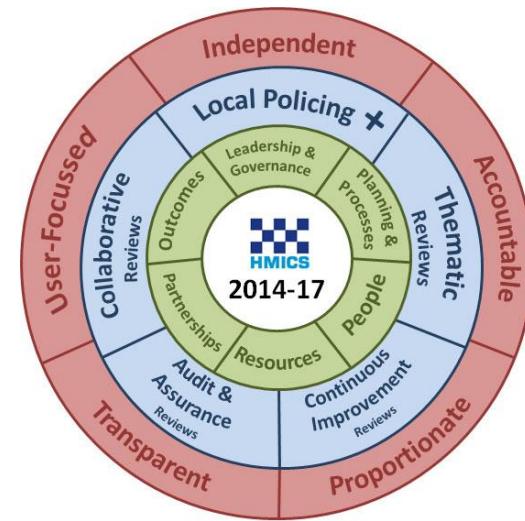




HM Inspectorate of Constabulary in Scotland

ANNUAL SCRUTINY PLAN 2015-16 *Improving Policing across Scotland*

This Plan is published in terms of Section 75 of the
Police and Fire Reform (Scotland) Act 2012



INTRODUCTION

Our *Annual Scrutiny Plan* for 2015-16 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.

This Plan is published in terms of Section 75 of the *Police and Fire Reform (Scotland) Act 2012* and sets out our priorities for inquiries over the next 12 months. It demonstrates how we will carry these out in a way that is proportionate, accountable and transparent.

We will keep this Plan under review and may from time to time revise it. In preparing our plan, we have consulted with a range of persons interested in policing and we will consult further prior to making any revisions. We will publish this Plan and any revised plan on our website and will make it directly accessible to those we consider are likely to have an interest in it.

The creation of a single Scottish police service in April 2013 has led HMICS to fundamentally review how we do our business. Our *Corporate Strategy 2014-17*ⁱⁱ shows how we are meeting our obligations in this new policing landscape to improve policing across Scotland.

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.ⁱⁱ

We will have a strong emphasis on local policing through our *Local Policing+* programme. This provides a consistent means of assessing the quality of local policing as well as local scrutiny and engagement across Scotland. We will report publicly on how Police Scotland and the Authority are delivering against local priorities and keeping people safe.

We will continue to use *Thematic Reviews* to examine cross-cutting issues or provide opportunities to work with others to examine new issues and provide evidence for future policy development. Our Plan also includes *Collaborative Reviews* and shows how we will inspect jointly with other

inspectorates in areas where Police Scotland or the Authority work in partnership with other agencies and contribute to shared outcomes.

We will continue our programme of *Continuous Improvement Reviews*, working closely with both Police Scotland and the Authority to examine how effectively they meet their obligations to deliver best value and continuous improvement. In addition to this we will carry out *Audit and Assurance Reviews* to scrutinise in more detail, areas where there is a need to ensure accurate and ethical recording or provide targeted assurance over key processes in high risk areas.

Our approach to scrutiny is supported by our Scrutiny Framework. This provides structure to our activities and the means to transparently, consistently and objectively assess policing in Scotland. We will work with others to ensure our Framework reflects best practice and has the potential to develop into a wider self-assessment tool.

We will also take the opportunity during 2015-16 to assess the progress made by Police Scotland and the Authority against the recommendations and improvement actions identified from our 2014-15 Scrutiny Plan. This will also include an objective assessment of our impact on improving policing of Scotland.

HMICS will publish reports in respect of our individual scrutiny activities and will publish our *Annual Report* as soon as practicable at the end of the fiscal year. We will take the opportunity in our Annual Report to comment on the overall state, efficiency and effectiveness of policing in Scotland and on the performance of Police Scotland and the Authority.

Our scrutiny reports and Annual Report will be laid before the Scottish Parliament.

