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HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

## Annual scrutiny plan 2017-18

May 2017

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Improving Policing Across Scotland

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## Introduction

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Our Annual Scrutiny Plan for 2017-18 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 2017 until March 2018.

We keep this plan under review and may from time to time revise it. In preparing our plan, we have consulted with a range of people 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.

**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>1</sup>**

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 work with Police Scotland to develop self-assessment within local policing Divisions and will continue to report publicly on how Police Scotland and the Authority are delivering against local priorities.

We will use *Thematic Reviews* to examine specific areas of policing in detail. This will include our first statutory inspection of the Scottish Police Authority and an examination of cyber-policing. Our Plan includes *Collaborative Reviews* and shows how we will inspect jointly with other inspectorates. This will include working with the Care Inspectorate to examine Children's Services across Scotland and with

HMIC in England and Wales to provide UK-wide assessments of Counter Terrorism and an inspection of British Transport Police.

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. We will specifically focus on how the Authority and Police Scotland govern and deliver the major transformation identified from their 2026 Strategy. 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. We will also take the opportunity during 2017-18 to assess the progress made by Police Scotland and the Authority against the recommendations and improvement actions identified from our previous scrutiny activity. This will include detailed follow-up into call handling, counter corruption and custody.

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 SPA.

**Derek Penman QPM**

HM Chief Inspector of Constabulary in Scotland

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<sup>1</sup> <http://www.scotland.gov.uk/About/Performance/scotPerforms/outcome/pubServ>

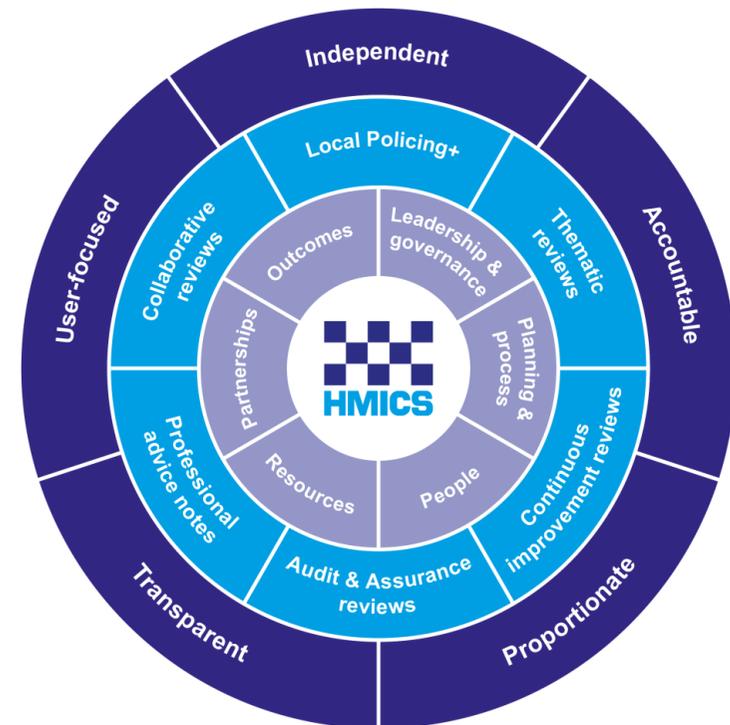
## Our purpose

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 SPA.<sup>2</sup> 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.<sup>3</sup> If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate.<sup>4</sup> 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.<sup>5</sup> The SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to carry out our functions<sup>6</sup> 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>7</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>2</sup> Police and Fire Reform (Scotland) Act 2012, Section 74(2)(a).

<sup>3</sup> Police and Fire Reform (Scotland) Act 2012, Section 74(2)(b).

<sup>4</sup> Police and Fire Reform (Scotland) Act 2012, Section 74(1).

<sup>5</sup> Police and Fire Reform (Scotland) Act 2012, Section 76(1).

