

Performance and Resources Scrutiny Programme 2020

Report to: the Office of the Police, Fire and Crime Commissioner for Essex

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1.0 Purpose of Report

To provide an update on the performance of the Firearms, Shotguns and Explosives Licensing (FSEL) department from June 2019 to May 2020. This is to include the temporary actions taken in response to COVID-19.

2.0 Recommendations

No specific recommendations but the Board is asked to note the following updates;

- Single Online Home (SOH) for Essex FSEL went live 26th February 2020.
- Introduction of 'medical verification' for all new applications went live November 2019 for new grants and February 2020 for renewals.
- 'Risk based approach' for low risk shotgun renewals applications was adopted in February 2020.
- In relation to firearms licensing decisions the delegated authority is reduced from ACC to Superintendent. This is similar to Kent and a number of other forces.

3.0 Executive Summary

This report shows that Essex FSEL has sustained, and further improved the service provided to the county certificate holders; with latest BASC performance figures placing Essex in the top 3 in the country. This is despite an increasing number of applications being refused or revoked, demonstrating that safety is not being sacrificed for performance.

COVID-19 Response

Due to the COVID-19 pandemic, Chief Officers have agreed to the following changes to process within FSEL:

- Temporarily suspend new grant applications.
- Temporarily suspend Enquiry Officer home visits and replace with telephone enquiries.
- Issue of Temporary Permits. Given the unprecedented demand on NHS, there is an acknowledgement that FSEL processes need to change to support our partners. Therefore, FSEL will issue temporary permits for up to 12 months for all renewals that have been submitted without a medical screening form. This provides sufficient time for the NHS to return to normality, and the applicant to obtain the required GP proforma prior to being issued the full 5-year renewal.

Regional BASC were involved in the consultation process prior to these changes being implemented and were supportive of them. They supported the communication strategy by placing the Essex Police press release on their social media accounts and emailed members.

In the week commencing 20th April 2020, National BASC sent an email to every member, and key stakeholders, within Essex challenging the Essex approach to medical screening. The email was sent without any consultation with regional colleagues and was replicated across all 20 police forces that use medical screening.

The email sent by the national BASC office was not reflective of the partnership working and agreement between Essex Police and the regional BASC team. ACC Prophet has written to the regional BASC representative (appendix 1). The force anticipates a response imminently and is hopefully of agreeing a joint 'correction' statement to be issued as soon as possible.

4.0 Introduction/Background

Essex FSEL manages all aspects of the licensing process of firearms and explosives on behalf of Essex Police. The team are based at Police HQ and are responsible for:

- Managing applications for firearms, shotguns and explosives certificates
- Issuing and maintaining records relating to certificates and permits in the Essex Police area

- Assessing risk in relation to current certificate holders and if required revocation
- Managing registered firearms dealers and Home Office approved gun clubs

Current Staff Structure

FSEL	Essex-numbers
Office Manager	1.00
Office supervisor	1.00
Senior/Firearms Enquiry officer	1.00
Field Enquiry officers	9.00
Team Leaders	3.00
Case workers	10.5
Review officer	1.00
Clerk	1.00 (vacancy)
Total	27.5

5.0 Current Work and Performance

Applications to renew existing licences averages 60% of FSEL's overall work. Over the 5-year renewal period, FSEL experience 2 peak periods where demand is greater than the resource to process applications. 2019 was a year of low demand and FSEL were able to maintain and further improve the waiting times for all applications to be processed against the improvements made in 2018.

This can be evidenced through the statistical data obtained from the Home Office and published by the British Association of Shooting and Conservation (BASC). On the BASC website it was noted that nationally the best performing forces based on average application processing times in 2019 were Cleveland, **Essex** and Lincolnshire. The data uses the traffic light system and the table below shows the average number of days to process an application.

