

Chief Constables' Council

Title: Provision of Dynamic Search by the CTSFO Network to Forces in England and Wales outside London

7 October 2020

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1. INTRODUCTION

- 1.1. This agenda item is a follow-up to a paper on CTSFO provision of non-CT dynamic search submitted to, and agreed in principle by CTCC in March 2020. That paper was then submitted to Chiefs' Council in July 2020 where the matter was discussed. Re-submission in October 2020 was requested by Chiefs' Council to allow Chiefs time to fully consider the options contained therein. The original proposed implementation date of 1 September 2020 has been delayed pending Chiefs' Council ratification of the proposals.
- 1.2. As a result of this decision at Chiefs' Council in July 2020, the attached circular (NPCC Armed Policing Portfolio Circular 13/2020) was sent to all Force Firearms Leads and copied to Operational Firearms Leads on 10 August 2020.
- 1.3. This paper reiterates the proposals to support the consolidation of dynamic search into the CTSFO network in three distinct areas:



- Tasking and Coordination
- Command and Control
- Economic Modelling

1.4. It is important to note that this will be an offer to forces. Clearly there can be no mandate to a force that they must relinquish any existent capability. However in considering the offer, Chiefs are invited to take into consideration the requirements identified through their Armed Policing Strategic Threat and Risk Assessment (APSTRA) and how best to discharge responsibilities in protecting the public, ensuring the most capable and best equipped resources are available to mitigate risks in compliance with the principles of best value.

2. BACKGROUND

2.1 The Counter Terrorism Specialist Firearms Officer (CTSFO) network is a truly national, borderless and inter-operable resource. Whilst geographically based in certain “hub” locations, all officers can work seamlessly together. They are the most highly trained and best-equipped specialist firearms resource available **S31 Law Enforcement**

At present, however, many individual forces and collaborations outside of the CTSFO network maintain the capability to conduct dynamic search (DS) which, in some cases, is seldom if ever used. This approach has consequent financial implications in terms of training, equipment and operational abstraction, and operational implications in terms of their maintenance of operational competence. In March 2020, CTCC agreed with the principle that the CTSFO network should provide DS capability to all forces in England and Wales outside London. The principles applied in this paper are that the options considered should be **Fair, Consistent and Simple** and should not create an environment where financial considerations unduly influence time-critical operational decisions made by commanders in the context of risks to life, but that some degree of financial impact applies to control demand appropriately.

3. TASKING AND COORDINATION

3.1 The proposals in respect of coordination of requests for DS capability from the CTSFO network seek to build on the well-established current arrangements for counter terrorism, where the requesting force contacts the on call CTSFO coordinator. There is a clear expectation that, in accordance with the responsibilities listed for the Strategic Firearms Commander (SFC) in Authorised Professional Practice for Armed Policing (APP-AP), the request for DS capability from the CTSFO network will have been considered and authorised by the requesting force SFC.

3.2 On receipt of the request, the CTSFO coordinator will cause immediate referral of that request to an on call specialist Tactical Firearms Commander (TFC). Specialist TFCs have undertaken training on all of the TFC courses (initial, cadre and specialist firearms commander development programme). A core element of the TFC role is the assessment of information and intelligence to determine whether the criteria for the deployment of armed officers has been met, and the subsequent tactical response capability required. Their occupational and operational competence therefore makes them the most appropriate resource to assess the request.

3.3 To introduce this process it is necessary to create **S31 Law Enforcement** Such provision accords with the long established and sequential assessment of threat and risk and chronology of command as outlined in APP-AP and has the benefit of an independent assessment of the request made by a suitably qualified commander. (In this respect, even if the original requesting force has already employed a specialist TFC, referral should still occur to ensure independence.) There are clear parallel benefits in respect of demand arising from counter terrorism incidents or operations.

3.4 As outlined above, specialist TFCs are trained to conduct comprehensive multi-dimensional threat and risk assessments and to consider the development of the most proportionate and necessary tactical plan to mitigate the threat and risk, and are at the most appropriate level in the command structure to provide this independent assessment, rather than a further SFC. **S31 Law Enforcement.**

3.5 There is no definitive expectation that, having conducted this assessment, the on-call specialist TFC necessarily then assumes tactical command of the operation - albeit there may be circumstances where this is appropriate (see below).

4. COMMAND AND CONTROL

4.1 It will be a matter for the requesting force SFC to ensure, in accordance with their APP-AP responsibilities, that the operation is appropriately resourced including reviewing and ensuring the resilience and effectiveness of the command structure. There is no expectation that the CTSFO network provides the SFC and TFC capability. **S31 Law Enforcement.**

4.2 It will also be a matter for the requesting force to determine if a specialist SFC is appointed from within their own cadres or through existent protocols. Clearly, accountability and responsibility for the operation remains with the requesting force regardless of the use of CTSFO resources

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5. ECONOMIC MONITORING

5.1 There are three feasible economic models applicable to these considerations:

- A subscription model, where the "buying" force pays a fixed fee to the "supplying" force. This fixed fee does not vary with the amount of units of the capability that are actually used;
- A 'pay as you go' (PAYG) model where the "buying" force pays solely for the number of units supplied by the "supplying" force;
- A two-part tariff model, where a combination of subscription and PAYG is used.

5.2 Previous papers submitted to the Specialist Capabilities Board, the CTSFO Strategic Coordinating Group and CTCC considered these three potential funding models. The preferred and recommended option is a PAYG model.

5.3 In this model, the user pays for each unit of service used. Such models have the advantage of being simple and transparent in concept. This model is "buying into" a capability that is already in place (i.e. the costs of actually building and maintaining the capability are already sunk) and demand analysis (particularly outside the CTSFO hub host forces) is consistently low.

5.4 The considerations applied in drawing up the following proposal include:

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- The *National Policing Guidelines on Charging for Police Services: Mutual Aid Cost Recovery* document, issued in 2019, specifies that in the context of emergency or spontaneous deployments and specialist staff deployments, the employable cost rate should be applied. The document further identifies employable cost in Appendix 4b: currently £24.25 per hour for a PC. Considering the national contributions already made to the hubs, it appears appropriate to use this employable cost (hourly rate) as the basis for a non-CT related DS cost recovery; rather than the enhanced mutual aid rates, which take no account of CT grant funding. It is also appropriate to use the PC rate, irrespective of the rank (PC or PS) deployed under these arrangements, as the overwhelming majority of officers deployed will be constables.

5.5 It is likely that a proportion of the non-CT related DS deployments will occur during duty time. Therefore, if in duty time, the CT grant already pays either 50% or 71% of the salary costs. It would therefore be inappropriate to re-charge 100% of the employable cost.

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5.7 All incurred overtime, and any accommodation or incidental expense, should be full cost recovery.

5.8 No cost recovery should be generated for items such as fuel, depreciation etc. in respect of transport, nor any cost incurred in respect of consumables, given the related contributions currently made from the central CT Grant.

6. APPROVAL OF THE COORDINATION COMMITTEE

6.1 The paper was approved previously by the Counter Terrorism and Operations Coordination Committee. This paper has been brought back to Chiefs' Council following the previous action from the July meeting.

7. DECISIONS REQUIRED

7.1 Chiefs are invited to endorse the proposals set out in this paper.

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