

# **National Child Protection Inspections**

**Durham Constabulary**

**28 October – 8 November 2019**

# Foreword

All children deserve to grow up in a safe environment, cared for and protected from harm. Most children thrive in loving families and grow to adulthood unharmed. Unfortunately, though, too many children are still abused or neglected by those responsible for their care; they sometimes need to be protected from other adults with whom they come into contact. Some of them occasionally go missing, or end up spending time in places, or with people, harmful to them.

While it is everyone's responsibility to look out for vulnerable children, police forces – working together and with other agencies – have a particular role in protecting children and meeting their needs.

Protecting children is one of the most important things the police do. Police officers investigate suspected crimes involving children and arrest perpetrators, and they have a significant role in monitoring sex offenders. They can take a child in danger to a place of safety, and seek restrictions on offenders' contact with children. The police service also has a significant role, working with other agencies, in ensuring children's protection and wellbeing in the longer term.

As they go about their daily tasks, police officers must be alert to, and identify, children who may be at risk. To protect children effectively, officers must talk to children, listen to them, and understand their fears and concerns. The police must also work well with other agencies to play their part in ensuring that, as far as possible, no child slips through the net, and to avoid both over-intrusiveness and duplication of effort.

Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) is inspecting the child protection work of every police force in England and Wales. The reports are intended to provide information for the police, the police and crime commissioner (PCC) and the public on how well the police protect children and secure improvements for the future.

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# Summary

This report is a summary of the findings of our inspection of police child protection services in Durham, which took place in October 2019.

We examined the effectiveness of the decisions made by the police at each stage of their interactions with or for children – that is, those under 18 – from initial contact through to the investigation of offences against them. We also scrutinised the treatment of children in custody, and assessed how the constabulary is structured, led and governed, in relation to its child protection services.

## Main findings from the inspection

The chief constable, her senior team and the police, crime and victims' commissioner (PCVC) are clearly committed to protecting vulnerable people, including children. This shows in both the commissioner's [police, crime and victims' plan](#) and the constabulary's priorities. As the senior responsible officer for child protection, the chief constable gives leadership on the importance of safeguarding and protecting children. On a wider note, staff recognise and value that they see the chief officer team out in the four locality geographic areas (Darlington, East, South and West). The detective superintendent, as head of profession for safeguarding, is also well known.

The constabulary is thinking strategically about the wider context and many facets of abuse and exploitation of children. Frontline staff are developing knowledge and skills to help those involved in county lines offending. The value of joint working to identify risks and early warning signs is recognised. This allows measures to be put in place to safeguard the vulnerable, which is positive.

There is effective working in all professional relationships, contributions to multi-agency working and engagement with partners at both strategic and practitioner level. This includes an ability to engage and challenge when necessary. The constabulary also has appropriate representation on the two new safeguarding partnership arrangements and is involved in various subgroups.

Durham Constabulary has put a lot of time and energy into improving the health and wellbeing of its staff, including making wellbeing weekends available, an initiative that has been well received by staff.

Throughout the inspection, officers and staff we spoke to who manage child-related investigations were committed and dedicated to their roles. They are often working in difficult and challenging circumstances, with some teams saying they were under significant pressures. Demand, capacity and having enough staff were the main concerns. Some of these pressures are affecting the service provided to some children at risk.

A programme has begun to give vulnerability training to officers, staff and police community support officers (PCSOs). It tackles domestic abuse, stalking and harassment as well as disclosure, which is positive.

Some of the responses to children in need of help and protection require improvement. Senior leaders are clearly committed to the constabulary moving towards a more explicit focus on the reduction of risk and vulnerability for children. However, this has not yet translated into consistently better decisions or improvements in operational delivery. Further work is required to ensure that senior leaders can test what is working well on the front line, and that there is appropriate and effective supervision.

Information was sometimes incomplete or missing and risks were not always fully identified in several of the cases we examined. We looked at strategy meeting minutes, safeguarding plans, referrals, and records of contact with children and families. While there is multi-agency working, there is often no record of what happened or was agreed should happen as a result. This gap means that officers may not have a full understanding of the risks when dealing with a case.

Specific areas for improvement include:

- recording decisions, actions, joint discussions and safeguarding plans to ensure that there is an appropriate focus and understanding of each child's needs and the risks they may be exposed to;
- the overall response for children reported missing, which is currently inconsistent and inappropriate for some children;
- the management of registered sex offenders (RSOs) by local neighbourhood PCSOs and officers, and the associated training for this role;
- the assessment of risk in domestic abuse cases deemed to be medium or low risk, and the effect of cumulative risk and its impact on children; and
- ensuring that appropriate adults for children detained in police custody are requested as early as possible to provide support.

Information to understand the results achieved for children is limited. Audits and reviews are conducted, but these largely relate to how well officers and staff complied with process. Consequently, senior leaders don't have information on performance outcomes in some areas, such as work with RSOs. This makes it difficult for senior leaders to be certain that officers and staff are consistently making the best decisions for vulnerable children and effectively managing risk.

We also saw examples of good work. Specific areas include:

- the constabulary's commitment to welfare support for officers and staff;
- use of body-worn videos to capture evidence;
- joint welfare visits to those children who are not in contact with services, and are home educated; and
- use of a protocol with children's care homes to improve joint planning and agree responses when children placed in care go missing.

In addition, it is positive that we did not see delays in the examination of seized electronic devices, because this is normally a significant issue in some police forces. There is also no backlog within the digital forensic unit or digital investigation unit, with systems and processes ensuring that cases are recorded, triaged and tracked.

During our inspection, we examined 81 cases where the police had identified children at risk. We assessed the constabulary's child protection practice as good in 20 cases, requiring improvement in 27 cases and inadequate in 34 cases. This shows that the constabulary needs to do more to ensure that it gives a consistently good service to all children.

## Conclusion

There is a clear commitment from the leadership that child protection and wider vulnerability is a priority for the constabulary, and that it is committed to improving its services for children who need help and support.

Throughout the inspection, we found dedicated officers and staff, often working in difficult and demanding circumstances. However, in too many cases, practice and decision making are inconsistent. The constabulary needs to do more to ensure that the commitment of senior officers to improving the service is leading to better results in all cases.

We are particularly concerned about the way local neighbourhood officers manage registered sex offenders.

We were pleased that the constabulary has invested a significant amount of time and focus on the welfare of its officers and staff. We also found that, while some improvements are required, senior leaders have strong and effective partnership working arrangements.

We are optimistic that the constabulary will be able to turn its commitment into tangible improvements for children. We were pleased that the constabulary acted quickly to address areas of concern and arrest suspects identified through the child protection audits that we completed. The constabulary recognised the need for both individual and organisational learning as a result of this inspection, which is welcomed.

We have made recommendations that, if acted on, will help lead to better results for children. We will revisit the constabulary no later than six months after the publication of this report to assess its response.

# 1. Introduction

## The police's responsibility to keep children safe

Under the Children Act 1989, a constable is responsible for taking into police protection any child whom they have reasonable cause to believe would otherwise be likely to suffer significant harm. The police have an additional duty to enquire into that child's case. They also have a duty, under the Children Act 2004, to ensure that when carrying out their functions they have regard to the need to safeguard and promote the welfare of children.

Every officer and member of police staff should understand that it is their duty to protect children as part of day-to-day policing. Officers going into people's homes for any policing matter must recognise the needs of the children they may meet, and understand what they can and should do to protect them. This is particularly important when they are dealing with domestic abuse or other incidents that may involve violence. The duty to protect children also covers children detained in police custody.

