and the Scottish Police Authority.

### **Gillian Imery QPM**

HM Chief Inspector of Constabulary in Scotland

<sup>2</sup> <http://www.scotland.gov.uk/About/Performance/scotPerforms/outcome/pubServ>

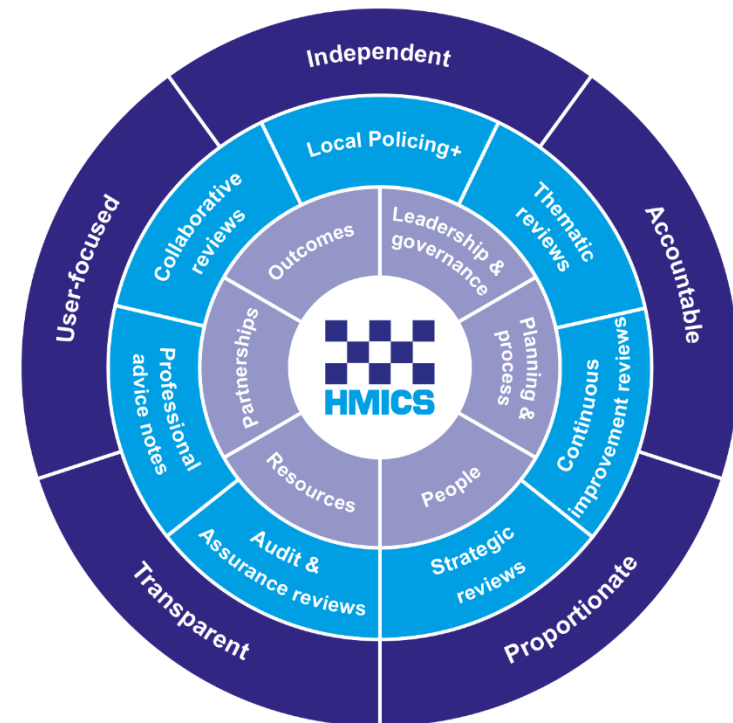
## Our purpose

HM Inspectorate of Constabulary in Scotland (HMICS) has a statutory role, which was reaffirmed in the Police and Fire Reform (Scotland) Act 2012. We have wide ranging powers to look into the 'state, effectiveness and efficiency' of both Police Scotland and the SPA. We have a statutory duty to inquire into how the Chief Constable and the SPA meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role providing professional advice and guidance on policing in Scotland.

Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions. The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to carry out our functions and must comply with any reasonable request that we make. When we publish a report, the SPA and the Chief Constable must consider what we have found and take such measures, if any, as they think fit.<sup>3</sup> Where we make recommendations, we will follow them up and report publicly on progress.

We work with other inspectorates and agencies across the public sector to share specific expertise or jointly examine areas where Police Scotland works in partnership with other agencies and contributes to shared outcomes. We co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.

We aim to add value and strengthen public confidence in Scottish policing through independent scrutiny and objective, evidence-led reporting about what we find. Where relevant, we will make recommendations to Police Scotland and the SPA to improve policing. We will also identify good practice that can be rolled out across Scotland.



<sup>3</sup> Police and Fire Reform (Scotland) Act 2012, Sections 74, 76, 77 and 80.

## Our values

As a values-led organisation, we will conduct our activities in a way that is:

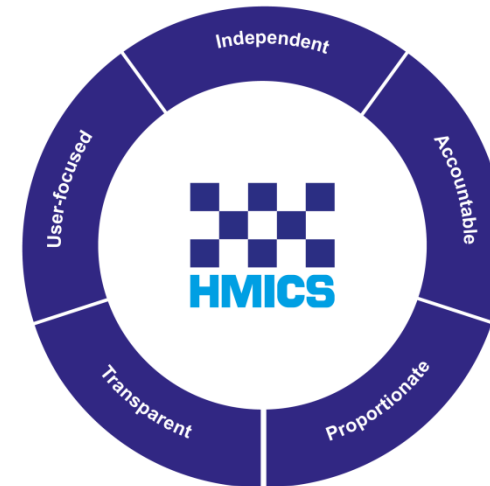
**Independent** – We will always act independently and publish impartial and objective reports. Our professional advice will be informed and unbiased. HM Chief Inspector of Constabulary in Scotland is appointed under Royal Warrant and is independent of the Scottish Government, Police Scotland and the SPA.

