



COMISIONYDD
HEDDLU A THROSEDDU
DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

SWYDDOGOL OFFICIAL
Gweithredol Operational



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COMPLIANCE REPORT 2020

01/04/2019 – 31/03/2020



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Introduction

This paper has been compiled to give a brief overview of compliance within the Office for the Police and Crime Commissioner over the period from April 2019 – March 2020.

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Publishing Requirements

The OPCC is required to publish a raft of information at various intervals throughout the year in order to be transparent, provide information to residents and comply with legislation. All OPCC's must adhere to the requirements as set out in the Elected Local Policing Bodies (Specified Information) Order 2011. The Order ensures that PCCs will make available to the public information on:

- Who they are and what they do
- What they spend and how they spend it
- What their priorities are and how they are doing
- How they make decisions
- What policies and procedures govern the operation of the office of the PCC
- Lists & registers

Every year CoPaCC (Comparing Police and Crime Commissioners - Police Governance experts) assess how the offices of police and crime commissioners (OPCCs) fulfil their statutory obligations for transparency. Those OPCCs judged as reaching a satisfactory standard are awarded the CoPaCC "Open & Transparent Quality Mark" each year.

In February 2020 the office was informed that for the second year running they had been successful in achieving the CoPaCC "OPCC Transparency" Quality Mark along with 27 other OPCC's.

To ensure that the OPCC maintains its position in regards to publication regular checks on the website are conducted by the Compliance and Performance Support Officer to ensure that everything is up to date and always reflects the office's current work.

Welsh Language

The Welsh Language Standards (No 5) Regulations 2016 came into force on 22nd March 2016. The main duties resulting from the standards require that the Welsh language should be treated no less favourably than the English language and should make it easier for people to use Welsh in their day-to-day life

As of April 2019 the welsh language entry requirement for all staff and officers is to be able to converse to level 1 standard.

Current staff and officers who have no welsh language ability will be supported to reach level 1 welsh over a 12 month period.

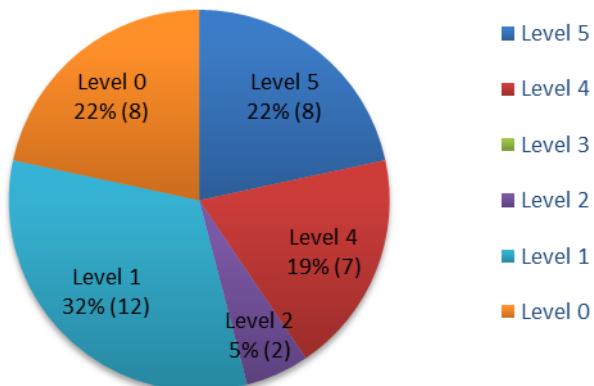


Welsh Language Skills

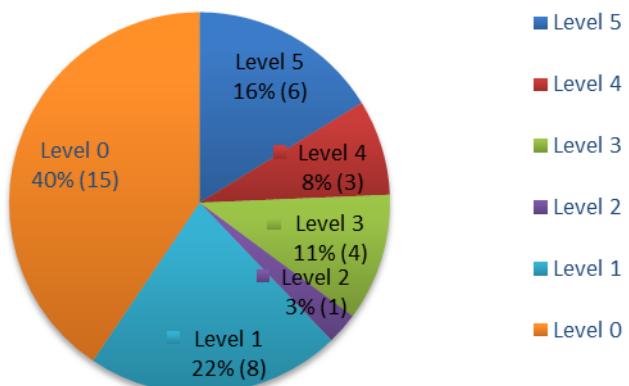
Level 0	No Knowledge
Level 1	Greeting
Level 2	Basic Information
Level 3	Conversational
Level 4	Formal/Conversational
Level 5	Full and Accurate

Number of OPCC staff who have Welsh language skills at the end of the financial year:

Spoken Skills



Written Skills



- The OPCC has a very good level of Welsh ability skills amongst its staff. Full details of the levels within the Force (for comparison purposes) can be seen in the attached report



- The only standard that is non-compliant for the OPCC is the lift audio not being in welsh. The Exec board previously took the decision, due to cost implications not to update immediately. Quotes have now been received for this work and discussions continue between the Director of Estates and the Chief of Staff about the viability of progressing with this.
- NO welsh language breaches were recorded by the OPCC in this financial year and NO complaints were received relating to the office's compliance with the standards.
- Training – All staff within the OPCC are offered the opportunity to attend welsh lessons, this has not been accepted by any staff in this year.
- Training - 5 staff attended a welsh language improvement course in November 2019. The course was designed to give welsh speaking staff more confidence in their roles when corresponding with welsh speakers. The aim of the day was to build on their existing written welsh skills, and helped them to feel more confident when faced with situations preparing e-mails, social media, letters, reports etc.

Information Management

Information Management is the process of collecting, storing, managing and maintaining information in all its forms. The OPCC must abide by the legal requirements set out in the Data Protection Act (2018) and the GDPR. (General Data Protection Regulations)

- The OPCC took part in a voluntary audit undertaken by the ICO in January 2020.