In 2018, the National Crime Agency's strategic assessment of serious and organised crime established that child sexual exploitation (CSE) and abuse is one of the highest serious and organised crime risks. Child sexual abuse is also one of the six national threats specified by the Home Secretary in the Strategic Policing Requirement.

## Expectations set out in *Working Together*

The statutory guidance, [\*Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children\*](#), sets out what is expected of all partner agencies involved in child protection (such as the local authority, clinical commissioning groups, police, schools and the voluntary sector).

The specific police roles set out in the guidance are:

- identifying children who might be at risk from abuse and neglect;
- investigating alleged offences against children;
- inter-agency working and information sharing to protect children; and
- the use of emergency powers to protect children.

These areas of practice are the focus of our child protection inspections.

## 2. Context for the constabulary

Durham Constabulary employs about 2,021 people, according to government figures:

- 1,118 police officers;
- 755 police staff; and
- 148 PCSOs.

The constabulary provides policing services to the areas of County Durham and Darlington Borough. The constabulary area covers 936 square miles with approximately 15 miles of coastline in the north-east of England.

Although there are some affluent areas, Durham has a high level of poverty. Around 600,000 people live in a predominantly rural setting. The area includes the city of Durham and the town of Darlington as well as several smaller towns.

The two local authorities within the county, Durham County Council and Darlington Borough Council, together with the constabulary and the local clinical commissioning group, have both established new safeguarding children partnerships (replacing local safeguarding children boards) as required by the Children and Social Work Act 2017.

The most recent Ofsted judgments of the services for children in need of help and protection provided by the local authorities are set out below.

<b>Local authority</b>	<b>Judgment</b>	<b>Date published</b>
Darlington Borough Council	Requires improvement	May 2018
Durham County Council	Requires Improvement	October 2019

There are two established multi-agency safeguarding hubs (MASHs), one for each local authority area. A range of partners are represented within the MASHs to ensure that information is shared effectively.

The chief constable is responsible for child protection throughout the Durham area, supported by a chief superintendent and a detective superintendent, who oversees the specialist teams responsible for protecting vulnerable children and adults.

## 3. Leadership, management and governance

### **There is a strong commitment to child protection by senior leaders**

Protecting vulnerable people is a priority for both the constabulary and the PCVC. The police, crime and victims' plan (2018–21), and the constabulary's values and vision and Plan on a Page<sup>1</sup> (2019/20) all reflect this. The constabulary sets out a clear vision of the expectations that it has embedded in the organisation over the past six years. During our inspection, it was obvious that officers and staff understood the expectations and the importance placed on protecting vulnerable people, including children.

### **The constabulary contributes to partnership working arrangements**

Senior officers attend the two safeguarding partnership boards. Representatives also attend several subgroups that support the work of the boards. Throughout the inspection, the relationship with the police was described as extremely positive, with the constabulary being both responsive, innovative and open to professional challenge when appropriate. Information sharing was seen to be appropriate in areas such as the multi-agency public protection arrangements (MAPPA) and the multi-agency risk assessment conferences (MARAC) for domestic abuse cases, with no obvious blockages.

### **There is clearly structured oversight at strategic and operational levels**

Durham Constabulary recently introduced daily leadership meetings in each of the four police geographic areas. These were well attended and provided good, structured oversight on risk, missing persons and significant cases or investigations. Chaired by a senior officer to provide direction, they focus on safeguarding and vulnerability, supporting an effective response to matters of immediate concern.

Governance across the constabulary's five commands is clear and structured, including a safeguarding and neighbourhoods command addressing vulnerability and child protection.

The performance management framework includes a leadership group chaired by the chief constable, an operational locality threat and risk group, and a commanders and

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<sup>1</sup> The [Plan on a Page](#) is the force's key strategy document – it describes the objectives for the force during 2019/20.

commands group. Four other workstreams feed into this, looking at problem solving, leadership, ethics and legitimacy, information management and business change.

## **Performance information to understand outcomes for children requires further development**

The constabulary scrutinises performance management information, but it does not have enough information to understand thoroughly the outcomes it provides to children at risk of harm.

The current audit framework is limited. It focuses on compliance with process, but form-filling and box-ticking do not in themselves address important aspects as to the difference the police are making for a child, such as the response to their vulnerability or exposure to risk. As a result, senior leaders cannot be certain that officers and staff are consistently making the best decisions. The constabulary needs to do more to check that the decisions about children are in line with expectations. This would sharpen the existing focus on making children safer and less vulnerable.

## **Officers and staff involved in protecting children are dedicated and enthusiastic**

Throughout the inspection, we encountered highly motivated specialist officers and staff who were working tirelessly to help vulnerable children and disrupt those who posed a risk.

However, these teams told us they were under significant pressures. Demand, capacity and staff shortages were the main concerns. Some of these pressures are affecting the results delivered for children.

We also found examples of good work by officers responding to incidents involving children. This is positive, but some officers lacked experience or were not appropriately trained.

## **The constabulary has invested a lot of time and energy in the health and wellbeing of its staff**

There is good provision of mandatory annual welfare appointments for safeguarding staff. The welfare officer is a regular visitor to safeguarding teams based across Durham. This allows staff to speak with him when they need to, without waiting for their next appointment.

However, annual welfare appointments currently do not extend to staff, such as those in the criminal investigation department (CID), who can be required to undertake indecent image investigations.

## 4. Case file analysis

### Results of case file reviews

For our inspection, the constabulary selected and self-assessed the effectiveness of its practice in 33 child protection cases. In accordance with our criteria, the cases selected were a random sample throughout Durham (details of case types and methodology can be found in Annex A).

During our inspection, we examined a total of 81 cases where the police had identified children at risk, including the 33 self-assessed cases. Our results are shown below.

### Outcomes of cases assessed by HMICFRS

HMICFRS assessment:

- 20 good
- 27 requiring improvement
- 34 inadequate.

### Breakdown of case file audit results by area of child protection

#### Cases assessed involving enquiries under section 47 of the Children Act 1989

Enquiries under section 47 of the Children Act 1989:

- 6 good
- 1 requiring improvement
- 6 inadequate.

Common themes, shown in the files, include:

- some prompt initial responses to incidents with effective action taken by officers to mitigate risk by arresting perpetrators or removing children to safety;
- good use of body-worn videos at incidents involving children;
- a lack of suitably trained and skilled staff within the safeguarding teams, leading to investigations drifting;
- inconsistent recording of investigative actions, meaning it is unclear what action has taken place or needs completing; and
- strategy discussions not being routinely held in respect of children when the joint sharing of information and a joint plan would assist.

## **Cases assessed involving referrals relating to domestic abuse incidents or crimes**

Referrals relating to domestic abuse incidents or crimes:

- 2 good
- 3 requiring improvement
- 3 inadequate.

Common themes include:

- good use of body-worn video;
- the welfare of children being checked by officers in most cases;
- the voice of the child and condition of home environment often well recorded, including for unborn children;
- timely response and positive arrests and safeguarding in some cases;
- a lack of strategy discussions and meetings; and
- other siblings within the family not routinely considered for safeguarding.

## **Cases assessed involving referrals arising from incidents other than domestic abuse**

Referrals arising from incidents other than domestic abuse:

- 3 good
- 4 requiring improvement
- 1 inadequate.

Common themes include:

- evidence of call handlers conducting appropriate checks that are added to the call log;
- frontline officers taking time and effort to engage, even with unco-operative or uncommunicative children;
- the wider risk to other children posed by the offender, beyond the victim, not always being considered; and
- limited evidence of action or safety planning updates following referrals.

