

PUBLIC

AGENDA ITEM

**Police and Crime
Commissioner
North Yorkshire**



JOINT INDEPENDENT AUDIT COMMITTEE

15 MARCH 2016

REPORT OF THE JOINT CORPORATE RISK GROUP

**UPDATE ON ANNUAL STRATEGIC RISK SUMMARY 2015/16 & NEW STRATEGIC
RISKS 2016/17**

1. PURPOSE OF THE REPORT

- 1.1 To present to the Joint Independent Audit Committee the update to the Annual Strategic Risk Summary 2015/16 of the Office of the Police and Crime Commissioner (Commissioner) and the Chief Constable (CC) of North Yorkshire Police (NYP) and the new Strategic Risks for 2016/17.

2. KEY INFORMATION

- 2.1 Risk Management is a legal requirement. The Accounts and Audit (England) Regulations 2011 require that specified public sector organisations including police forces and local policing bodies shall have as part of their internal control framework, arrangements for the management of risk.
- 2.2 NYP defines risk as “an uncertain event or set of events that, should it occur, will have an effect on the achievement of the organisations objectives” i.e. NYP’s Police and Crime Plan objectives. Risk is measured by the combination of probability of a perceived threat or opportunity occurring and the magnitude of its impact on the organisation’s objective.
- 2.3 NYP work to the International Standard of Risk Management ISO 31000:2009 and the BS 31100:2011 Risk Management Code of Practice. Risk Management ensures that the organisation makes cost effective use of a risk management process that includes a series of well defined steps. It improves internal control and supports better decision making through a good understanding of individual risks and the overall risk exposure at a particular point in time.

2.4 The Commissioner and Chief Constable aim to engage frankly with risk in order to develop a risk conscious culture that supports decision makers in the identification, analysis and proportionate management and tolerance of risks and opportunities that present themselves in Commissioner and NYP activities.

2.5 NYP's process for risk management is to:

- **Identify** the risk, by considering uncertainties that would affect the achievement of NYP's objectives
- **Assess** the risk so risk can be prioritised and understood by:
 - Estimating probability/likelihood of the risk occurring and
 - The severity of the consequences for the organisation with regard to:
 - Financial Cost
 - Reputation
 - Operational Policing Functions
 - Legal Compliance
 - A scoring scheme is used to allocate a score for likelihood and each impact listed.
- **Control** the risk which involves planning responses to risks, assigning owners and
- **Implementing, monitoring and controlling** these responses.

2.6 NYP have a Joint Risk Management Policy and Strategy with the Police and Crime Commissioner. The Risk Management Policy communicates why and how risk management is implemented throughout the organisation, the Risk Management Strategy outlines the framework by which the Commissioner for North Yorkshire and the CC of NYP will engage frankly with risk and uncertainty, in a structured, effective and efficient manner and defines how risk management is handled by the executive management team. Risk Management is embedded within the organisation and is an integral part of all the Commissioners and NYP's governance and decision making processes. A recently finalised report on "Risk Maturity" undertaken by our Internal Auditors described our "Risk Maturity" as "Developing" to "Mature". We are pleased with this assessment and view it as an endorsement of our effort to develop a risk conscious culture as opposed to being risk averse.

3. STRATEGIC RISKS

3.1 Risk Rating

LOW
<p>Low Risk - these risks are both unlikely to occur and not significant in their impact. They are managed using normal or generic planning arrangements and require minimal monitoring and control unless subsequent risk assessment shows a substantial change, prompting a move to another category.</p>
MEDIUM
<p>Medium Risk - these risks are less significant, but may cause upset and inconvenience in the short term. These risks are monitored to ensure that they are being appropriately managed.</p>
HIGH
<p>High Risk - these risks are classed as significant. They may have a high or low</p>

likelihood of occurrence, but their potential consequences are sufficiently serious to need consideration. Consideration is given to the development of ways to reduce or eliminate the risk where possible.