**Accountable** – We will be accountable for what we do and will justify our actions and reports by evidence. We will publish our statutory reports<sup>4</sup> to the Scottish Parliament and submit ourselves to whatever scrutiny is appropriate to our function.

**Proportionate** – We will ensure our scrutiny is proportionate and that we only inspect what is necessary to achieve our statutory purpose. We will minimise the burden on those we inspect and focus our activities through informed risk assessment to ensure what we do is effective and efficient.

**Transparent** – We will be open in what we do and give reasons for our decisions. We will publish our reports and restrict information only when the wider public interest clearly demands it.

**User-Focused** – We will align our scrutiny to the needs of service users and co-operate with other scrutiny authorities. We will meet our responsibilities under the Public Services Reform (Scotland) Act 2010, by continuously improving our user focus in the design and operation of our functions. We will promote equality and respect for diversity in everything we do. Within all our inspections and reviews, we will give consideration to inequality and, where identified, make recommendations to improve experiences for service users and in support of the public-sector equality duties.



<sup>4</sup> Police and Fire Reform (Scotland) Act 2012, Section 79.

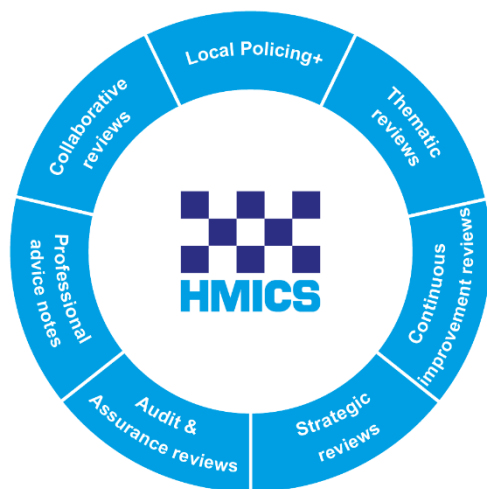


## Our approach to scrutiny

Our annual **Scrutiny Plan** outlines our priorities and scrutiny activities for the 2019-20 fiscal year. The plan was developed through consultation with our stakeholders and is informed by strategic engagement with the Police Scotland Executive Team.

We keep the Plan under continual review and make such changes as we determine necessary to respond to risk and discharge our statutory purpose.

Our scrutiny activities take account of the Crerar review,<sup>5</sup> Christie report<sup>6</sup> and supports production of the National Scrutiny Plan.<sup>7</sup>



## Our framework

Our approach to inspection is supported by our Scrutiny Framework, which provides structure to our activities and the means to transparently, consistently and objectively assess policing in Scotland.

Our Framework has been developed using the principles outlined in the European Foundation for Quality Management (EFQM) excellence model<sup>8</sup> used in many public sector settings. It has been adapted to provide a scrutiny framework model to assist specifically in the inspection of elements of policing or the SPA. It will form the basis of any inspection but provides sufficient flexibility to be adapted so that the key themes and sub-elements reflect the purpose of the inspection to be undertaken. The framework will support us when conducting inspections by providing a structure within which we can ensure a consistent and professional approach to our work.

<sup>5</sup> Scottish Government, [The Crerar Review](#), September 2017.

<sup>6</sup> Scottish Government, [Commission on the future delivery of public services](#), June 2011.

<sup>7</sup> Audit Scotland, [National Scrutiny Plan for Local Government](#).

<sup>8</sup> EFQM, <https://www.efqm.org/index.php/efqm-model-2013/>



## Leadership and governance

We will assess the leadership of Police Scotland and the SPA and the governance, accountability and scrutiny arrangements that have been put in place to ensure that the service is delivering its overall vision of keeping people safe and meeting national, regional and local priorities.

## Planning and process

We will examine the effectiveness of strategy and planning processes in ensuring services are inclusive and focused on user needs. As well as strategies, plans and policies, we will also examine the work of the organisation or service in relation to its key functions, in particular the delivery and development of the services it provides, by itself or in partnership with others, and how these are measured. We will work with others to ensure our Framework reflects best practice and has the potential to develop into a wider self-assessment tool.