## **Cases assessed involving children at risk from child sexual exploitation**

Cases involving children at risk of child sexual exploitation both online and offline:

- 4 good
- 11 requiring improvement
- 10 inadequate.

Common themes include:

- CSE subjects having profiles giving a summary of risks and information within the police systems – which assists fast assessment;
- officers displaying an appropriate awareness and understanding of CSE;
- an evolving awareness and understanding of criminal exploitation;
- good use of child abduction warning notices (CAWNS) to protect children from perpetrators;
- low- and medium-risk online cases routinely dealt with by non-specialist officers with no formal training for the role;
- a strong focus on suicide prevention for suspects in indecent images of children (IIOC) investigations; and
- delays in the completion and sharing of safeguarding referrals.

### **Cases assessed involving missing and absent children**

Children missing:

- 1 good
- 2 requiring improvement
- 6 inadequate.

Common themes include:

- good continuing management of children by the Erase (Educate and raise awareness of sexual exploitation) team;
- limited activity to locate children overnight;
- inappropriate use of 'low' and 'no apparent' risk for children reported missing, even though information indicating raised risk factors suggests a higher classification would be justified;
- children reported as missing not all routinely transferred on to the police system (Sleuth); and
- evidence of return home interviews being conducted.

### **Cases assessed involving children taken to a place of safety under section 46 of the Children Act 1989**

Children taken to a place of safety by police officers using powers under section 46 of the Children Act 1989:

- 3 good
- 2 requiring improvement
- 1 inadequate.

Common themes include that officers and staff:

- consider the circumstances of vulnerable children and make effective decisions to remove children at risk of significant harm;
- liaise effectively with children's social care services; but

- don't always record decisions in relation to the use of the power; and
- don't adequately record investigations or joint working.

### **Cases assessed involving sex offender management in which children have been assessed as at risk from the person being managed**

Sex offender management where children have been assessed as at risk from the person being managed:

- 1 good
- 3 requiring improvement
- 3 inadequate.

Common themes include:

- good awareness and understanding of RSOs by neighbourhood and response officers and staff;
- specialist managed cases generally managed appropriately;
- delays in addressing concerns or conducting timely visits in neighbourhood-managed cases;
- an over-reliance on active risk management (ARMS) assessment officers to oversee the medium- and low-risk cases with minimal oversight from supervisory officers; and
- information obtained from neighbourhood visits copied and pasted onto the police system (Visor) and not being assessed.

### **Cases assessed involving children detained in police custody**

Cases involving children in police custody:

- 1 good
- 1 requiring improvement
- 4 inadequate.

Common themes include:

- custody officers and staff having a good understanding of the conditions under which the police can deny bail;
- when local authority accommodation is not available, the police pressing for a solution;
- the attendance of appropriate adults at the custody office timed to coincide with other events, such as interviews, rather than to when the child is detained; and
- officers and staff often not sharing safeguarding concerns with children's social care services when children are arrested.

## 5. Initial contact

### **We saw some good examples of officers responding quickly to clear and specific concerns about children**

Officers attend promptly, effectively carrying out preliminary tasks such as ensuring the immediate safety of children and assessing how best to proceed. We saw evidence that, when appropriate, officers complete a safeguarding form to make a referral to children's social care services. We also found that officers undertake good initial enquiries and use their powers to arrest or protect when necessary.

A family member called police to report that her sister was being assaulted by her husband. The police call taker identified that there was a five-year-old child at the address and that the male had a knife. The call was allocated as requiring an immediate response, resulting in the male being arrested within ten minutes of the report being received.

The incident was recorded on the officer's body-worn camera and a domestic abuse questionnaire was completed. Officers checked the child's safety at the time. A subsequent review assessed the threats to life and the associated risk. The decision by the reviewing inspector in relation to the level of risk and threat was appropriately documented with a clear rationale recorded on the police systems.

### **The constabulary has effective systems in its control room to identify risk and prioritise its response to the most vulnerable**

Police officers and staff working in the control room manage Durham Constabulary's response to reported incidents. They are responsible for call handling and officer dispatch. Those working in the control room obtain relevant information from callers and search police databases to identify risk and grade responses. The THRIVE<sup>2</sup> risk assessment tool is embedded as a key element in assessing each incident. If they require specific safeguarding advice, the control room staff can contact a safeguarding detective sergeant who is available between 8.00am and 10.00pm. Outside these hours, a duty detective is available.

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<sup>2</sup> The threat, harm, risk, investigation, vulnerability and engagement (THRIVE) model is used to assess the appropriate initial police response to a call for service. It allows a judgment to be made of the relative risk posed by the call and places the individual needs of the victim at the centre of that decision.

The constabulary's information systems use markers known as 'flags' to highlight to officers and police staff important information about risk or vulnerability. This helps to identify children who may be at risk – for example, those who are the subject of a child protection plan or who are known to registered sex offenders. This information helps frontline officers and staff to assess risk when dealing with an incident, and to arrange safety plans to manage any risk they identify. Within the control room, there is a dedicated team responsible for adding operational information to the database as well as reviewing information to ensure that it is current and accurate.

Child protection training for control room officers and staff is limited. The focus of training is in using THRIVE to grade calls and assess the appropriate response. Most of the training available is computer based (NCALT). There are no specific training days built into the current shift pattern. There is an opportunity for training during monthly team update meetings, which has been identified by the constabulary.

### **Mental ill health is recognised as a vulnerability and additional specialist capability is in place**

An NHS team works alongside police officers and staff in the control room to offer mental health advice and guidance. When necessary, they can attend incidents to assess the mental health of people who have come into contact with police officers. This ensures that any person (including children of all ages) experiencing mental health problems receives timely and appropriate support at the point of contact. The team operates between 2pm and midnight, seven days a week.

### **Although some quality assurance is done in the control room, we saw examples of risk not being properly understood**

Within the control room, there is the option to delay the initial response by making appointments with callers to be seen later. This option is used for domestic abuse incidents based on the THRIVE assessment conducted by the control room. However, we found the use of the appointment system was not always appropriate. There will also be occasions when the person reporting the abuse does not disclose, or is not aware of, the full detail or seriousness until they are seen by police.

We sampled ten standard and medium-risk domestic abuse cases with children in the family that had been delayed for a diary appointment. Five were found to be unsuitable. Although in every case the control room had conducted research prior to a decision as to whether it was suitable for a diary appointment, this did not always inform the risk and response.

A female caller told the control room that there was a history of domestic abuse with her ex-partner, including when she was pregnant with their eight-month-old baby. She also told the call taker that she was worried he would attend the home address that night and that she was alone at home with the baby. Despite these concerns, the diary appointment for police attendance was scheduled for a later date.

In another case, a male broke a court restraining order by contacting his 15-year-old daughter. The police decided, after this was reported, to defer the immediate arrest of the offender for a planned arrest that took place nine days after the breach was reported.

## **Officers knew what checks to make when attending child protection-related incidents, but did not always record a child's concerns, behaviour or demeanour**

Body-worn video can be a useful tool in progressing victimless prosecution and can also provide useful insight into the lived experiences of children. Officers told us that body-worn video cameras are always used for domestic abuse calls, so that all interactions and observations are recorded. Use of it is excellent and the product is readily available on internal police systems to assist in investigations and with decision making. Officers said that they also sometimes use video cameras at potential child protection incidents.

How a child behaves or what they say gives important information about how an incident has affected them. This is especially true when the child is too young to speak to officers or when there might be a risk if a child spoke with a parent present. The police should watch how the child behaves and listen to what they say. This will inform both the initial assessment of need and the decision as to whether to refer a child to social care services.