Derek Penman QPM
HM Inspector of Constabulary in Scotland



OUR PURPOSE

HM Inspectorate of Constabulary in Scotland (HMICS) has been in existence since the 19th century. Our role was reaffirmed by the *Police and Fire Reform (Scotland) Act 2012* and we have wide ranging powers to look into the ‘state, effectiveness and efficiency’ of both Police Scotland and the Scottish Police Authority, including Forensic Servicesⁱⁱⁱ. We also have a statutory duty to ensure that the Chief Constable and the Authority meet their obligations in terms of best value and continuous improvement^{iv}. If necessary, we can be directed by Scottish Ministers to look into anything relating to the Authority or Police Scotland as they consider appropriate^v. 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^{vi}. The Authority and the Chief Constable must provide us with such assistance and co-operation as we may require to carry out our functions^{vii} and must comply with any reasonable request that we make. When we publish a report, the Authority and the Chief Constable must consider what we have found and take such measures, if any, as they think fit.^{viii} 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 Authority to improve policing. We will also identify good practice that can be rolled out across Scotland.

OUR VALUES

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

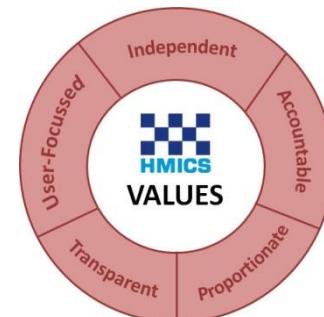
Independent – We will always act independently and publish impartial and objective reports. Our professional advice will be informed and unbiased. HM Inspector of Constabulary in Scotland is appointed under Royal Warrant and is independent of the Scottish Government, Police Scotland and the Scottish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

Accountable – We will be accountable for what we do and will justify our actions and reports by evidence. We will publish our statutory reports^{ix} 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 Focussed – 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.



OUR APPROACH TO SCRUTINY

Our annual **Scrutiny Plan** outlines our priorities and scrutiny activities for the 2015-16 fiscal year. This Plan has been developed through consultation with our stakeholders and is informed by an objective assessment of policing performance and risk.

We will 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^x review, Christie^{xi} report and supports production of the National Scrutiny Plan^{xii}.



Local Policing+

The three objectives for police reform^{xiii} were (i) to protect and improve local services, (ii) to create more equal access to specialist support and national capacity, and (iii) to strengthen the connection between police services and communities. As a consequence, HMICS has developed an

approach to scrutiny and introduced a rolling programme of Divisional policing inspections entitled *Local Policing+*.

This provides a consistent means of assessing the quality of local policing across Scotland and enables us to report publicly on how Police Scotland is delivering against local priorities and keeping people safe. We are interested in the effectiveness of local scrutiny and engagement as well as the contribution policing makes to the well-being of communities. This will include an assessment of Partnership, Prevention, Performance and People in support of the wider Scottish public service reform agenda^{xiv}. We will continue to capture innovation and good practice and where relevant, we will make recommendations that drive improvement.

Through our local inspections, we will review the effectiveness and efficiency of both national and regional structures and the provision of specialist policing across Scotland. Our *Local Policing+* programme allows sufficient flexibility to respond to new and emerging issues that arise and would benefit from our scrutiny. These issues will be identified through stakeholder engagement and our scrutiny risk assessment in advance of each inspection. Where our + element represents a substantial area of policing, we will report separately from our Divisional inspections.

We will discharge our obligations under the *National Preventive Mechanism*^{xv} through a programme of unannounced visits to police custody centres. These visits will be aligned to our Local Policing+ programme and will be reported separately from our Divisional inspections. Any recommendations made in respect of police custody centres will be followed up through our regular monitoring of progress.

Each formal *Local Policing+* inspection will take approximately three months and include time for research, stakeholder engagement, fieldwork, objective assessment and reporting. For larger divisions, we will extend this period to approximately six months. We will take a risk-based approach to the selection and timing of those Divisions to be inspected and will announce our selection in advance of our proposed scrutiny activity. We will undertake three formal *Local Policing+* inspections during 2015-16.