## People

We will look at the people within the organisation, their motivation, satisfaction and contribution to the development of the organisation or service area. We will assess how employees are managed, developed and empowered, and consider communication processes and whether people feel rewarded and recognised for their efforts.

## Resources

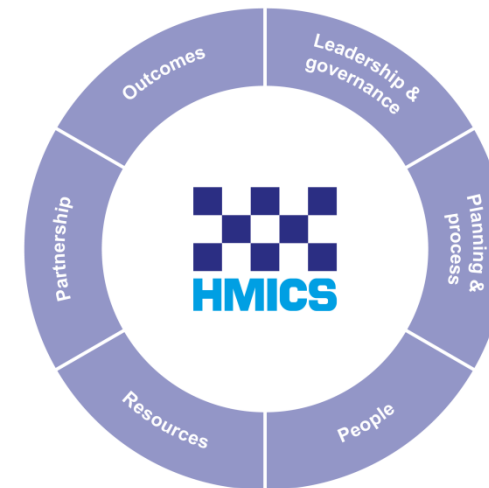
We will consider whether the organisations or service area manage resources in the most efficient, effective and sustainable way, including corporate, financial and information resources and assets. We will assess whether this supports key activities and outcomes. We will also consider collaborative working, looking at whether shared resources are used as efficiently as possible to deliver shared outcomes. A key element of resourcing is the consideration of best value.

## Partnerships

We will look at how well partners work together to support the delivery of outcomes as well as the approach to managing partnerships. Key elements include developing an agreed vision and objectives and aligning information, assets and resources in partnership to achieve shared outcomes. We will consider how well partners jointly plan and co-operate in delivering integrated working and whether the partnership ethos has developed a positive culture of involvement and working together.

## Outcomes

We will focus on the overall performance of the organisation or part of the service and examine successes in delivering demonstrable, high-quality and improved outcomes for service users, communities and the public in general. We will also consider fulfilment of statutory duties.



## Thematic reviews

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Thematic reviews allow us to focus on significant policing issues and to assess how these are being addressed in different areas of the country. We will capture innovation and good practice, and where relevant we will make recommendations that drive improvement. Our planned reviews for 2019-20 are:

- **Scottish Police Authority** (*Ongoing 2019-20*) – HMICS published its report 'Thematic Inspection of the Scottish Police Authority – Phase 1 Review of Openness and Transparency' on 21 June 2017. It is acknowledged that there has been significant change since then, not least the appointment of a new Chair and a new Chief Executive of the Authority. As such it is not felt appropriate to follow up our Phase 1 review with a Phase 2. Rather this is a new piece of work to consider the function of the Scottish Police Authority at a strategic level. The aim of this inspection will be to assess the effectiveness and efficiency of the Scottish Police Authority in terms of fulfilling its core role. It will scrutinise how the Scottish Police Authority is meeting its statutory obligations under the Police and Fire Reform (Scotland) Act 2012 and as a public body. The inspection will examine issues relating to the SPA, in terms of its relative role, responsibilities and relationships with Police Scotland, Scottish Government, and Scottish Parliament and the separation of politics from policing. HMICS will consider the independence of the SPA, the operational responsibility of the Chief Constable and how the SPA exerts effective governance in this context.
- **Strategic arrangements for the delivery of police custody** (*December 2018 to April 2019*) – In our Scrutiny Plan 2018-19, HMICS set out our intention to carry out two key pieces of scrutiny activity relating to custody. The first inspection included a series of visits to custody centres across Scotland. These visits focused on the treatment of and conditions for detainees in custody, and assessed the extent to which the custody-specific outcomes from the HMICS Custody Inspection Framework were being met. A report of this inspection was published in October 2018. The second inspection focuses on Police Scotland's strategic arrangements for the delivery of police custody and will consider the broader HMICS Inspection Framework. It will include an assessment of leadership and governance, planning and process, people, resources and partnership. A report will be published in spring 2019.
- **People - Training and Development** (*September to December 2019*) - In December 2018 Police Scotland published its People Strategy for 2018 to 2021 outlining a commitment to empower, enable and develop their people. During 2019-20 HMICS will examine progress on delivery of the strategy's outcomes, focusing on the areas of Leadership Development, Positive Environment and Organisational Health.
- **Custody (Greater Glasgow Division)** (*January to April 2019*) – In accordance with our obligations as a member of the United Kingdom's National Preventive Mechanism, HMICS carries out regular inspections of police custody centres. These are primarily aligned to our Local Policing+ programme. During our inspection of local policing in Greater Glasgow Division, we also inspected all five custody centres located in the division to assess the treatment of and conditions for detainees. A report will be published in Spring 2019.