The constabulary has used training, posters and computer screensavers to promote the importance of capturing a child's views, concerns or needs, with the messages 'Think through the eyes of the child' and 'Think child'.

Officers could tell us what signs they would look for that might indicate neglect of children. These included whether the house was clean and food, clothing and toys were evident. They clearly understood the need to record details, including the child's concerns or feelings, and the reason for this (information shared with partner agencies can make protective planning easier and more effective).

However, in the cases we reviewed, we often found that the police hadn't always spoken to children or recorded their concerns, behaviour and demeanour. As a result, their voices are not being heard consistently.

Following the report of a breach of a non-molestation order, there was a good initial response by the police, who arrested the male offender. However, the officer did not switch on their body-worn video when speaking to the family's children, aged 15, 14 and 8, or record the condition of the house, described as untidy and smelly. The children spoken to were largely silent, but with the comment made, "seen fit and well". Despite this, the family were being well supported on a multi-agency basis and the man remained in custody.

## **Recommendations**

We recommend that Durham Constabulary immediately reviews the application of the diary appointment system used within the control room.

We recommend that Durham Constabulary, within three months, makes sure that children's concerns and views are obtained and recorded (including noting their behaviour and demeanour). This will help influence decisions made about them.

## 6. Assessment and help

### **There are well-established processes for sharing important information about risk and vulnerability with other safeguarding agencies**

Agencies must work together effectively to keep children safe. In support of this, there are two MASHs – one for each local authority area. A range of partners from both statutory and non-statutory agencies are represented to support effective information sharing, and joint decision making and planning.

There is a clear and well-established process for referral into the MASHs to share concerns with partner agencies. Police officers have a good understanding of the referral process and the need to submit safeguarding forms when there are concerns about a child's vulnerability, but this is not as consistent for those children who are arrested and brought into police custody.

Domestic abuse cases assessed as high risk are referred to MARAC, which meets twice each week, so that longer-term safeguarding plans can be made.

In some of the cases we audited, information was often incomplete or missing, particularly about strategy meetings, safeguarding plans, and contact with children and families. Although there is evidence of inter-agency and multi-agency working, there is sometimes no record of what happened or the agreed actions to be taken after a strategy meeting. This means that officers dealing with a case may not have a full understanding of the risks, any current safety plans, which agency is overseeing and co-ordinating the support for a child, and therefore who may be the best professional to engage with a child about an incident. When strategy meetings and conferences are recorded, the information does not always include all the relevant details and actions, and so cannot support co-ordinated multi-agency planning.

Domestic violence prevention (DVPOs) are used to protect vulnerable victims, allowing an officer and the courts to prevent a suspected perpetrator from returning to a victim's home and/or contacting the victim. The domestic violence disclosure scheme (DVDS) enables someone to ask the police about a partner's previous history of domestic violence and the police can proactively disclose information when appropriate.

In the 12 months to June 2017, 40 DVPOs were issued and 17 were breached, a 42.5 percent breach rate. Between January and October 2019 (ten months), 29 DVPOs were issued. However, only four DVPOs were breached during this period, a rate of 14 percent.

Although the numbers of DVPOs issued are similar, the number of orders breached has reduced significantly.

Between January and October 2019, 355 DVDS applications were made, resulting in 190 disclosures being made (54 percent). This is in line with the national average.

## **The constabulary doesn't know enough about the standard of its practice when children go missing**

Children who go missing from home are especially vulnerable to a range of risks such as exploitation. They can remain vulnerable if either the initial report or their return is not well managed.

We are concerned that the overall response for children reported missing is inconsistent and inappropriate for some children. Some cases of children reported as missing were being closed in the control room, marked 'resolved without deployment'. Other reports are wrongly risk assessed as at low or no apparent risk when available information in police systems should have resulted in a higher level of risk being identified. A significant number of these reports are not being transferred or managed on Sleuth, which is used for recording a missing episode.

There appears to be a lack of understanding that the presence of more than one risk factor can multiply the danger, or that assessments should be reached by a continuous process building on the history of every individual case.

A 17-year-old boy was reported missing on two separate occasions. The first time the incident was categorised as the child being at no apparent risk, with no action taken by the police to trace him. He subsequently returned of his own accord 9 hours later, after not being seen for more than 20 hours. The second report was graded as low risk, again with no action taken until 13 hours after the report, when a house was searched. He again returned home of his own accord. Information held by the police identified that this boy was vulnerable. Therefore it was not appropriate for him to be categorised as being at no apparent risk.

Sleuth was also not updated in relation to the second report.

## **Opportunities to understand why children go missing are being lost**

Examination of 3,012 reports of children missing between January and October 2019 found that 60 percent (1,816) did not appear on Sleuth. In some cases, the child had been missing for a significant time, such as 16 and 18 hours. This makes it harder to build on the history of every individual case.

Only half the cases shown as not being on Sleuth resulted in referrals to children's social care services, according to sampling from September 2019. In these cases, children are not classified as missing from home, so safe and well checks are not conducted. Valuable intelligence and information could be lost, which could help to find the child in future missing episodes. Such intelligence can also help to build up a wider picture of CSE hotspots, perpetrators and other risks that a missing child or other children may be exposed to.

A better understanding of why a child has run away can provide vital information to agencies and make it possible to manage the risk more effectively. It should inform planning and decision making about future safeguarding action. Interviews with children at this stage can give a wealth of information about the reasons why they are running away, particularly when this is becoming more frequent and/or the child is reluctant to speak to police or other agencies.

Recording in some cases is poor, with no information on the actions taken to locate a child. While research shows that a child was found, where they were found, or whether they returned of their own accord, is not recorded.

A 16-year-old boy was reported missing. He had a behavioural disorder and mental health condition, and was being supported by the child and adolescent mental health services. He was said by his family to be taking cannabis and not taking his medication. He left home after a family row during which he threatened to kill his sibling.

No police activity to find this boy was recorded from when he went missing until over 24 hours later, when he returned home of his own accord.

Frontline officers understood the links between missing episodes and potential exploitation. However, in some cases, activity to trace children was limited, specifically for those missing overnight or believed to have gone into another police force area.

### **The constabulary is working with care providers to improve responses to children who go missing from care**

The two PCSOs making up the Erase team provide a central co-ordination function for children missing from home.

Every child reported missing and entered on Sleuth will have a formal return home interview, completed either by the local authority (for those in Durham) or by Barnardo's (Darlington). All appropriate information from these interviews is shared with Erase for review and input into the police systems.

There are 48 children's homes in the constabulary area – 13 local authority and 35 private. The Erase team has developed relationships with the homes, supported by quarterly meetings, chaired by police, and with the home managers to help improve the responses and support to children within the homes, which is positive.

The Philomena Protocol has been rolled out to all children's care homes and is currently being shared with fostering agencies. It encourages carers, staff, families and friends to compile useful information that could be used if a young person goes missing from care. The protocol is used to improve joint planning and agree responses when children placed in care go missing.

The constabulary said that fewer children were going missing from care homes, which it attributed to the protocol together with the work by the Erase co-ordinators.

## **The constabulary shares information with partners in education to ensure that support for children exposed to domestic abuse is available while they are at school**

Under Operation Encompass, the constabulary shares information on children affected by domestic abuse incidents with all schools each working day, so that the children can be better supported. This approach allows schools to help develop protective plans, and give support and practical help to children exposed to domestic abuse.