The visit focus was on:

Information Governance & Accountability, Data Sharing, Security, Records Management and Requests for Personal Data.

Several OPCC's took part in the voluntary audit project and the ICO's aim was to analyse the findings and identify common themes and patterns which could then be used to tailor the assistance that they offer to the

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sector. A report was due to be published in March, but this has not yet been completed. The report will not name any of the OPCC's that took part.

Following the visit the ICO provided Dyfed-Powys OPCC with an individual report of recommendations which the Compliance and Performance Manager took responsibility for delivering. Some good practice was highlighted within the report and as a result of the recommendations the OPCC has completed the following:

- Privacy Notice has been reviewed and updated.
 - Information Assets register is in the process of being reviewed by all business areas.
 - A spreadsheet has been set up to record all OPCC DPIA's. Training for all OPCC staff on DPIA's has also been conducted.
 - Monthly team meeting in February concentrated on compliance.
 - A log has been implemented to record incidences of discussions held at team meetings/any e-mails sent out etc. on compliance.
 - Discussions held between CoS and Force in relation to implementing a data sharing agreement.
 - Updates to website made to reflect rules regarding SAR's.
 - Audits and inspections to protect our manual and electronic information will be introduced in the coming months by the Compliance and Performance Support Officer in conjunction with being the OPCC lead on R&D.
 - Consideration is being given to replacing confidential waste bags with bins to completely satisfy requirements.
-
- 2 data protection breaches have been recorded this year, 1 was an e-mail sent to all recipients showing their e-mail addresses rather than sending as bcc, no other data was enclosed apart from e-mail address, ICO advised they did not consider it to be a reportable breach under the GDPR. The other was again an e-mail, in this instance it referred to vetting which contained the names of people who did not work for the company. Both instances were recorded immediately, e-mails recalled and OPCC DPO informed with neither incident requiring any further action.

Records Management

The OPCC is committed to operating in an open and transparent manner. In order to comply with the Freedom of Information Act the OPCC must ensure that its records meet the standards necessary to deal effectively with FOI requests.

The OPCC's retention and disposal policy was reviewed in October 2019 when additions were made to reflect the requirements of the Estates department.

Sharepoint tagging is an ongoing piece of work led by the Compliance and Performance Support Officer. A communication was sent to all staff in October requesting that they comply with the policy and ensure that all documents saved on sharepoint are tagged appropriately.

The Compliance and Performance Manager attends the quarterly Force Information Assurance Board (IAB) meetings which gives the office the opportunity to understand the current issues the force are facing with regards to records management.

Freedom of Information

As a corporation sole, the OPCC are subject to and responsible for FOI requests. The FOI Act gives everyone the right to request any recorded information held by a public authority. The right only covers recorded information which includes information held on computers, in emails and in printed or handwritten documents as well as images, video and audio recordings. The OPCC must respond to all such requests within 20 working days.

- 28 FOI requests were received in this financial year.
- Only 14 of these were requests in which the OPCC held the information requested with a further 2 being directed to the OPCC website where the information was already published. 12 were forwarded to the force with the requestor's permission as they may or may not have held the information.
- 2 of the OPCC requests were outside of the regulatory timeframe to respond, contingency plans have been put in place to ensure this doesn't occur in the future.
- At the time of writing all requests have been closed with the last request having been received on 16th March.
- The OPCC has visibility of the Force's FOI requests in order to understand the themes of requests being made, these are collated and sent to Exec

team twice a year. The majority of requests submitted to the Force are for arrest stats and ALL general crime enquiries. The OPCC by comparison receive a very low number of FOI requests with the Force receiving 945 over the same time period.

Subject Access

The FOI Act also gives everyone the right to ask an organisation whether or not they are using or storing their personal information. A person can also ask for copies of their personal information, verbally or in writing.

This is called the right of access and is commonly known as making a subject access request or SAR. The OPCC are legislated to respond to any such requests within one month.

Subject Access requests are the sole responsibility of the OPCC to respond.

- 11 SAR's have been received this financial year; however the OPCC did not hold information on any of the subject's. They were all sent details informing them how to make their request to the Force if this is what they wished to do. The requests were all of a similar theme with people asking for details on cautions they had received, records of incidents etc.

Risk

The OPCC risk register underwent a thorough review in December 2019. Prior to this the OPCC held 2 risk registers, 1 corporate and 1 dynamic, mirroring the Force's risk methodology. These registers were seldom used correctly holding vast amounts of information which made reporting on them not feasible.

Advice was sought from the Force Risk and Business Continuity Management Advisor and the decision was taken to simplify the OPCC risk management system and have just one register in place.

All staff received a communication on the new process put in place with clear instructions of how to use the register, why and when.

The register now contains the information required allowing reports to be produced, the first report went to Exec team and Joint Audit Committee in March 2020.

Business Continuity

The OPCC Business Continuity Management (BCM) toolkit is in place to ensure staff know what to do should a situation arise where business disruptions occur and normal working practises cannot take place. The toolkit outlines how the office would respond effectively to recover its activities and services.