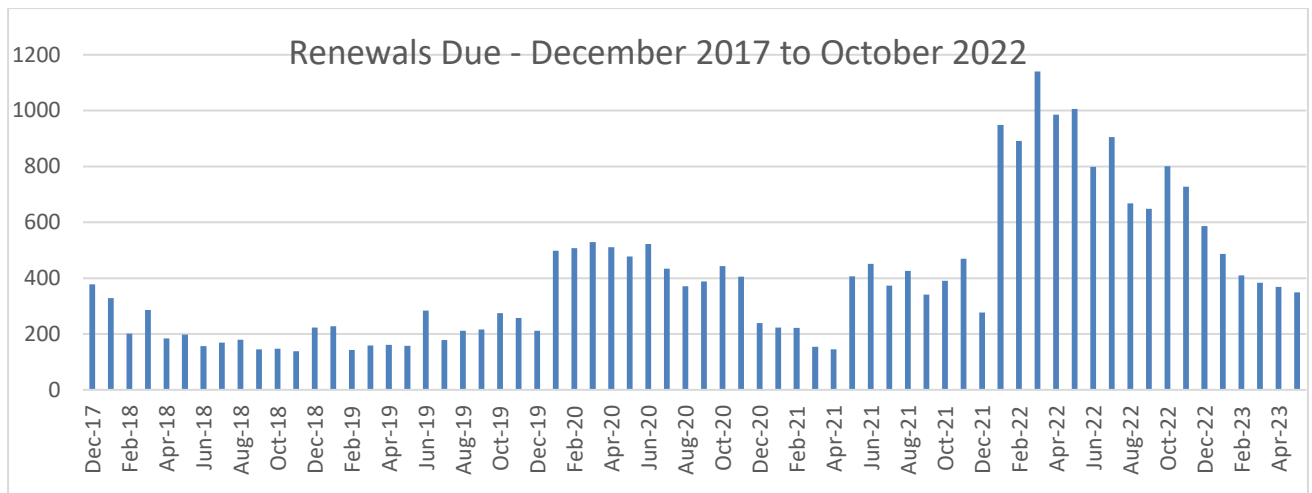
As evidenced, Essex FSEL achieved 'green' across all measures. When reviewing the average time to process applications in the table below it should be noted that currently, Essex FSEL published service level agreement (SLA) is 90 days.

Force		FAC Grant	SGC Grant	Coterminous grant	FAC Renewal	SGC Renewal	Coterminous renewal	Variation
Essex	2019	39	38	39	10	13	11	4
Essex	2018	65	63	62	10	9	13	10
Essex	2017	106	134	84	36	32	36	9
Essex	2016	222	258	84	134	210	36	27

- In May 2019 FSEL began the engagement process with the Local Medical Council (LMC) for Essex. This was to inform and gain commitment from GPs where FSELs intention was to introduce medical verification for all new applications. In October 2019 Chief Officers approved the process. On the 1st November 2019 Essex FSEL introduced the mandatory requirement for all new grant applicants to provide a GP proforma with their application. This change has further improved processing times as it now places the responsibility on the applicant to provide background medical information at the start of the application process. Additionally, this reduces the cost incurred by Essex Police when engaging GPs for medical information. A similar process was introduced on the 1st February 2020 for all applicants wishing to renew an existing licence. BASC are (publicly) opposed to this measure on the basis that they believe force are operating outside of Home Office Guidance, and there isn't currently a legal requirement for GP Surgeries to comply. Privately, conversations with BASC representatives show support around the rationale behind the decision and are pleased with the efforts Essex is making around GP engagement and process.
- NPCC lead, DCC Orford has been consulted around medical screening, confirming Essex are following the nationally recommended approach. He explained the 'new' Home Office statutory guidance recommends medical screening; this was due for release following consultation in spring/summer 2020, but has been delayed due to Covid-19.
- In October 2019 Chief Officers additionally approved a change in process allowing for the introduction of Risk Based Renewals. Where an applicant is renewing an existing certificate and there are no aggravating factors i.e. has not come to police attention in the last 5 years and their GP has not highlighted any relevant medical conditions, a new certificate will be granted without the need for a FEO home visit.

- In Essex there are 113 Registered Firearms Dealers (RFD). All RFD's premises are inspected at least once a year and twice a year based on risk. During the inspection the RFD register is reviewed, and premises inspected by two FEO's. This was fully completed in June 2019. There are additionally 62 Home Office approved Shooting Clubs which are continuously monitored and review on a risk basis.

6.0 Implications (Issues)



From January 2020, the renewal application demand will increase circa 50%. This is a national trend and is a legacy from the 1990's when the renewal cycle was increased from 3 years to 5 Years.

In November 2019, FSEL introduced mandatory GP verification for all new grant applications. This was followed by the introduction of GP verification for all renewals received after 1st February 2020.

Between September - December 2019, FSEL wrote to over 500 current certificate holders who were risk assessed as low risk, offering them the opportunity to renew early and avoid the requirement to provide a GP report. There was an 87% positive response, resulting in demand moving out of the first quarter of 2020 making these 3 months significantly more manageable.

6.1 Links to Police and Crime Plan Priorities

Keeping People Safe

FSEL continually risk assesses the suitability of certificate holders to own and possess firearms and take swift and effective action to review any certificate holder or others living at that the home address who come to the adverse attention of police or FSEL.