It is positive that senior leaders told us that they have agreed to share all domestic abuse incidents involving children throughout the force area in response to the findings from the joint targeted area inspection conducted in Durham in July 2018. However, we found that this was not yet the case in Darlington, where standard levels of risk for domestic abuse are not shared with schools.

### **Recommendations**

We recommend that Durham Constabulary immediately improves practice in cases of children who go missing from home. As a minimum, this should include:

- making sure its officers and staff recognise risk factors;
- taking account of those risk factors in its work to locate missing children;
- making its officers and staff aware of their responsibilities for protecting children who are reported missing from home, especially when this happens regularly; and
- demonstrating awareness of the importance of investigating where a child has been, and who they have been with.

## 7. Investigation

### **We found some examples of investigating officers using a good mix of investigative and protective approaches**

This combined approach allows the constabulary to keep the safeguarding of children at the heart of its efforts while also pursuing opportunities to investigate crime.

We saw good examples of investigative activity, particularly when serious offences were reported. These included acting promptly to arrest suspects and manage the risk they pose to others. We also saw good child-centred decisions. The better-managed cases included meaningful supervision, with actions clearly recorded.

A ten-year-old girl reported a sexual assault involving her brother. A strategy meeting with children's social care services agreed that a joint investigation was appropriate.

The police and children's social care services conducted a joint visit to progress the investigation while ensuring that safeguarding concerns were addressed appropriately, resulting in the brother being placed away from the home with relatives.

Early engagement with the youth offending service and intervention work with the boy took place. He was interviewed and admitted the offence.

Overall, this was a good investigation, with actions taken clearly recorded and effective supervisory oversight and input.

### **Safeguarding teams are operating in challenging circumstances**

Officers and staff at all ranks are committed to providing a quality service to all children but believe that staffing issues are making this difficult to achieve. These include staff being used to backfill non-safeguarding roles, a lack of training and workload demand. Inexperienced staff are often dealing with complex and serious investigations that carry high levels of risk, despite efforts to allocate investigations to suitably skilled and qualified staff.

At the time of this inspection, the constabulary told us that across the workforce there were 63 officers trained in the specialist child abuse investigation development programme (SCAIDP) with 29 SCAIDP-trained officers working in the specialist safeguarding neighbourhoods command.

Some officers in safeguarding had heavy caseloads, leading to drift in the time taken to conduct investigations. Officers do not always record the investigative action taken or make clear why they have taken decisions. Supervisors do not consistently examine and challenge the progress of investigations.

Sergeants said that workload made it hard for them to properly supervise their staff and investigations. We saw that the wider risks in an investigation are not always recognised and the threat from offenders to others, such as siblings, can be missed and not explored. There is, however, a positive 'can do' culture across the teams, with a determination to provide a professional service to those most vulnerable.

## **Strategy discussions and meetings are not routinely held or recorded**

Strategy meetings are not consistently happening or being recorded when the joint sharing of information and joint planning would assist in ensuring that children are appropriately safeguarded and key information shared. When they are held and documented, agreed actions and outcomes are generally well recorded.

A lack of safeguarding detectives or a lack of understanding of joint investigation within CID offices leads in some areas to an over-reliance on single agency assessment or visits to victims and their families.

In Darlington, safeguarding officers and staff are co-located with an initial response team staffed by children's social care, which is positive. Early discussions take place, leading to joint visits and the ability to address immediate safeguarding concerns. This is not the case in Bishop Auckland or Peterlee, where children's social care services can sometimes be asked to attend visits on their own because no officer is available.

A neighbour contacted the police to raise concerns about the living conditions of two boys aged 11 and 13. Officers captured on body-worn video what were described as appalling living conditions when they visited the boys' home. The officers removed the children and found suitable alternative accommodation for them with a relative. The mother was subsequently interviewed and admitted the offence of neglect.

The police liaised with children's social care services who advised that there had been several referrals over the previous couple of years expressing concern about the welfare of the children and their poor living conditions.

There is no record of any strategy meeting, or challenge by the police to children's social care services to consider a joint investigation to address the neglect and longer-term safeguarding for these boys and support for the family. The safeguarding team was not involved and the children were not spoken to again after the initial police attendance.

## Frontline officers have a good awareness and understanding of CSE

CSE-specific training received by officers presented a mixed picture. Some had completed online (NCALT) packages and some had received input at briefings. However, frontline officers we spoke to have an appropriate awareness and understanding of CSE. This includes knowing the indicators of CSE and being aware of the Erase team that reviews all missing and CSE referrals and chairs a multi-agency CSE meeting.

Proactive work by the constabulary through Operation Makesafe has raised awareness of CSE in the business community, including hotel groups, bed and breakfasts, taxi and bus companies, caravan parks and licensed premises. The campaign aims to help business owners and their employees identify potential victims of CSE and, when necessary, alert police officers to intervene prior to any child coming to harm.

Both frontline and the Erase team know how to make good use of CAWNS to protect children from perpetrators within investigations. However, they are not readily visible within the police systems.

A 15-year-old girl was reported as missing by her mother. Research of police databases highlighted the risk of CSE, together with frequent and escalating missing episodes.

The girl was subsequently found and the follow-up safeguarding activity was good. The girl was spoken to during a safe and well check.

A male whom the child was associating with was identified and served with a CAWN. A multi-agency meeting was also held, resulting in a support worker being allocated to work with and support the child.

Despite officer and staff knowledge of CSE, the use of CAWNS and the raising of awareness among businesses, we found limited evidence of disruption activity, hotspot locations patrolling or taskings in relation to known CSE perpetrators.

## Initial response to incidents of domestic abuse results in positive action against suspects and checks on the welfare of children

THRIVE risk assessment informs the initial response to incidents of domestic abuse. This is appropriate in most cases, resulting in positive action such as arrests and safeguarding measures being implemented, and with information being shared with appropriate agencies.

Officers are checking the welfare of children exposed to such incidents. Concerns and impact are recorded in most cases, coupled with conditions of their home life. Unborn children in families where there is risk are also being considered. This is an improvement from the joint targeted area inspection of Durham findings in July 2018.

Medium- and high-risk cases that are triaged in the multi-agency team within the MASH are prioritised, depending on whether there are children linked to the family,

demonstrating that the importance of safeguarding children expeditiously is recognised. There is, however, limited oversight of the decisions made by the triage team in relation to medium-risk cases. This means the cumulative impact is being missed in some cases of children experiencing domestic abuse, and cases are not being escalated appropriately to MARAC. Sampling identified some cases in this category that would have benefited from MARAC. Standard domestic abuse cases are not reviewed by the team. Sampling found cases in this category where cumulative risk was being missed.

### **Investigation into online child sexual exploitation is usually good, but information isn't shared soon enough with children's social care services**

The small team of digital intelligence and investigation officers are well trained and knowledgeable. The team investigates the sharing (peer to peer) and distribution of IIOC online. It also deals with referrals from the National Crime Agency's child exploitation and online protection command. The team lacks resilience, with abstractions having a significant impact on workloads, leading to delays.

Low and medium-risk IIOC cases are routinely dealt with by non-specialist CID officers, who have no formal training for the role. On occasion, lack of capacity means high-risk and peer-to-peer cases are also passed to CID. Children can potentially be left at risk as CID have competing demands, which can result in significant delays in cases being actioned or progressed. Recording practice of these cases is poor. Reports and investigative updates frequently lack detail, making cases difficult to interpret.