- 3.2 NYP's strategic risks are identified through a number of processes i.e. Horizon Scanning, External and Internal Strengths, Weakness, Opportunities and Threats (SWOT), Her Majesties Inspectorate of Constabulary (HMIC), NYP's Internal Auditors and Internal Reviews. Strategic risks determine what risks the organisation may face during the next year and beyond. The Strategic Risk Register is governed by the Joint Corporate Risk Group, which is jointly chaired by NYP's Deputy Chief Constable (DCC) and the OPCC's Chief Executive Officer (CEO). NYP's Strategic Risk Summary is attached at Appendix A.

4. UPDATES TO THE STRATEGIC RISKS 2015/16

4.1 Comprehensive Spending Review (2016-2020) – Announced Autumn 2015

The Policing Minister's decision was that the current funding arrangements from 2014/15 would continue into 2015/16. NYP already had current saving plans in place and had identified savings for the next Comprehensive Spending Review (CSR) period 2016/17-2019/20. Benefit Reviews were conducted on the reviews that had been undertaken i.e. Operational Policing Model (OPM), Investigation Hubs, Custody Closures and Intelligence and Tasking, to ensure savings had been realised. Any additional findings from the Benefit Reviews were incorporated into further improvements.

An Affordability Group was set up to look at the potential for achieving savings of £20 million on a range of projects/scenarios being delivered over the next 3 years. The funding settlement for 2016/17 was not as bad as expected but NYP still does not know what the effects of the revised Final Police Funding Formula will be and how it will impact on the force from 2017 onwards. NYP still need to deliver its savings and efficiency plans to be in a healthy financial position, our priority is to redouble efforts on Protecting Vulnerable People over the next year, and it will take some investment to do this.

NYP's Chief Constable (CC) and the Commissioner and Office of the Police and Crime Commissioner (OPCC) continue to work together to review working practices and process to ensure NYP are fit for the future. NYP still continues work to make the savings identified through the Affordability Group.

This risk is closed and a new risk opened under the heading Impact on Delivery of Policing Services from continued Public Sector Funding Pressures.

4.2 Change in Political Direction - May 2015

Following the General Election the government brought about some national proposals to changes in current legislation these included:

Bail Legislation

The force recognises that the changes to bail legislation are likely to have an impact upon force capacity, processes and procedures and actions are being undertaken to monitor and prepare for the changes in legislation. The force was a control force as part

of the College of Policing bail pilot, which was completed in November 2015 and has continued to apply the principles from this.

Mental Health Vulnerabilities

NYP has introduced Places of Safety for those detainees suffering from mental health issues. The force has also embedded mental health professionals within the Force Control Room (FCR) and Custody staffs have received training in mental health and alcohol issues.

NYP's position with health partners is that:

- The detention of children under 18yrs of age in police custody solely under s.136 of the Mental health ACT (MHA) is to be regarded as a "Never Event" and;
- The detention of any person, regardless of age, in police custody solely under s.136 MHA is to be regarded as a "Serious Incident" and subject of multi-agency review.
- NYP officers are now able to take detainees to four dedicated Health-Based Places of Safety (HBPoS) across the policing area, which are commissioned by the National Health Service (NHS) to accept detainees of any age.

In respect of reducing the current 72hr maximum detention period in any place of safety, the number of custodial detentions under s.136 MHA is becoming a rarity, as HBPoS facilities have become available across the county, and the period of detention in such cases is generally in the order of a few hours.

The proposed extension of s.136 MHA to any place other than a private residence is where someone is deemed to have mental capacity and is significantly mentally distressed in his or her home. In such circumstances, and particularly out-of-hours, there are practically no lawful tactical options for either police or ambulance to intervene. This was recognised by Sir Paul Beresford MP in 2014 and he has requested a review of s.136 MHA.