<sup>6</sup> Police and Fire Reform (Scotland) Act 2012, Section 77.

<sup>7</sup> Police and Fire Reform (Scotland) Act 2012, Section 80.

## Our values

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

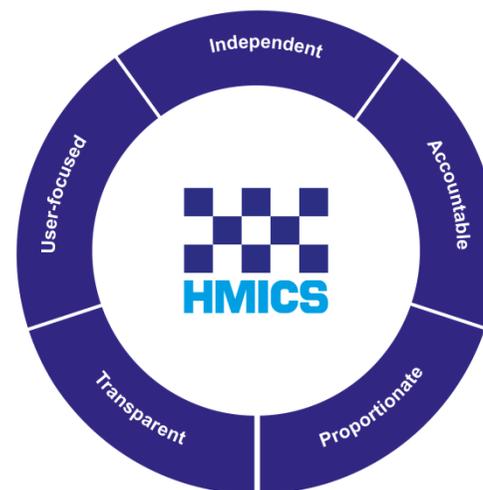
**Independent** – We will always act independently and publish impartial and objective reports. Our professional advice will be informed and unbiased. HM Chief Inspector of Constabulary in Scotland is appointed under Royal Warrant and is independent of the Scottish Government, Police Scotland and the 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>8</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-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.



<sup>8</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 2017-18 fiscal year. The Plan was initially developed through consultation with our stakeholders and is informed by an objective assessment of policing performance and risk.

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>9</sup>, Christie report<sup>10</sup> and supports production of the National Scrutiny Plan.<sup>11</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 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 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>9</sup> <http://www.scotland.gov.uk/Resource/Doc/198627/0053093.pdf>

<sup>10</sup> <http://www.scotland.gov.uk/Resource/Doc/352649/0118638.pdf>

<sup>11</sup> <http://www.audit-scotland.gov.uk/report/search?search=National%20Scrutiny%20Plan>



## 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.

## 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 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. 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.

## Local policing+

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The three objectives for police reform were to *(i) protect and improve local services; (ii) create more equal access to specialist support and national capacity; and (iii) strengthen the connection between police services and communities.* In response to this, HMICS introduced a rolling programme of divisional policing inspections entitled Local Policing+.

This programme 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. We are interested in the effectiveness of local scrutiny and engagement as well as the contribution policing makes to the wellbeing of communities. This includes an assessment of Partnership, Prevention, Performance and People in support of the wider Scottish public service reform agenda. We will 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 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.

During 2017-18, we will continue to streamline our approach to Local Policing+ inspections with a greater focus on risk-based, proportionate inspection. We will inspect Tayside Division in Spring/Summer 2017 and, in advance of the inspection, will continue working with Police Scotland and the Improvement Service to support the development of a self-assessment methodology. The results of Tayside's self-assessment will be a key source of evidence during our inspection. The + element of our inspection of Tayside Division will involve assessing the state, efficiency and effectiveness of firearms licensing by Police Scotland.

## Thematic reviews

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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 capture innovation and good practice, and where relevant we will make recommendations that drive improvement. Our planned reviews for 2017-18 are:

- **Forensic Services** (*November 2016 to June 2017*) – The aim of this inspection will be to assess the effectiveness and efficiency of the forensic services provided by the SPA. It will scrutinise how the SPA is meeting its statutory obligations under Section 31 of the *Police and Fire Reform (Scotland) Act 2012* by providing forensic services to Police Scotland, the Police Investigations and Review Commissioner and the Lord Advocate and procurators fiscal. This inspection will report in June 2017.
- **Cyber – Baseline Assessment** (*July to November 2017*) – This will build on the key findings and recommendations from the scrutiny of cyber policing in England and Wales and assess their relevance for Scotland. We will focus on how Police Scotland is responding to the needs of victims of cybercrime and consider the extent to which the digital technology aspects of crime and policing may require new approaches, resourcing and future investment. 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.
- **Scottish Police Authority** (*April to December 2017*) – This will be the first full inspection of the Scottish Police Authority and will take place in three phases. The first phase will focus on openness and transparency and an interim report will be published in June 2017. The second phase will focus on ongoing monitoring of SPA meetings and reports submitted. The final phase will include fieldwork in October-November 2017, with a report due for publication in December 2017.