Cases can result in a safeguarding referral form being sent to children's social care services. This will only be done once the warrant has been executed or address visited. This means delays to multi-agency safeguarding activity, leaving children at risk. More importantly, it is a missed opportunity to share information with partners to better understand the risks to children and put protective plans in place ahead of proposed activity. Although enforcement activity can take place quickly, reducing risk, this doesn't take account of peaks in demand, resulting in both the completion and sharing being delayed.

### **There is a strong focus on suicide prevention for suspects in indecent images of children cases**

In addition to referring individuals in IIOC cases to the Lucy Faithfull Foundation, an agreement with the NHS liaison and diversion team based in police custody suites means that suspects can be referred to them at the first point of contact, whether arrested or not. The offer continues throughout the investigative and charging process, which is positive.

Suspects are frequently not arrested, instead being invited to attend voluntarily. When they are arrested, they are usually released under investigation. The reasons given are that suicides are less likely if voluntary attendance is used and there is no capacity to enforce bail conditions, should they be imposed. This means that

opportunities to protect children by placing formal bail conditions on suspects are limited.

## **There are currently no delays in the examination of electronic devices**

It is positive that we did not see delays in the examination of seized electronic devices, because this is normally a significant issue in some police forces. There is also no backlog within the digital forensic unit or digital investigation unit, with systems and processes ensuring that cases are recorded, triaged and tracked.

### **Recommendations**

We recommend that, within three months, Durham Constabulary should improve its child protection and exploitation investigations, paying attention to:

- allocating investigations to teams with the skills, capacity and competence to carry them out well;
- improving the way cases are recorded, overseen and managed; and
- sharing information with children's social care services at the time that a risk to a child is known.

## 8. Decision making

### **The use of police protection powers was usually appropriate in the cases we audited**

The police response is generally good when a case is clearly defined from the start as a child protection matter. We saw examples of officers and staff making effective decisions to protect children, capturing important evidence using their body-worn videos. When there are significant concerns about the safety of a child – for example, a parent leaving a child at home alone or being drunk while looking after them – officers handled incidents well.

Officers use their protective powers appropriately to remove children from harm. It is a very serious step to remove a child from a family. In the cases we examined, decisions to take a child to a safe place were well considered and made in the child's best interests.

CCTV operators saw a violent fight taking place outside a pub and contacted the police. A young child was present during the incident, which involved his mother.

Officers attended and captured the incident on their body-worn video, arresting the child's mother for several offences including being drunk in charge of a child.

The child was correctly taken into police protection, overseen by an inspector (designated officer). Timely discussions took place with the children's social care services' emergency duty team and suitable accommodation was found for the child.

### **Record keeping is not always good enough**

Although we found some examples where the police had carried out investigations promptly, it was clear that officers and staff don't always record on police systems details of safeguarding and joint working with partner agencies, or the fact that there has been a discussion.

Authorising officers often don't record when and in what circumstances the powers to remove a child from harm ended, or details of the long-term protective plan. This creates a gap in the information available and may mean child protection agencies are not aware of measures to protect and support a child.

The police received a call from the NSPCC reporting that a ten-year-old boy had been left home alone by his parents. A risk assessment was conducted, and officers were deployed. They forced entry into the house and found the boy alone inside.

Body-worn video captured the boy's living conditions and the officers' conversations with him. The child was subsequently taken into police protection. Following contact with children's social care services, he was placed in emergency foster care. There is no record of an inspector (designated officer) authorising the use of the emergency police powers or the time when those powers ended.

The parents returned later and were arrested. There is limited evidence recorded of investigative activity, planning or supervisory oversight or input. Officers submitted a safeguarding form and it is clear that a strategy discussion took place the following day. However, there is limited recording of the details of that meeting or of any ongoing joint working or protective planning for the child.

## **Recommendations**

We recommend that, within three months, Durham Constabulary ensures that:

- offences are investigated; and
- all relevant information is properly recorded and made readily accessible in all cases where there are concerns about the welfare of children.

Guidance to staff should include:

- advice on what information they should record (and in what form) on their systems to enable good-quality decisions; and
- an emphasis on the importance of ensuring that records are made promptly and kept up to date.

## 9. Trusted adult

It is important that children can trust the police. We found that in some (although not all) child protection cases, officers consider carefully how best to approach a child and/or the parents or carers, and explore the best way to talk to them. Such sensitivity builds confidence and creates stronger relationships between the police and a child and/or the parents or carers.

### **The constabulary is engaging well with children in the community**

The constabulary works well with external organisations, family members and other people to protect children when they need immediate safeguarding. When this happens, the constabulary's carefully considered and sensitive approach helps keep vulnerable children safe.

Police officers on patrol were flagged down by a man who was concerned about the welfare of his wife and her mental state.

The officers took the time to establish the background, family circumstances and reasons for the husband's concerns. This included speaking to the two children, aged 11 and 14 years, who were at the family home.

They took time to engage, understand and assess the views of both children regarding the situation at home with their mother, together with the living conditions, enabling them to satisfy themselves that the children were safe and well.

A safeguarding referral form, which included the officer's assessment of risk, was submitted in relation to the mother of the children. A request was also made that it was shared with both adult and children's social care services and the mental health team for ongoing help and support.

The constabulary uses several forums to engage with children. It has advice, information and safety guidance for children and students on its website, and supports several programmes that include some new emerging practice:

- The mini-police scheme is an interactive volunteering opportunity for 9–11-year-olds, engaging children through education. The objective is to introduce these children to a positive experience of policing and get them involved in the local community. The scheme is running in over 60 primary schools and is to be evaluated by Durham University.

- The cadets' scheme is designed to inspire and improve the aspirations of children to participate in their communities and support local policing priorities through volunteering. They are aged 11–18 years.
- Emerging practice – elective home educated (EHE) children can sometimes be invisible to services. In 2017, 101 children were recorded as being home educated in Darlington. Joint analysis between the police and the local authority identified that 15 of those children were recorded as being unseen. Police and the local authority made joint proactive welfare visits to those unseen children. The constabulary told us that, when appropriate, safeguarding action took place and no unseen children remained in Darlington from the original identified group. EHE monitoring and proactive welfare visits are now embedded practice within Darlington.
- The Bounce Resilience Academy established in 2016 aims to give tools to a small cohort of children aged between 12 and 17 years to help them overcome their individual trauma and develop the necessary skills to adapt to life's challenges and setbacks. Its aim is to equip them with the emotional resilience to help them deal effectively with the stressful situations in their past, and prepare for a successful and positive future. The programme combines workshops and one-to-one sessions where the children will learn about mindfulness, communication, problem solving, confidence and trust.
- Emerging practice – the Philomena Protocol (launched in September 2018) involves the police working alongside partners in their local authorities, encouraging carers, staff and families to compile useful information that could be used if a child goes missing from care. The joint approach is intended to reduce missing episodes and provide a structured shared response plan to locate and protect some of the most vulnerable children, should they go missing. In 2017, 923 children in care homes across Durham Constabulary were reported missing. This protocol has been rolled out to those children's homes.

## 10. Managing those who pose a risk to children

### **We are concerned about the current approach to managing those who pose a risk to children**

Durham Constabulary has a public protection unit (PPU) dedicated to MAPPA, where police work alongside agencies including probation and prison services. The constabulary uses a neighbourhood policing team (NPT) model to manage those RSOs assessed as medium and low risk.

Offenders are generally managed appropriately by the PPU with any outstanding concerns addressed promptly. However, we did find delays within cases managed by NPT officers and PCSOs, with an over-reliance on the ARMS assessment officers to oversee the medium- and low-risk cases managed by local officers, and with minimal oversight from supervisory officers.