## Audit and Assurance reviews

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Our Audit and Assurance reviews allow for more detailed scrutiny where there is a specific need to audit critical systems, ensure accurate and ethical recording or provide independent assurance in high risk areas. Our planned reviews for 2019-20 are:

- **Crime Audit 2019-20** (*January to March 2020*) – Following previous audits in 2013, 2014 and 2016, HMICS will again assess the accuracy and timeliness of crime recording by Police Scotland, and the extent to which it complies with the Scottish Crime Recording Standard. The audit will address the ongoing need for a comprehensive, independent audit of crime data as highlighted by the Office for Statistics Regulation. The scope and scale of the audit will be determined in consultation with stakeholders.
- **Cyber crime – Online Child Abuse** – (*September to December 2019*) - HMICS has had an interest in examining Police Scotland's response to cyber enabled, cyber dependent, and internet facilitated crime for a number of years. We have been conscious of other reviews being carried out in this area of policing and are keen to ensure our work adds value. In our Crime Audit in 2016, we commented on the limitations of crime recording standards to reflect accurately the prevalence of cyber enabled sexual crime, particularly as it affects children and young people. In our inspection of the SPA's Forensic Services in 2017, we mentioned the different approach for digital forensics, where Police Scotland retains responsibility. In this inspection, we will look at Police Scotland's response to online child abuse.
- **Contact Assessment Model** (*timing to be confirmed*) – In 2019, Police Scotland will implement its Contact Assessment Model, a new means of managing requests for police assistance made by the public and other agencies. Whilst the timing and scope of this work is to be determined, HMICS will assess the effectiveness of the implementation of the model at the time of review.
- **Policing 2026 and Workforce Assurance** (*Ongoing 2019-20*) – HMICS will continue to monitor progress on delivery and operational impact of the Policing 2026 transformation portfolio, and to monitor Police Scotland's operational capacity and workforce planning. This will include regular engagement with key stakeholders and evaluation of public and internal governance.



## Collaborative reviews

We will continue to work with other scrutiny bodies and undertake joint inspection activity in areas where Police Scotland or the SPA work in partnership and contribute to shared outcomes with others. Our planned reviews for 2019-20 are:

- **Children's Services** (*Ongoing 2019-20*) – HMICS has a long standing commitment to collaborate with the Care Inspectorate, Healthcare Improvement Scotland and Education Scotland on joint inspections of services for children and young people. In 2017, Scottish Ministers asked the Care Inspectorate to work with scrutiny partners to develop a revised model of inspection with a strong focus on child protection and vulnerability.

The intention is for the joint inspections to report on how good partnerships are at recognising and responding when children and young people need protection, as well as helping those children and young people who have experienced abuse to stay safe and recover. There is an emphasis on collaborative leadership. The revised programme started in April 2018 and will continue over the course of 2019-20.

- **Adult Support** (*Ongoing 2019-20*) – HMICS has worked closely with the Care Inspectorate on joint inspections of adult support and protection partnerships. In 2017-18, HMICS associates worked as part of joint teams to inspect six partnership arrangements for adult support and protection. The findings were published in June 2018. Since then, Scottish Ministers have expressed a desire for the other 26 partnerships to be subject to some level of scrutiny. HMICS is working with colleagues in the Care Inspectorate, Scottish Government, and Healthcare Improvement Scotland on a phased programme of work, which is expected to commence in 2019-20.

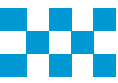
- **Community Justice** (*Ongoing 2019-20*) - In 2018-19, the Care Inspectorate established a scrutiny team to lead on community justice and criminal justice social work. The Scottish Government, in discussion with the Care Inspectorate, decided that the new arrangements for community justice were a priority for scrutiny, having had one transition year and one full year since implementation.