The team recommend the refusal or revocation of unsuitable applicants or those license holders who through their behaviour are assessed to be no longer fit to be trusted with owning and possessing firearms. They obtain medical verification from GPs to ensure relevant medical conditions are considered during the decision making process.

Since the previous reporting period, there have been 39 certificates revoked and 20 new applications refused. There are currently 7 decisions being appealed.

Help People

FSEL are involved in several public engagement activities with the shooting community. This includes a quarterly Firearms Licensing Advisory Group (FLAG) meeting with registered firearms dealers, shooting clubs and certificate holders. FSEL have also been present at a number of public engagement events including having an information stall at The Blackwater Country Fair, Young Shots experience days and Young Farmers Annual Fair. At the 2019 BASC 3 day annual event for their members (150k-200k) held in Hertfordshire, Essex FSEL was the only Police Force in attendance.

Catching Criminals

In June 2019 an FSEL enquiry officer was on hand to support Op Farrow. This was the discovery and removal of over 200 guns from a private residence in Essex. FSEL staff supported Essex Police officers identifying the illegal possession of guns and other breaches under the Firearms Act.

FSEL officers supported the closing down of a rifle range (Full Metal Jacket) operating in Harlow, that was a danger to the public and was frequented by members of London based OCG's. This range was set up by the operator using a loophole in the Firearms Act to obtain sec1 firearms.

6.2 Demand

From data held within the National Firearms Licensing Management System (NFLMS), we can accurately predict the demand for applications to renew an existing license. A five year average is used to predict the month to month applications for new grants.

This allows for accurate forward planning of resource in both administration and field based functions.

With the introduction of Single Online Home, GP verification and Risk Based Renewals, it is envisaged that these changes will enhance the effectiveness of the department by making the process more efficient.

It is expected the impact of COVID-19 will slow the renewal process where FSEL await outstanding GP reports. It is not envisaged at this time that this will necessitate any additional resource.

6.3 **Risks/Mitigation**

At present there are sufficient resources in FSEL to manage the increased demand throughout 2020 and the impact of COVID-19.

Board to note:

The changes to business as usual process due to COVID-19 will significantly limit FSEL ability to accurately report performance statistics. As previously mentioned in this report waiting times are reported in the number of days taken to process/issue a certificate. As highlighted FSEL will be issuing Temporary Permits during the COVID-19 situation. Temporary Permits remain in the NFLMS system with a 'received but incomplete status'. This will significantly distort the data when viewed against current waiting times as we are allowing applicants up to 1 year to obtain a GP report.

Unknown Risks

- Each month FSEL receive circa 100 new grant applications. Currently this option is not available as we have put a hold on any new applicants being submitted via SOH. Post COVID-19 we may see a surge in new applications being received over a short period of time.
- During COVID-19 staff are requesting to cancel pre-booked annual leave. This could lead to a higher amount of annual leave requests in the second half of the year which will be closely managed.

6.4 **Equality and/or Human Rights Implications**

No identified implications on equality, diversity or human rights have been evidenced whilst completing this report.

6.5 **Health and Safety Implications**

- GP Verification/ Medical screening. With the introduction of mandatory GP verification at the point of application, the risk of fraudulent applications where a relevant medical condition has not been disclosed by the applicant will be significantly reduced.
- Certificate holders applying to renew an existing shotgun certificate will be assessed to establish if they are suitable to be processed as a Risk Based Renewal. This is where no aggravating factors are identified i.e. coming to police attention or GP highlights an issue with a relevant medical condition. The certificate will be renewed without the need for an FEO home visit.

7.0 Consultation/Engagement

Relevant command team members within OPC have been consulted and contributed to this paper.

8.0 Actions for Improvement

None identified at this time

9.0 Future Work/Development and Expected Outcome

- FSEL has been identified as a department suitable for relocation, potentially to Chelmsford Police Station. This has not been formally announced at this time, and no timeline set. FSEL are now more accustomed to agile working processes, so should adjust well to a smaller 'office footprint'.
- Work was undertaken with colleagues in Kent Police (Op Hexagon) during 2019 that identified further convergence opportunities between the two FSEL departments. In order to progress this Kent need to move onto the same IT system, Cyclops2, used in Essex. IT have the Stage 2 Business Case which they are reviewing and it has been added to the program of work 20/21. It is expected the project will formally start at the beginning of September 2020 but full delivery is unlikely to be until 31st March 2021.

Appendix

1. ACC Prophet letter to BASC	 Letter to BASC.docx
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