There are benefits in this approach, such as NPT officers having a much greater knowledge of RSOs in their area. However, these officers are doing this as additional work on top of their existing responsibilities. This puts them under pressure because of competing demands. As a result, visits are often not completed by the due date and routinely go overdue. Because of the turnover of staff in the NPTs, they are also struggling for trained officers to carry out the visits.

An RSO with convictions for indecent assault on a female under 14 years was being managed by NPT officers. A home visit was carried out during which information was obtained that a female was helping the RSO with his shopping. This was highlighted as requiring further enquiries as a previous similar arrangement had resulted in him having contact with the helper's children.

The ARMS assessment officer reviewed the details 68 days later and the NPT was told to locate the female and ensure that there were no safeguarding concerns.

An update a further 16 days later states that the NPT officer had identified and spoken to the female by telephone. She disclosed that she was unaware of the RSO's convictions and that she had taken her children to his address although she said he had never been left alone with the children. The children had not been spoken to and the new information had not been shared with other agencies.

The constabulary has two single points of contact known as the 'ARMS assessment officers' who manage the returns from local NPT officers. At the time of the inspection, they had 313 and 291 outstanding tasks respectively, leaving them constantly working with a backlog.

The officers have responsibility for tasking NPTs, checking returns and identifying any further work required for all the cases. A recent agreement to employ a third person on the team should assist with the workload.

An RSO with a conviction for sexual activity with a female under 16 years was assessed as medium risk and managed by the NPT. In August 2019, an anonymous referral was received in relation to the RSO being in a relationship with a female who had children. This was addressed via a joint agency visit and, as a result, the relationship ended.

This information was assessed by an ARMS assessment officer. An NPT officer was requested to speak to the RSO about failing to disclose the relationship. This was potentially a significant change to the circumstances of the RSO that could have altered the risk he posed. There was, however, no visit to the RSO until 57 days later.

During this visit, the RSO disclosed that his brother had recently had a child. Following a review of this information, the NPT officer was asked to submit a safeguarding referral in relation to the nephew. However, it was unclear if this happened.

The training provided to NPT officers does not cover the necessary content required to meet the College of Policing's approved professional practice, which stipulates that home visits should only be carried out by suitably trained officers. The course covers ARMS over two days but it is not the accredited ARMS training package and is not trained by accredited ARMS trainers. There are errors in the training, which is possibly due to the constabulary not having an ARMS trainer. Material in the training pack refers to ARMS practices that were amended in November 2016.

We found that untrained NPT officers were also conducting visits to RSOs because of the high turnover of staff within the NPTs and the lack of further training courses. The NPT staff have a question set designed to ensure that they are asking the right questions. However, in many cases, this has just become a question and answer document without any thought going into what the answers might mean or to generating follow-up questions to fully understand any emerging risks.

There is also an absence of strategic oversight, with no processes to identify and review cases that are the subject of a serious further offence if committed by an RSO or to quality assure ARMS assessments. There is also a lack of oversight that visits are happening on time. This is necessary to identify gaps in the management of an individual, which could increase risk.

## **Frontline officers are aware of registered sex offenders in the areas they patrol**

We found that NPTs and response officers have good knowledge and understanding of RSOs. Information on these offenders is available on the police system (Red Sigma) and can be filtered for individual policing areas. However, it has been acknowledged that there are some gaps due to a lack of staff to ensure that the system is maintained and kept updated.

### **Recommendations**

We recommend that Durham Constabulary immediately acts to review and improve its management of RSOs, paying attention to the current NPT model used for medium and low-risk offenders.

# 11. Police detention

## **There is a clear focus on diverting children away from custody**

Our conversations within custody and with staff and officers dealing with children clearly demonstrated a child-centric approach aimed at diverting children away from custody. The constabulary works with others to stop children from entering the criminal justice system or reoffending.

Examples include the Durham Agency Against Crime (DAAC), a charitable organisation supported by the police that engages with 350 primary and secondary schoolchildren per week. DAAC is working towards long-term change through education and by challenging negative behaviours. One project is HAGGRID, which seeks to ensure that young people in County Durham and Darlington raise their aspirations and achieve positive outcomes, diverting them from crime, antisocial behaviour and educational or social exclusion. Data analysis (produced by the constabulary in 2017/18) indicated that only 8 percent of children involved in the DAAC went on to offend. At least six children of the latest cohort of apprentices have gone on to be employed by Durham Constabulary.

Frontline officers are expected to have a clear justification for bringing a child into custody. Detention of a child was authorised only if the custody office was satisfied that other options had been considered. Every case is scrutinised. Feedback is given when an alternative option to custody for a child could or should have been made. This has resulted in very few children being brought to custody unless it is warranted. Our case audits also found that the grounds and necessity for the arrest and detention of a child are well recorded.

However, we did see opportunities to improve the outcomes for detained children.

## **Detained children with complex needs are often not referred to children's social care services**

Many of those children who are arrested and brought into police custody will have complex needs and need safeguarding themselves. These include those being criminally exploited. In such cases, a referral to children's social care services may be required. Done effectively, this could be the opportunity to break an offending cycle if the child is given the appropriate and timely support. However, we found that officers are not consistently making referrals for children in custody.

## **We found delays in appropriate adults attending to support children in custody**

We found long delays before an appropriate adult attended in most of the cases we examined. They attended when a child was being interviewed rather than providing early support regarding the child's overall welfare needs, rights and entitlements. The delays before a child sees someone other than the police can be over 12 hours.

A 17-year-old boy was arrested for a public order offence and taken into police custody. It is unclear whether it was recognised that he was a child at the time of arrest, because this was not mentioned until he was spoken to by the liaison and diversion team 13 hours later. They directed that an appropriate adult was required. His mother was contacted. She arrived at the station to support her son 19 hours after his arrest.

The criminal justice liaison and diversion team is available 8.00am to 8.00pm daily, covering the three custody sites in Peterlee, Durham and Darlington. All those in custody are triaged to prioritise those who need to see the team urgently. The service is considered as extremely positive by officers and staff, but it is not yet able to meet demand. When the team cannot see people due to demand, the detainee is given a self-referral opt-in form to obtain support if required outside custody once they are released.

The decision to detain someone in custody should be reviewed regularly. In line with the College of Policing's professional practice, this should be done in the presence of the detainee. When we examined custody records, we found that such reviews are mostly done remotely without the children being seen in person. The reviews do not always clearly explore the current investigative actions taking place in order to determine whether continued detention is necessary.

## **Custody officers have a good understanding of when alternative or secure accommodation is needed and, when it isn't available, escalate it to their managers**

The local authority is responsible for providing somewhere suitable to stay (alternative accommodation) for children charged with offences, denied bail and detained. Only in exceptional circumstances (such as during extreme weather) would it not be in the child's best interests to transfer them to such accommodation. In rare cases – for example, if a child presented a high risk of serious harm to others – secure accommodation might be necessary.

Custody officers and staff understand clearly the conditions under which they can deny bail. They know that the police have a responsibility to ask for, and the local authority to provide, appropriate accommodation if the police consider bail is inappropriate. It is evident that local authorities are challenged when difficulties arise in moving a child out of police custody. Concerns regarding lack of accommodation are escalated appropriately. Continued detention is recorded, with reasons, on juvenile detention certificates.

For the period January 2018 to September 2019, the constabulary provided 23 cases of children who were denied bail after being charged with an offence. In only seven of those cases were the children moved from the police station into other accommodation to subsequently appear before the courts.