North Yorkshire Police has begun a pilot of Mental Health Triage in the Force Control Room. This is intended to provide a readily available source of advice and guidance to staff with concerns about the mental well-being of people, and also to members of the public who phone NYP whilst experiencing mental distress.

The Government has announced that an additional £1bn has been earmarked for mental health care. As a result, the future of care will combat issues including the bed management crisis. For the first time NHS England are publishing a five year strategy for mental health services to develop a new culture and new ways of working. Prevention, service quality and integration are at its core. The Five Year Plan will explore how the new national strategy for mental health services can drive action so that people across all ages can get the right help at the right time.

This risk remains open.

4.3 Child Sexual Exploitation (CSE) - National Interest

Her Majesty's Inspectorate of Constabulary (HMIC) and Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI), "Achieving Best Evidence in Child Abuse Cases" inspection set out 11 recommendations for improvement, including better training and additional guidance for staging sensitive interviews.

During 2014 there has been a lot of National public interest in the Protecting Vulnerable People (PVP) area of business. A number of HMIC and Joint External Inspections took place during 2015 covering:

- Child Protection
- Multi Agency Child Protection Arrangements (MACP)
- 21st Century Child Sexual Exploitation (CSE) (including online CSE) and
- Missing and Absent Children

The force has recently been subject to a HMIC Police Efficiency, Effectiveness and Legitimacy (PEEL) inspection in relation to the Effectiveness strand, which included a specific focus on vulnerability. Both CSE and Missing and Absent Children were a particular focus of this inspection. HMIC provided an early indication of some of the positive work being undertaken by the force as well an indication of areas for improvement. These areas are currently being explored and integrated into plans to enable the force to commence improvements prior to the publication of the final report.

In addition to the above the force also put its self forward for a review to be undertaken by the College of Policing. Written outcomes are this review will be considered and implemented where necessary.

Child Protection

In 2016 HMIC launched a programme of targeted area child protection inspections. These short, focused inspections are to be carried out on a multi-agency basis, led by Ofsted and also involving HMIC, the Care Quality Commission and Her Majesty's Inspectorate of Probation. The force has yet to be selected for an Inspection under the regime. The force is developing its child protection action plan and overarching vulnerability action plan. The force has a CSE action plan in place. The force is forming a Historical Child Abuse Investigation Team to investigate allegations of historical sexual abuse.

Multi Agency Child Protection Arrangements (MACP)

The Vulnerability Assessment Team (VAT) was launched in January 2016, providing a single point of contact for safeguarding concerns across York and North Yorkshire. The work of the team is critical in the multi-agency response to protect children and vulnerable adults from abuse.

The team links in with other agencies either directly and virtually to understand the whole picture of concerns. Cases are also referred into the new Vulnerable, Exploited, Missing

and Trafficked (VEMT) process. These are multi-agency meetings to share information and agree joined-up action plans to protect specific victims.

Child Sexual Exploitation (CSE)

NYP recently undertook a review of their approach to CSE. The review found that NYP can improve identification and escalate information about those at risk.

NYP have now joined forces with the “It’s not OK” – an ongoing internal and external initiative to raise awareness of CSE amongst officers and staff at North Yorkshire Police. Frontline officers will also be able to access a range of marketing materials for use in communities.

As part of the initiative NYP will be launching a new intranet page containing information on how to spot the warning signs of CSE, what to do if you believe a young person could be at risk, and what action you should take if there is an immediate danger.

A communications plan has been produced for CSE, including strategies for both internal and external communications. A new Victim Information Booklet is currently being finalised, this includes information for victims of CSE. The force is expanding its resources to tackle vulnerability, this includes expanding the Serious Crime Team, Integrated Offender Management, Digital Forensics, Child Abuse Investigations and online/cyber-crime investigations.

Missing/Absent & Groomed Children

The VAT contains a Missing from Home Co-ordinator. Cases are referred into the new Vulnerable, Exploited, Missing and Trafficked (VEMT) process. Additional training is to be rolled out in areas of vulnerability, including training focussing on modern slavery and human trafficking.