## Audit and assurance review

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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 2017-18 are:

- **Scoping and Piloting Audit of Clear-up Data** (*January to February 2018*) – Similar to crime data, clear-up rates (also known as detection rates) are published by Police Scotland in its regular management information reports and by the Scottish Government as part of its Recorded Crime in Scotland series. Given that there has been no recent independent audit of clear-up rates, HMICS will follow up our comprehensive audits of crime data in 2014 and 2016 by scoping and piloting an audit of clear-up data with a view to providing the public and other stakeholders with an assessment over its reliability.
- **Undercover Policing Strategic Review** (*April to September 2017*) – On 22 September 2016, the Cabinet Secretary for Justice directed HMICS to undertake a strategic review of undercover policing procedures and practices in Scotland. This was in response to a decision by the Home Secretary not to extend the terms of reference for the Pitchford Inquiry<sup>12</sup> to consider the activity of undercover police officers deployed in Scotland. Our review will examine the effectiveness and efficiency of the current undercover policing arrangements in Scotland and provide an independent analysis of the extent and scale of undercover policing operations in Scotland since the introduction of Regulation of Investigatory Powers (Scotland) Act (RIPSA) 2000 and Regulation of Investigatory Powers Act (RIPA) 2000. Our terms of reference were published in January 2017.<sup>13</sup>
- **Custody ongoing (NPM)** (*Ongoing 2017-18*) – 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. In recent years, these inspections have been primarily aligned to our Local Policing+ programme, with additional visits based on an assessment of risk. In 2017-18, we propose to revise our custody inspection programme, taking greater account of health board as well as divisional boundaries. This is in preparation for extending the scope of these inspections to include a greater focus on the delivery of healthcare in police custody, in partnership with Healthcare Improvement Scotland.

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<sup>12</sup> Pitchford Inquiry – see [www.ucpi.org.uk](http://www.ucpi.org.uk) for more information.

<sup>13</sup> [HMICS Strategic Review of Undercover Policing in Scotland - Terms of Reference](#)

## 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 2017-18 are:

- **Children's Services** (*Ongoing 2017*) – 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. Since 2012, the Care Inspectorate, Education Scotland, HMICS and Healthcare Improvement Scotland have been conducting a programme of inspection across all 32 local authorities, which is due to conclude at the end of 2017.

The Child Protection Improvement Programme (CPIP) commenced in February 2016 looking at nine key areas of work, including inspections. It reported in March 2017. The Care Inspectorate has been asked by Ministers to chair a short life working group involving its scrutiny partners to develop and refine recommendations for a revised inspection model, which focuses on the experiences and outcomes of the most vulnerable children, those in need of protection and those subject to corporate parenting.

The new model will also consider the recommendations of the CPIP review. HMICS has secured a secondment of a senior officer from Police Scotland to assist in concluding the existing joint inspection programme, and to contribute to developing the revised approach to scrutiny of services for children and young people.

- **MAPPA (Follow Up)** (*April 2017 to January 2018*) – During 2015, HMICS and the Care Inspectorate carried out fieldwork which culminated in our published report on 26 November 2015. Our report outlined 10 recommendations which were of a strategic nature, requiring a national response.

In October 2016, as part of our approach to monitoring progress we wrote to the chair of the MAPPA National Strategic Group (MAPPA NSG) requesting a copy of the action plan covering each of the 10 recommendations.

Between January and March 2017, the Care Inspectorate and HMICS carried out fieldwork to determine the response to the joint thematic report recommendations. Our findings and the current status of each of the 10 recommendations is being analysed.