HMICS is a member of the High Level Advisory Group for Justice and will work with the Care Inspectorate on a programme of supported and validated self-evaluation of community justice in Scotland

- **Counter-Terrorism** (*Ongoing 2019-20*) – Given the interoperability requirements of counter terrorism operations across the United Kingdom, HMICS and Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services<sup>9</sup> recognised the value of joint inspections and a programme of joint Counter-Terrorism inspection designed to provide assurance to the Counter-Terrorism Network will be carried out throughout 2019-20.

- **Senior Leadership Selection** (*April to May 2019*) – HMICS is working with colleagues in HMICFRS to assess how effective the police service is in selecting and developing candidates for chief officer roles. This inspection will build on other reviews, taking account of recent developments in police leadership support at the College of Policing, and evidence from academic research. It will examine the role of Senior Police National Assessment Centre and the Strategic Command Course, with the emphasis on processes for the selection and development of potential candidates in forces.

<sup>9</sup> HMICFRS, <https://www.justiceinspectrates.gov.uk/hmicfrs/>



## Follow up reviews

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- **Home Detention Curfew (HDC)** (*April to May 2019*) - On 25 October 2018 the HMICS Independent Assessment of Police Scotland's response to a breach of Home Detention Curfew, which contained 16 recommendations, was published. At the direction of the Cabinet Secretary for Justice, HMICS will undertake a review of progress in respect of our recommendations and an inspection of current arrangements and practice pertaining to HDC.



## National Preventive Mechanism (NPM)

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HMICS is a member of the United Kingdom's National Preventive Mechanism, a group of organisations designated under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) to monitor places of detention and report on the treatment of and conditions for detainees. OPCAT recognises that detainees are particularly vulnerable and aims to prevent ill-treatment through establishing a system of regular visits or inspections to all places of detention. OPCAT requires that States designate a 'National Preventive Mechanism' (NPM) to carry out such visits to places of detention, to monitor treatment of and conditions for detainees, and to make recommendations for the prevention of ill-treatment.

The UK NPM is made up of 21 bodies who monitor places of detention across Scotland, England, Wales and Northern Ireland. This includes police custody, prisons, court custody, immigration and military detention, secure children's homes, and places where people are detained under mental health legislation. The NPM members have the power to enter places of detention and speak to detainees and staff in private.

As a member of the NPM, HMICS carries out regular inspections of police custody in Scotland using the HMICS Custody Inspection Framework. This framework focuses on the treatment of and conditions for detainees and includes a range of indicators setting out what we expect to find during our custody inspections. HMICS also chairs a sub-group of the NPM made up of all those members who monitor police custody across the UK.



## Our reports

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We will publish a number of reports each year, which will be laid before Parliament in accordance with our statutory obligations. We will provide the bodies we scrutinise with copies of our reports and publish them on our website. Where we are directed by Scottish Ministers, we will report to them and they will present these reports to the Scottish Parliament.

We will typically produce reports from our individual scrutiny activities through Local Policing+, Thematic Reviews, Audit and Assurance Reviews and Follow up Reviews. These will be published throughout the year in accordance with our Scrutiny Plan. The publication of any reports from Collaborative Inspections will ordinarily be undertaken by the lead inspection body responsible.

We will produce an annual report and provide information summarising our activities. This will include an assessment of our impact and how our activities contributed towards positive outcomes. We will also comment on the overall state, effectiveness and efficiency of policing in Scotland and on the performance of Police Scotland and the SPA. We will aim to publish our annual report soon after the end of the scrutiny year and is likely to be published in June 2019.

### Assessing our impact

An inspection does not end with the publication of a report. It is important that we ensure that our work adds value and assists in driving improvement. We proactively monitor the recommendations made and assess the extent to which they have been implemented. Monitoring progress in this way also helps us to assess whether a follow-up inspection is required to address any residual risk.

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<sup>10</sup> HMICS, [Complaints handling process](#).