Thematic Reviews

We will use *Thematic Reviews* to scrutinise cross cutting issues that benefit from a more holistic review or where we choose to inspect major functions that fall outwith the scope of *Local Policing+*. We will publish full reports for each of our *Thematic Reviews*. We will capture innovation and good practice and where relevant, we will make recommendations that aim to drive improvement. We intend to conduct two Thematic Reviews for 2015-16, namely:

- **Cyber Policing** – (*October 2015 to March 2016*) – Our review will consider how Police Scotland is responding to the increasing demands and complexity of cyber-enabled, cyber-dependent and internet-facilitated crime. We will be interested in the police response to the victims of such crimes and consider the extent to which the digital technology aspects of crime and policing may require new approaches, resourcing and future investment by Police Scotland. We will include comparative research within England, Wales and Northern Ireland as well as other jurisdictions. Our report will be forward looking, seeking to capture key issues and is intended to inform future policy development.
- **Forensic Services** – (*January to March 2016*) – This will scrutinise how the Scottish Police Authority is meeting its statutory obligations under Section 31 of the *Police and Fire Reform (Scotland) Act 2012* by providing forensic services to the Police Service, the Police Investigations and Review Commissioner and the Lord Advocate and procurators fiscal. This review has been carried forward from our 2014-15 Scrutiny Plan.

Continuous Improvement Reviews

We will maintain our programme of *Continuous Improvement Reviews*, (CIR), working closely with both Police Scotland and the Authority to report on how they are meeting their obligations to secure best value and continuous improvement^{xvi}. We will focus on:

- **Leadership and Governance** – (*April to September 2015*) – This will build on the CIR activity completed as part of our 2014-15 Scrutiny Plan which culminated in the creation of a comprehensive Improvement Plan by the Scottish Police Authority. We will now monitor continuous improvement within the Authority and support capacity and capability building amongst members and officers for the effective and sustainable scrutiny of Scottish policing.
- **Strategic Planning and Performance** – (*April 2014 to September 2015*) – This will assess the efficiency and effectiveness of strategic planning and performance management frameworks within Police Scotland, including consideration of the consultation and evidence used to inform policing priorities. It will also include an assessment of the extent to which these frameworks support effective scrutiny over the policing of Scotland by the Authority.

In undertaking these reviews, we will engage with Audit Scotland to ensure we can discharge our respective statutory functions and reduce the scrutiny burden on Police Scotland and the Authority.

We will publish summary reports for each of our Continuous Improvement Reviews, highlighting the activity that was undertaken and our commentary. These Reviews will inform our wider assessment of how well Police Scotland and the Authority have met their obligations to secure best value and continuous improvement. We will also publish a summary of our findings in our Annual Report.

Audit and Assurance Reviews

Our *Audit and Assurance Reviews* will allow for more detailed scrutiny in areas where we believe there is a specific need to audit critical systems to ensure accurate and ethical recording or provide some external assurance over key processes in high risk areas. These reviews will also provide opportunities for HMICS to undertake short assignments to provide independent assurance over specific aspects of policing.

Our planned Audit and Assurance Reviews are:



- ***Police Scotland's use of Facial Recognition Technology Capabilities within the UK Police National Database (PND) – (June to September 2015)*** – The aim of this review is to consider the state, effectiveness and efficiency of the arrangements surrounding the use by Police Scotland of the facial recognition technology capabilities within the UK Police National Database (PND). In doing so, it will consider the statutory framework that underpins the police use of custody and other biometric images in Scotland; the governance and oversight arrangements; administrative and technical interfaces and the recording, weeding and retention of information. For completeness it will also provide comparisons with approaches used in England and Wales and the wider policing and societal opportunities and threats which arise from new and emerging biometric technologies.
- ***Stop and Search Phase 2 – (January to March 2016)*** – This inspection builds on our previous scrutiny of stop and search^{xvii}. This examined the processes for recording stop and search activity within Police Scotland and the associated procedures for supervision, audit and governance. We also examined the impact of the performance framework and targets in relation to stop and search activity. As part of Phase 2, we will undertake a statistically significant audit of both positive and negative searches. This is provisionally scheduled to commence in January 2016 to allow Police Scotland sufficient opportunity to consider our Phase 1 recommendations and implement improvements to stop and search across Scotland.
- ***Crime Recording – (Scoping to commence March 2016)*** – HMICS conducted a major audit of crime recording in November 2014, where the number of records examined was more than five times higher than in previous audits^{xviii}. The purpose of this audit was to assess crime recording by Police Scotland and the extent to which recording practice complied with the Scottish Crime Recording Standard and the Scottish Government's Counting Rules. The audit also addressed the need for a comprehensive, independent audit of crime data as highlighted by the UK Statistics

Authority. We propose to conduct a follow-up audit of Crime Recording in 2016 and will commence our scoping in consultation with key stakeholders in March 2016.