- **British Transport Police** (*Spring and Autumn 2017*) – We will continue to work jointly with HM Inspectorate of Constabulary in England and Wales by publishing our Phase 1 inspection of the efficiency, leadership and legitimacy of British Transport Police (BTP). This will be followed in Autumn 2017 by our Phase 2 joint inspection of the effectiveness of BTP. HMICS will also use this inspection activity to identify strategic issues relating to the devolution of railway policing in Scotland and the transfer of functions from BTP and the British Transport Police Authority to Police Scotland and the Scottish Police Authority.
- **Counter Terrorism** (*Ongoing 2017-18*) – Given the interoperability requirements of counter terrorism operations across the United Kingdom, HMICS and HMIC (England and Wales) recognised the value of joint inspections. A programme of Counter Terrorism inspections designed to provide assurance to the Counter Terrorism network will be carried out throughout 2016-18.

## Follow up reviews

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- **Counter Corruption** (*April 2017 to January 2018*) – In June 2016 we published a full report into the state, effectiveness and efficiency of Police Scotland’s Counter Corruption Unit (CCU).<sup>14</sup> Our report outlined 39 recommendations. In order to determine the response to the recommendations we shall carry out a follow up review of the newly established Anti-Corruption Unit. We shall engage with key stakeholders to develop the scope of the follow up activity.
- **Call Handling** (*April to July 2017*) – The request of the Cabinet Secretary for Justice, we will continue our scrutiny of police call handling and assess the progress by Police Scotland and the SPA against the recommendations from our call handling report published in November 2015.<sup>15</sup> After our Update Report in November 2016 this process will continue with unannounced visits to call handling centres across Scotland and an ongoing assessment of both the governance and assurance arrangements in place to support the national change programme which is due to complete in August 2017. We will also undertake an audit of call handling in January 2018 to further assess the effectiveness of the new arrangements and follow up on our original audit undertaken in August 2015.
- **Custody thematic** (*October to December 2017*) – Following our thematic inspection of police custody arrangements in 2014, and subsequent inspections of custody centres in Aberdeen, Edinburgh, Dumfries and Galloway and two centres in Glasgow, a number of custody-related recommendations remain outstanding. In 2017-18, HMICS will follow up on these recommendations and assess the strategic direction for the future delivery of police custody.

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<sup>14</sup> <http://www.hmics.org/publications/hmics-independent-assurance-review-police-scotland-counter-corruption-unit>

<sup>15</sup> <http://hmics.org/publications/hmics-independent-assurance-review-police-scotland-call-handling-final-report>



## 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.



## 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 by the end of the calendar year.

### 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.

## 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>16</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>17</sup>

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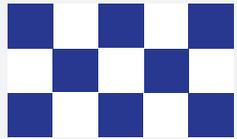
<sup>16</sup> <http://www.hmics.org/what-we-do/complaints-process>

<sup>17</sup> <http://pirc.scotland.gov.uk/>



## Our scrutiny plan 2017-18

	Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18
<b>Local Policing +</b>												
Tayside + Firearms Licensing												
<b>Thematic Review</b>												
SPA Forensic Services												
Cyber - Baseline Assessment												
Scottish Police Authority	Phase 1			Phase 2								
<b>Audit and Assurance Reviews</b>												
Scoping and Piloting Audit of Clear-up Data												
Undercover Policing Strategic Review												
Custody (ongoing) (NPM)	2 x Custody inspections (with HIS)											
<b>Collaborative Reviews</b>												
British Transport Police	Phase 1						Phase 2					
Children's Services												
Counter Terrorism (ongoing)												
MAPPA (Follow-up)												
<b>Follow Up Inspections</b>												
Counter Corruption Unit (Follow-up)												
Call Handling (Follow-up)												
Custody thematic (Follow- up)												



**HMICS** HM INSPECTORATE OF  
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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.