## Our complaints process

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Our complaints handling procedure reflects our values and commitment to deliver a transparent inspectorate. It seeks to resolve complainer dissatisfaction as quickly as possible and to conduct thorough, impartial and fair investigations of complaints. Our Complaints Handling Procedure is published on our website.<sup>10</sup>

Our complaints handling procedure does not extend to individual complaints about any police body, which should instead be addressed to the Police Investigations and Review Commissioner.<sup>11</sup>

<sup>11</sup> PIRC, <http://pirc.scotland.gov.uk/>



## Our scrutiny plan 2019-20

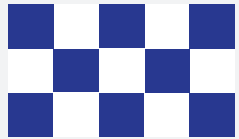
HMICS SCRUTINY PLAN 2019 - 20												
	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20
<b>Thematic Reviews</b>												
Scottish Police Authority												
Strategic Direction of Custody												
People - Training and Development												
G Division - Custody												
<b>Audit and Assurance Reviews</b>												
Crime Audit												
Cyber crime – Online Child Abuse												
Contact Assessment Model												
Policing 2026 and Workforce Assurance												
<b>Collaborative Reviews</b>												
Children Services												
Adult Support												
Community Justice												
Counter Terrorism (CT5)												
Senior Leadership Selection												
<b>Follow Up Inspections</b>												
Home Detention Curfews												

## Appendix

Aberdeen City Council
Aberdeenshire Council
Aberdeenshire Health and Social Care Partnership
Amnesty
Angus Health and Social Care Partnership
Argyll and Bute Council
Argyll and Bute Health and Social Care Partnership
Association of Police Superintendents (ASPS)
Audit Scotland
Care Inspectorate
City of Aberdeen Health and Social Care Partnership
Clackmannanshire Council
Clackmannanshire Health and Social Care Partnership
Comhairle nan Eilean Siar
COPFS
COSLA
Children and Young People's Commissioner Scotland
Director Scottish Government
Dumfries and Galloway Council
Dumfries and Galloway Health and Social Care Partnership
Dundee City Council
Dundee Health and Social Care Partnership
East Ayrshire Council
East Ayrshire Health and Social Care Partnership
East Dunbartonshire Council
East Dunbartonshire Health and Social Care Partnership
East Lothian Council
East Lothian Health and Social Care Partnership
East Renfrewshire Council
East Renfrewshire Health and Social Care Partnership
Edinburgh City Council
Edinburgh Health and Social Care Partnership
Education Scotland
Falkirk Council

Falkirk Health and Social Care Partnership
Fife Council
Fife Health and Social Care Partnership
Glasgow City Council
Glasgow City Health and Social Care Partnership
Healthcare Improvement Scotland
Highland Council
HM Chief Inspector IPS
HM Chief Inspector of Prisons
Human Rights Consortium
Improvement Service
Inverclyde Council
Inverclyde Health and Social Care Partnership
Midlothian Council
Midlothian Health and Social Care Partnership
Moray Council
Moray Health and Social Care Partnership
NHS Highland
North Ayrshire Council
North Ayrshire Health and Social Care Partnership
North Lanarkshire Council
North Lanarkshire Health and Social Care Partnership
Orkney Council
Orkney Health and Social Care Partnership
Perth and Kinross Council
Perth and Kinross Health and Social Care Partnership
PIRC
Police Scotland
Renfrewshire Council
Renfrewshire Health and Social Care Partnership
SACRO
Scottish Borders Council
Scottish Borders Health and Social Care Partnership
Scottish Crime Recording Board

Scottish Government
Scottish Human Rights Commission
Scottish Police Federation
Shetland Health and Social Care Partnership
Shetland Islands Council
Scottish Institute for Policing Research (SIPR)
SOLACE
South Ayrshire Council
South Ayrshire Health and Social Care Partnership
South Lanarkshire Council
South Lanarkshire Health and Social Care Partnership
Scottish Police Authority
State Hospitals Board
Stirling Council
UNISON
Victim Support Scotland
West Dunbartonshire Council
West Dunbartonshire Health and Social Care Partnership
West Lothian Council
West Lothian Health and Social Care Partnership
Western Isles (Nan Eilean Siar) Council
Young Scot



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### **About Her Majesty's Inspectorate of Constabulary in Scotland**

HMICS operates independently of Police Scotland, the Scottish Police Authority and the Scottish Government. Under the Police and Fire Reform (Scotland) Act 2012, our role is to review the state, effectiveness and efficiency of Police Scotland and the Scottish Police Authority. We support improvement in policing by carrying out inspections, making recommendations and highlighting effective practice.