We will publish concise reports for each of our Audit and Assurance Reviews, highlighting our findings and any recommendations. These Reviews will also inform our wider assessment of how well Police Scotland and the Authority have met their obligations to secure best value and continuous improvement, which we will publish in our Annual Report.

Collaborative Reviews

We will continue to work with other scrutiny bodies and undertake joint inspection activity in areas where Police Scotland or the Authority work in partnership and contribute to shared outcomes with others.

Our planned Collaborative Reviews include:

- ***Children's Services – (Full Year Programme)*** – Under section 115 of the *Public Services Reform (Scotland) Act 2010*, the Care Inspectorate lead joint inspections of services for children and young people across Scotland. The inspections look at the difference services are making to the lives of children, young people and families. They take account of the full range of work within a community planning partnership area including services provided by health visitors, school nurses, teachers, doctors, social workers and police officers. HMICS participates in these joint inspections and seconds two staff on a full-time basis. Reports are published by the Care Inspectorate.
- ***Multi Agency Public Protection Arrangements (MAPPA) – (Ongoing to November 2015)*** – The purpose of this joint review with the Care Inspectorate is to assess the state, efficiency and effectiveness of MAPPA in Scotland, in terms of keeping people safe and reducing the potential risk of serious harm by registered sex offenders in our communities.

The main review objectives are to:



- Assess how effective the responsible authorities are in the discharge of their statutory duties, under the terms of the Management of Offenders etc (Scotland) Act 2005, including adherence to guidance and good practise.
- Assess how effective the processes are in relation to MAPPA Significant Case Reviews and the arrangements that are in place to promote organisational learning development across the responsible authorities.

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.

In agreement with the Police Scotland and the Scottish Police Authority, HMICS receives an update on the outstanding recommendations three times a year. This includes evidence as to the action taken and requests to discharge recommendations. We carefully consider these updates and requests and discharge recommendations where appropriate. This may involve short focussed pieces of follow up work.

In the longer term, HMICS monitors the impact of our inspection activity by assessing the extent to which our recommendations have been implemented and to what effect. We will create plans for assessing the longer term impact of each inspection, including how we will follow up the report, and how we monitor progress, using potentially varied sources of information. Thereafter, generally 12 months after publication, we will produce an impact assessment, providing an overview of the impact of the report including improvements that could reasonably be attributed to the inspection, alongside other causal factors. It considers the effectiveness of our

methodology and the scrutiny burden, with the emphasis on minimising the latter whilst still addressing the scrutiny risk and objectives of the inspection activity. This methodology will be reviewed during 2015.

National Preventive Mechanism (NPM)

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.

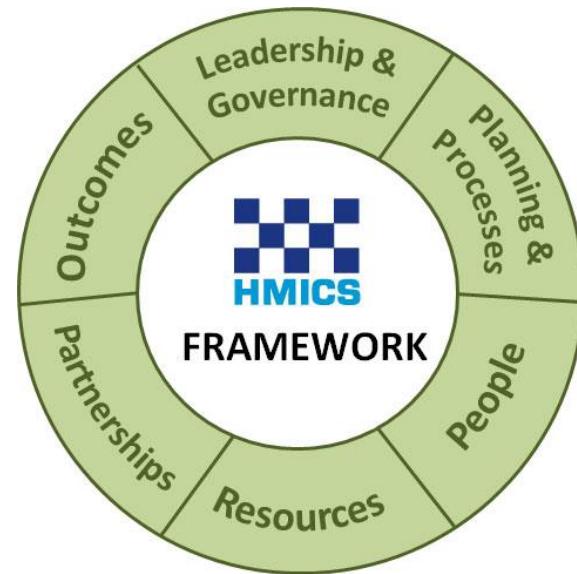
The United Kingdom NPM is made up of 20 bodies who monitor places of detention across Scotland, England, Wales and Northern Ireland. This includes police custody, prisons, court custody, immigration and military detention, secure children's homes, and places where people are detained under mental health 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. We publish reports of these inspections, identify good practice and make recommendations for improvement. The HMICS Custody Inspection Framework^{xix} 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.