Honour Based Violence (HBV)

HMIC requested all forces to conduct a self-assessment in relation so called HBV which included Female Mutilation (FM) and Female Genital Mutilation (FGM), following which the HMIC selected a number of forces to visit in order conduct a thematic review. The outcome of which is yet to be published, but when it is made available, the force will review the recommendations in order to identify areas for improvement within our service.

Female Genital Mutilation (FGM)

The force refreshed the Domestic Abuse problem profile in November 2015. This incorporates Forced Marriage; So-called Honour-Based Abuse; Stalking and Harassment; Female Genital Mutilation and Domestic Abuse. FGM recommendations are incorporated with the force internal domestic abuse action plan.

This risk remains open.

4.4 High number of National Government and National Criminal Justice Projects for implementation

There are a high number of Government and National Criminal Justice Projects for implementation over the next few years. Each project comes with a financial cost and resource implications and leads to changes in NYP's operational policing function. An impact assessment has been completed for the National Criminal Justice projects and additional resource is being secured to progress these initiatives.

Improvements to Case File Quality

The force has developed a comprehensive action plan in order to drive improvements in relation to case file quality. This includes working closely with partners, rollout of a force-wide training programme, and implementation of a dedicated Case Quality Review Team.

A review of the Case Quality Review function has been commissioned which will analyse data relating to improvements that have been made in file quality since the implementation of the temporary team. Further file quality and investigative standards training days will take place in summer and autumn 2016. This will be delivered to all officers from Constable to Inspector rank will concentrate on Investigative Planning.

This risk remains open.

4.5 Recommendations arising from National external inspections which have an impact on NYP

There has been a significant number of new and changing demands within the external inspection area, which has led to an increased number of external inspections that have a high number of National recommendations. Not all of these recommendations are relevant to NYP.

A quarterly report is submitted to the Joint Independent Audit Committee (and NYP's Scrutiny meeting) listing HMIC risk status, HMIC decisions on risks/recommendations, Internal Audit risk status, Strategic risk status and Business Continuity issues. HMIC inspection areas are discussed at the ACCs performance meeting the Operational Delivery Board. This is where resources and preparation takes place for pending HMIC Inspections.

The Risk and Assurance Unit (RAU) completes a force compliance calendar, which is governed by the Joint Corporate Risk Group (JCRG) this gives the heads up on external inspection activity that has been planned by HMIC. In 2015 the first full round of PEEL inspections took place. Learning and best practise from the preparation for the 2015 inspections has led to a refreshed preparation timeline being produced.

This risk is closed as mitigated.

4.6 Internal ability to respond to and manage an ever increasing change programme

NYP has created an organisation plan detailing all the ongoing changes/projects within NYP. The plan was put in place to understand the gaps and prioritise the work going forward. Arrangements for continuous updates of the plan are in place through the Business Planning process, which also supports the Risk Management and Governance process. This will help the organisation plan to enable relevant resources to be in place.

The forces Human resources HR Department is reviewing recruitment process for specialist roles to see if improvements can be made.

This risk is closed and a new risk opened under the heading at 5.2 Delivery of Information Communications Technology (ICT) Change Programme.

4.7 Adverse / Extreme Weather

Extreme weather causes disruption to travel networks, disruption to operational performance and damage or access issues to property and assets.

Each Department within NYP has a managed dedicated Business Continuity Plan (BCP). Within the BCP's each department have identified the critical activities that will be maintained in the event of a disruption such as extreme weather. The departments identify and document strategic responses to a disruption that can have an effect on the premises, people, assets and resources (ICT and other).

NYP is committed to protecting the health and safety of all personnel, however NYP must ensure that during such times we continue to deliver policing services to the communities of North Yorkshire and the City of York, and maintain force Critical Activities. NYP continue to monitor weather forecasts to ensure the organisation is prepared and forewarned.