At the time of inspection, there was no routine monitoring of performance within custody. The daily processes for oversight do not feed into the daily leadership meetings in each geographic area. We were told that a fortnightly custody management meeting was due to start after this inspection. The meeting would focus on both numerical data and performance outcomes.

### **Recommendations**

We recommend that, within three months, Durham Constabulary should:

- review its approach to securing appropriate adults for children as early as possible to provide support;
- review the recording and monitoring of arrival times, so that these can be measured, and delays identified and addressed;
- assess, at an early stage, the need for alternative accommodation (secure or otherwise) and work with children's social care services to review the provision and availability of both secure and alternative accommodation; and
- ensure that officers and staff consider the needs and vulnerability of a child in police custody and make appropriate referrals promptly to children's social care services.

# Conclusion

The leadership's clear commitment to improving its services for children is demonstrated in many ways in this report. Child protection and wider vulnerability is a priority for Durham Constabulary.

The constabulary works well with partners across both local authority areas and is an active member in the new safeguarding arrangements, with representation at both chief constable and superintendent level.

Several schemes across Durham are making an extremely positive contribution to the focus on child-centred policing and the importance of intervening early to prevent longer-term harm. Examples include EHE children's welfare visits and the annual young people's conferences aimed at secondary schools to improve understanding of safeguarding matters, such as internet safety and risk-taking behaviour.

Current processes for assessing performance do not sufficiently allow senior leaders to test the nature and quality of decision making, and the effect these have on children. Too often, the focus is on form-filling process and compliance. A framework that focused on what happens to the children who need protection would help the constabulary to improve its understanding of results. This would make sure that the service given meets expectations.

Senior leaders know that there are some inconsistencies and areas for improvement in the service given to children. We welcome the response of the constabulary, its engagement with us and its expressed willingness to act quickly to address areas of concern identified through the child protection case audits we carried out.

Individual frontline officers are doing good work in responding to incidents of concern involving children. We also found that specialist child protection staff are committed and dedicated to keeping children safe.

However, we found that outcomes are not yet consistently good. Broader risks to other children are not always recognised, there are some poor responses and investigations, and the management of those who pose a risk to children can be improved. These inconsistencies affect safeguarding and potentially leave children at risk. They need to be addressed to make sure that the constabulary safeguards all children appropriately.

When investigations are well supervised, employ joint working and use effective safeguarding plans, a positive outcome can be achieved for the child. If this model is replicated across all areas, outcomes for all children will be improved.

Our recommendations aim to help the constabulary make improvements in these areas.

### **Next steps**

Within six weeks of the publication of this report, HMICFRS requires an update of the action the constabulary has taken to respond to those recommendations that we have asked to be acted on immediately.

Durham Constabulary should also provide an action plan within six weeks of the publication of this report to specify how it intends to respond to our other recommendations.

Subject to the update and action plan received, we will revisit Durham Constabulary no later than six months after the publication of this report to assess how it is managing the implementation of all the recommendations.

# Annex A – Child protection inspection methodology

## Objectives

The objectives of the inspection are:

- to assess how effectively police forces, safeguard children at risk;
- to make recommendations to police forces for improving child protection practice;
- to highlight effective practice in child protection work; and
- to drive improvements in forces' child protection practices.

The expectations of agencies are set out in the statutory guidance [\*Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children\*](#). The specific police roles set out in the guidance are:

- the identification of children who might be at risk from abuse and neglect;
- investigation of alleged offences against children;
- inter-agency working and information-sharing to protect children; and
- the exercise of emergency powers to protect children.

These areas of practice are the focus of the inspection.

## Inspection approach

Inspections focus on the experience of, and outcomes for, children following their journey through the child protection and criminal investigation processes. They assess how well the police service has helped and protected children and investigated alleged criminal acts, taking account of, but not measuring compliance with, policies and guidance.

The inspections consider how the arrangements for protecting children, and the leadership and management of the police service, contribute to and support effective practice on the ground. The team considers how well management responsibilities for child protection, as set out in the statutory guidance, have been met.

## Methods

- Self-assessment – practice, and management and leadership.
- Case inspections.
- Discussions with officers and staff from within the police and from other agencies.
- Examination of reports on significant case reviews or other serious cases.
- Examination of service statistics, reports, policies and other relevant written materials.

The purpose of the self-assessment is to:

- raise awareness in the service about the strengths and weaknesses of current practice (this forms the basis for discussions with HMICFRS); and
- initiate future service improvements and establish a baseline against which to measure progress.

## Self-assessment and case inspection

In consultation with police services the following areas of practice have been identified for scrutiny:

- domestic abuse;
- incidents in which police officers and staff identify children in need of help and protection, e.g. children being neglected;
- information-sharing and discussions about children potentially at risk of harm;
- the exercising of powers of police protection under section 46 of the Children Act 1989 (taking children into a 'place of safety');
- the completion of section 47 Children Act 1989 enquiries, including both those of a criminal nature and those of a non-criminal nature (section 47 enquiries are those relating to a child 'in need' rather than 'at risk');
- sex offender management;
- the management of missing children;
- child sexual exploitation; and
- the detention of children in police custody.

## Annex B – Definitions and interpretations

In this report, the following words, phrases and expressions in the left-hand column have the meanings assigned to them in the right-hand column. Sometimes, the definition will be followed by a fuller explanation of the matter in question, with references to sources and other material which may be of assistance to the reader.

<b>Term</b>	<b>Meaning</b>
child	person under the age of 18 years
multi-agency public protection arrangements (MAPPA)	mechanism through which local criminal justice agencies (police, prison and probation trusts) and other bodies dealing with offenders work together in partnership to protect the public from serious harm by managing sexual and violent offenders; established in each of the 42 criminal justice areas in England and Wales by sections 325 to 327B of the Criminal Justice Act 2003
multi-agency risk assessment conference (MARAC)	locally-held meeting of statutory and voluntary agency representatives to share information about high-risk victims of domestic abuse; any agency can refer an adult or child whom they believe to be at high risk of harm; the aim of the meeting is to produce a co-ordinated action plan to increase an adult or child's safety, health and well-being; agencies that attend vary, but are likely to include the police, probation, children's, health and housing services; over 250 currently in operation throughout England and Wales
multi-agency safeguarding hub (MASH)	working location in which public sector organisations with responsibilities for the safety of vulnerable people collaborate; it has staff from organisations such as the police and local authority social services, who work alongside one another, sharing information and co-ordinating activities, to help protect the most vulnerable children and adults from harm, neglect and abuse

Term	Meaning
Office for Standards in Education, Children's Services and Skills (Ofsted)	non-ministerial department, independent of government, that regulates and inspects schools, colleges, work-based learning and skills training, adult and community learning, education and training in prisons and other secure establishments, and the Children and Family Court Advisory Support Service; assesses children's services in local areas, and inspects services for looked-after children, safeguarding and child protection; reports directly to Parliament
police and crime commissioner (PCC)	elected entity for a police area; responsible for securing the maintenance of the police force for that area and securing that the police force is efficient and effective; holds the relevant chief constable to account for the policing of the area; establishes the budget and police and crime plan for the police force; appoints and may, after due process, remove the chief constable from office; established under section 1, Police Reform and Social Responsibility Act 2011
registered sex offender (RSO)	person convicted or cautioned for a sexual offence as set out in Schedule 3 to the Sexual Offences Act 2003, or who has otherwise triggered the notification requirements (for example, by being made subject to a sexual offences prevention order), who is required to provide personal details to the police, including details about movements (for example, if going abroad) and, if homeless, where they can be found; registered details may be accessed by the police, probation and prison service

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