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 *Public Sector Improvement Framework* self-evaluation model 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 Authority. 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.

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.

Leadership and Governance

We will assess the leadership of Police Scotland and the Authority 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 focussed 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.

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 cooperate in delivering integrated working and whether the partnership ethos has developed a positive culture of involvement and working together.

We will work with others to ensure our Framework reflects best practice and has the potential to develop into a wider self-assessment tool.

OUR REPORTS

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, Continuous Improvement Reviews and Audit and Assurance 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 at the end of the fiscal year 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 Authority. We will aim to publish our annual report in June of each year.

OUR COMPLAINTS PROCESS

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.

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.^{xx}



HMICS Scrutiny Plan 2015-16

This Plan is published in terms of Section 75 of the *Police and Fire Reform (Scotland) Act 2012* and sets out our priorities for inquiries to be carried out for the next 12 months. We will keep our Plan under review and may from time to time revise it. We will publish our Plan and any revised plan on our website and will make it accessible to those we consider are likely to have an interest in it.

	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Local Policing +												
Local Policing Edinburgh												
Local Policing Dumfries and Galloway												
Local Policing (TBC)												
Thematic Review												
Cyber Policing												
Forensic Services												
Continuous Improvement Reviews												
SPA Leadership and Governance												
Strategic Planning and Performance												
Audit and Assurance Reviews												
Use of Facial Recognition Technology												
Stop and Search Phase 2												
Crime Recording												
Collaborative Reviews												
Children's Services (Led by Care Inspectorate)												
MAPPA (Joint with Care Inspectorate)												
Recommendations and Impact												



Document References

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- ⁱ <http://www.hmics.org/publications/corporate-strategy-2014-2017>
 - ⁱⁱ <http://www.scotland.gov.uk/About/Performance/scotPerforms/outcome/pubServ>
 - ⁱⁱⁱ Police and Fire Reform (Scotland) Act 2012, Section 74(2)(a)
 - ^{iv} Police and Fire Reform (Scotland) Act 2012, Section 74(2)(b)
 - ^v Police and Fire Reform (Scotland) Act 2012, Section 74(1)
 - ^{vi} Police and Fire Reform (Scotland) Act 2012, Section 76(1)
 - ^{vii} Police and Fire Reform (Scotland) Act 2012, Section 77
 - ^{viii} Police and Fire Reform (Scotland) Act 2012, Section 80
 - ^{ix} Police and Fire Reform (Scotland) Act 2012, Section 79
 - ^x <http://www.scotland.gov.uk/Resource/Doc/198627/0053093.pdf>
 - ^{xi} <http://www.scotland.gov.uk/Resource/Doc/352649/0118638.pdf>
 - ^{xii} <http://www.audit-scotland.gov.uk/work/scrutiny/schedule.php>
 - ^{xiii} Police and Fire Reform Scotland Bill Policy Memorandum, Paragraph 3.
 - ^{xiv} Police and Fire Reform (Scotland) Act 2012, Section 74(2)(b)
 - ^{xv} <http://www.hmics.org/what-we-do/national-preventive-mechanism-npm>
 - ^{xvi} Police and Fire Reform (Scotland) Act 2012, Section 37(1)&(2)
 - ^{xvii} <http://www.hmics.org/publications/hmics-audit-and-assurance-review-stop-and-search-phase-1>
 - ^{xviii} <http://www.hmics.org/publications/hmics-crime-audit-2014>
 - ^{xix} <http://hmics.org/publications/hmics-custody-inspection-framework>
 - ^{xx} <http://pirc.scotland.gov.uk/>