The force has invested in agile working initiatives that will, over the coming years, enable officers and staff to perform their duties away from a central/police premises. The initiatives will allow officers and staff the tools to maintain activities and productivity even if affected by adverse and extreme weather. There is a caveat that the impact adverse weather can have on personal contingencies and partners agencies may still restrict the ability to maintain activities and productivity, (e.g. schools closed).

This risk remains open.

4.8 Pandemic and Epidemic Diseases

The World Health Organisation (WHO) monitors a number of diseases and NYP monitors information provided by the World Health Organisation, UK Government, and National Health Service.

Pandemic / Epidemic response plans have been created to support NYP's internal management of a pandemic situation. Consideration is given to supporting mutual aid where needed, which may have an effect on NYP's operational capability resulting in reduced service.

As of August 2015, the epidemic of Ebola peaked with evidence of case numbers decreasing internationally. Information is still available from the World Health Organisation. There is work ongoing to support Health and Safety Department in publishing and maintaining the Blood Borne Virus Procedure.

We are now entering the season of Winter related pandemic and infections such as Flu. The contact of the Pandemic and Epidemic disease risk has been amended to reflect the changing nature of the risk.

This risk remains open.

4.9 Industrial Action by NYP Staff and other Public Sector Organisations

Union organisations across the UK (Unison, GMB and Unite) debated strike action due to the cost of living against fair wages. During December 2014 - January 2015 NYP experienced the risk of a proposed Police Staff strike by Unison members.

NYP put in place plans for the proposed Unison strike with the overarching strategic intention for North Yorkshire Police to continue to deliver a service to the communities of North Yorkshire and the City of York that is consistent and at a normal level of operational capability. Plans ensure NYP:-

- Maintain a level of service that will provide public reassurance and ensure that North Yorkshire Police are capable of responding to incidents reported;
- Respect the right of any member of North Yorkshire Police who wishes to take industrial action;
- Engage with Unison and facilitate any lawful protest that staff wish to undertake;
- Prevent where possible offences taking place in relation to the Public Order Act 1986 and the Trade Union and Labour Relations (Consolidation) Act 1992;
- Deal with offences proportionally and ensure offenders are brought to justice.

Both the December and January proposed strikes were subsequently cancelled. The Business Continuity and Risk Manager who is part of the Risk and Assurance Unit (RAU) is maintaining Horizon scanning as to risks of industrial action both internal affecting the number of police staff and externally involving partners and other organisations or NYP responding to levels of protest and picketing. Currently there are no discussions taking place on either aspect. The RAU are continuing to monitor the risk of industrial action to both our own organisation and partner organisations. The sources of information are internal communications, regional and national Business Continuity (BC) updates and media reports.

This risk is closed as mitigated.

5. NEW STRATEGIC RISKS 2016/17

5.1 Impact on Delivery of Policing Services from continued Public Sector Funding Pressures

- **Risk Description:** Continued pressure on public sector budgets could limit the ability of NYP to continue to deliver core policing services and those services that are delivered with partners.
- **Risk Cause:** National (Government) reductions in Public sector funding impacts 2017.
- **Risk Consequence:** May affect NYP's ability to maintain service levels; decrease customer satisfaction levels; have an adverse effect on reputation; cause criticism from external scrutineers and workforce destabilisation.
- **Current Control Measures:** Business Planning activity is underway and is being developed to support the Police and Crime Plan priorities whilst recognising the need to make savings. The development of partnership and collaboration activity as one of the means of delivering savings will continue. The Affordability Group will continue to deliver the savings identified.
- **Policing Plan Priority:** Affordability.