The OPCC BCM is reviewed annually and all content checked for accuracy and valid information. The 2019 review saw updates made to incorporate that the OPCC have now outsourced the statutory compliance from being in-house to the CBRE facilities management provider.

(An additional interim review is planned during 2020 in light of the circumstances which led to it being invoked in March, this will look at what worked, what didn't, lessons learnt etc. and will be a collaborative piece of work between Estates, Exec team and Compliance. This will also tie in to a piece of work planned to look at new ways of working going forwards)

Copies of the OPCC BCM toolkit are available in OPCC Reception, in ACPO, from the Force Risk and Business Continuity Management Advisor and on Sharepoint.

Policing Protocol Order 2011 – Healthcheck

Section 70 of the Police Reform and Social Responsibility Act (PRSRA) 2011 requires the Secretary of State to issue a Policing Protocol, which applies to every Chief Constable and Police and Crime Commissioner.

This protocol sets out the roles and responsibilities of all involved in the quadripartite relationship, namely Police and Crime Commissioner, Chief Constable, Police and Crime Panel and Home Secretary.

In order to demonstrate compliance with the Policing Protocol Order 2011 the OPCC developed a healthcheck in 2018 which covers all the areas in the protocol which the Police and Crime Commissioner has legal power and duty over.

- The healthcheck is now reviewed on an annual basis to ensure that it remains relevant and provides business leads the opportunity to reflect on previous entries and change reporting as required. Version 2 was released for this last financial year and discussions have already started to prepare version 3 with an aim for this being ready in May.

- All departments within the OPCC contribute to the healthcheck on a quarterly basis by entering MI and summaries of what work they have conducted in order to meet the required specifications.
- A report is produced from these summaries which is presented to the Police and Crime Panel and published on the OPCC website.
- A summary of the healthcheck is produced quarterly for the Exec Team detailing each area with a RAG rating.
- Discussions are being held to ascertain if it would be feasible for the healthcheck and report to play a greater role in Police and Crime Panel meetings with a view to the agenda being developed to align to any issues which the healthcheck raises. Further work will be required by business leads in relation to their RAG ratings and overall picture of their areas for this to be a realistic proposition.

Training

All OPCC staff are given the opportunity to attend regular training to ensure they are equipped with the tools and skills to undertake their duties. The appraisal system (DAP) allows line managers to monitor staff training and discuss any requirements.

- A thorough review was completed of staff NCALT completion rates. All staff were requested to complete the mandatory modules by 31st December 2019. The majority of staff, 82% are now showing as being at 100% completion, the remaining staff have a little work to do, but this is being managed by individual line managers.
- The training matrix for Estates staff is kept separate as there are different mandatory modules due to the roles they fulfil, 89% of the Estates staff have achieved 100% completion.
- NCALT packages are required to be renewed bi-annually, prior to this becoming a cumbersome piece of work for everybody again in two years the Chief of Staff and Compliance and Performance Manager have planned to review the modules and look at which need to stay as mandatory and which can be removed and to look at alternative methods.
- It is a legal requirement of the GDPR that all staff receive training on data protection annually. In February 2020 all OPCC staff attended a training day with an external provider to ensure this was achieved. The training was in collaboration with two of the other Welsh OPCC's, North Wales and Gwent.

HR

An absence data report is provided to the Exec. Team on a quarterly basis to ensure they are informed of any absence issues that arise, any patterns, average hours lost, percentage levels etc.

A separate HR report is being looked at with a view to producing later in the year.

Policy Work

Every Business lead in the OPCC is responsible for certain policy areas. This involves linking in with the Force leads when necessary to draft responses to letters, appropriate consultations etc. Also taking note of any circulations from the PLU, APCC etc. and addressing them appropriately.

The Compliance and Performance function leads on:

- Cyber Crime
- Data Protection
- Fraud
- Information Compliance
- Information Sharing
- Welsh Language
- Workforce

There have been two responses submitted to HMIC in the last year:

- 28/11/19 –Cyber :Keep the light on – Police response to cyber dependent crime
- 22/05/19 – Fraud: Time to choose – Police response to fraud

A response was sent in July to The National Economic Crime Coordinator on the Draft National Fraud Policing Strategy.

A paper was submitted to the Police and Crime Panel on Fraud and Cyber Crime in April 2019.

Estates

Compliance and Performance contribute to some Estates activities:

- Accident/Near Miss reporting has been collated and reported on every month with highlights presented at the Estates team's monthly meeting.



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- Accommodation block – Figures are collated for accommodation block usage and reported to the Director of Estates on a monthly basis.
- Benchmarking – Compliance and Performance Support Officer completed the annual return last July and will continue to take the lead on this activity.
- Sustainability – Compliance and Performance attend and arrange all the sustainability group meetings.

A data sheet has been created to capture all the utilities data for the sustainability group in order to present all the relevant information with regards to utilities costs and consumption, fleet etc. All data is collated and entered by the Compliance and Performance Support officer and a guidance document is being produced to accompany the data spreadsheet.

- The office health and safety reviews were completed in April and October with no specific issues raised.