5.2 Delivery of Information Communications Technology (ICT) Change Programme

- **Risk Description:** ICT currently operates a large portfolio of projects, which have short delivery timescales with only a small team of resources to deliver.
- **Risk Cause:** NYPs large change programme involving ICT changes that need resourcing/implementing during 2016 and into 2018.
- **Risk Consequence:** ICT not able to deliver some of the projects that are ongoing or future projects, these involve national/government/mandatory and legislative projects/initiatives.
- **Current Control Measures:** Looking to prioritise the projects that are ongoing i.e. mandatory/legal. Recruitment for some critical ICT posts has commenced.
- **Policing Plan Priority:** Transforming the Organisation and Affordability.

5.3 Collaboration North Yorkshire Police

- **Risk Description:** Collaboration activity involving North Yorkshire Police and a range of other partners (including for example Cleveland, and Durham (Evolve Programme), Yorkshire and the Humber (YaTH), No 2 Region (North Yorkshire, West Yorkshire, South Yorkshire, Humberside, Cleveland, Durham and Northumbria), Fire and Rescue and other emergency services) is not appropriately co-ordinated.
- **Risk Cause:** The pressures on public sector finances arising from for example The Comprehensive Spending Review, Changes to the Policing Funding Formula and other internal initiatives mean that the planned timescales for progression on initiatives are not aligned. .
- **Risk Consequence:** The timescale for delivery of collaborative services is prolonged. The efficiencies available from collaborative activity are not realised.
- **Current Control Measures:** Governance processes are in place in order to co-ordinate activity.
- Prioritisation of operational activities that are suitable for delivery on a collaborative basis.
- **Policing Plan Priority:** Affordability and Transforming the Organisation.

5.4 PCC Elections May 2016

- **Risk Description:** PCC Elections May 2016.
- **Risk Cause:** National Elections Programme.
- **Risk Consequence:** Potential change of PCC, possible changes in working structures/practices.
- **Policing Plan Priority:** Governance.

5.5 Devolution (North Yorkshire Landscape Changes)

- **Risk Description:** Changes in the Governance of current North Yorkshire boundaries may have a potential impact on future service delivery.
- **Risk Cause:** Communities Bill and Devolution. The Treasury has stated that city regions that want to agree a deal in return for a mayor would need to “submit formal, fiscally neutral proposals and an agreed geography to the Treasury by 4 September 2015”.
- **Risk Consequence:** Potential changes to future service delivery. The outcome of these discussions and the subsequent agreement to devolved arrangements could impact on the current structure and governance arrangements for North Yorkshire Police.
- **Current Control Measures:** The NYP PCC and Chief Constable (CC) have provided a detailed response to the consultation for communities and local devolution. The PCC is actively engaged with other PCC’s to identify issues so that they can be raised with MPs at a national level. The CC and Deputy CC are also engaging with local council leaders.
- **Policing Plan Priority:** Governance and Transforming the Organisation.

5.6 Funding Reductions for Partners

- **Risk Description:** Increase in demand on the police service as a result of funding reductions for Partner agencies in Health and Local Government
- **Risk Cause:** Public sector funding reductions over the coming Comprehensive Spending Review (CSR) period reduce the capacity of key partners to deliver services to current levels.
- **Risk Consequence:** Reduction in availability and quality of partner services increases or transfers unplanned demand to the police. Potential to impact on service delivery.
- **Current Control Measures:** Active engagement with partners in relation to the potential impact on police demand.
- **Policing Plan Priority:** Partnerships & Commissioning

6. RECORDING, MONITORING AND REPORTING

- 6.1 Risk registers are recorded/maintained in the Active Risk Manager (ARM) software suite. Strategic and Corporate risks are monitored by NYP’s Risk and Assurance Unit and reported to the Joint Corporate Risk Group on a monthly basis and the Joint Independent Audit Committee on a quarterly basis.

7. RECOMMENDATIONS

- 7.1 This report is provided to members of the Joint Independent Audit Committee for information on the Strategic Risk Register of the Office of the Police and Crime Commissioner and the Chief Constable of North Yorkshire Police (NYP).

CEO Carter DCC Madgwick
Joint Chair
Joint Corporate Risk Group
Appendix A.