

## Performance and Resources Scrutiny Programme 2021

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 annual update on the performance of the Firearms, Shotguns and Explosives Licensing (FSEL) Department. This includes an update on the post COVID-19 recovery, 2022 peak renewal period as well as longer term service delivery considerations.

### 2.0 **Recommendations**

This is a briefing paper only and there are no recommendations.

### 3.0 **Executive Summary**

All temporary permits that were issued during the Covid lockdown period have now been cancelled and full 5-year certificate issued where the required GP medical screening report has been received.

On the 1<sup>ST</sup> of Nov 2021, new Statutory Guidance for Chief Officers was introduced. There are two areas where Essex Police have deviated from the guidance:

- Risk based renewals are carried out after 5 years as opposed to 10 years.
- Where they are required applicants, and not Essex Police, meet the cost of additional medical reports.

2022 will see a significant increase in the number of renewals (507 per month compared to 203 per month in 2019)

The chair of the National Firearms Licensing Working Group (FELWG) has changed. CC Tedds of Warwickshire is the new lead.

#### 4.0 Introduction/Background

Essex FSEL manages all aspects of the licensing process of firearms and explosives for the (approx.) 26,000 firearms and shotgun certificate holders in Essex. The team 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.

The team provide a source of income generation for Essex Police. However, the costs recovered by the NPCC fixed license do not cover the running costs of the department, a pattern which is replicated nationally.

	Shotgun licence	Firearm Licence	Co Terminus (firearms and Shotgun)
Renewal of a licence	£49.00	£62.00	£65.00
Year	Department Costs <sup>1</sup> (£)	Income from applications <sup>2</sup> (£)	New operating cost (£)
2016-17	815,872	(335,811)	480,061
2017-18	844,227	(312,713)	531,514
2018-19	878,481	(207,487)	670,994
2019-20	863,158	(207,068)	656,090
2021-22	763,801	(353,428)	410,373

1. Department costs extracted from SAP against FSEL cost centres
2. Income extracted from SAP (Firearm certificates code only)

#### **4.0 Current Work and Performance**

During the COVID lockdown period of 2021, FSEL in line with all other Forces switched off the Single On-Line Home facility to make a new grant application.

This was supported by the public in Essex, where it was explained, by external communications, that all new grant applications could only be processed following a home visit. There were 69 outstanding applications awaiting a home visit at that point. The facility to make a new grant application was reinstated in May 2021,

Throughout the COVID-19 period of restrictions, FSEL adopted a different approach to other forces regarding the renewing of certificates.

Since Oct 2021, Essex Police has taken the approach (supported by Chief Officers) that any applicant wishing to renew a certificate must provide a medical screening report. Recognising the difficulties that this would present for GPs and applicants during COVID, FSEL issued a 1-year temporary permit for those applicants experiencing a delay in obtaining a medical screening report.

Circa 550 permits were issued.

All temporary permits have since expired, and all applicants issued with a temporary permit have now provided the require medical report.

#### **5.0 Implications (Issues)**

On the 1<sup>st</sup> Aug 2021 a new staff structure model was implemented. This model reduced the establishment in line with the recommendations of the scoping project. Essex Police considers that the team are appropriately resourced for their various responsibilities. The project considered efficiencies gained following operational decisions regarding renewal regimen.

The new structure also introduced a more omni-competent workforce providing capacity where it is most needed, creating a flatter structure.

The force Agile Working Group assigned FSEL, as 80/20 Agile typology. This appears to be working well with most colleague's preferring to work from home.

There are currently 5 vacancies which FSEL are recruiting to.

2022 is a peak renewal year for FSEL (see Section 7.0).

An emerging trend this year has been applicants submitting their renewal applications late. This has placed an unplanned burden on the department with colleagues spending a disproportionate amount of time chasing up certificate holders. The key factor being applicants not submitting the request to their GPs for a medical screening report in time for GPs to turnaround. Where no medical report has been received before the certificate expires the applicant is required to lodge their guns.

## **6.0 Links to Police and Crime Plan Priorities**

### **Anti-social behaviour**

Any incidents involving certificate holders acting in an anti-social manner are flagged for FSEL for them to review by FCR staff. This will result in a suitability review being instigated by FSEL.

### **Organised Crime**

FSEL risk assess and 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 including others living at the home address who come to the adverse attention of police This is also extended to the medical fitness of the applicant through the medical screening process.

### **Domestic Abuse**

All Domestic incidents involving firearms licence holders receive greater scrutiny. Following any domestic incident being created, the Assessment Centre within Public Protection complete their intelligence checks, which include NFLMS. If positive, in relation to any of the parties involved, this is flagged to Oscar1 for them to make an assessment and record their rationale. This may lead to the holders' guns and certificate being seized and a suitability review conducted.

### **Protecting vulnerable people from harm**

Working with colleagues in the PNC teams 'flags' have been added to STORM, these flags are accessible to all FCR staff and users of STORM, not just Oscar 1's. This will remove unnecessary armed deployments where a certificate holder is under review and has already had their guns seized. FSEL supported the force by coordinating the surrender and destruction of weapons held under the Offensive Weapon Surrender & Compensation scheme across the county.

## 7.0 Demand

As of 18<sup>th</sup> May 2022 there are 594 renewals waiting to be processed by FSEL.

From data held within the National Firearms Licensing Management System (NFLMS), we can accurately predict the demand for applications to renew existing licenses. 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.

Renewal certification is a 5 year cyclical process and makes up around 65% of FSEL overall workload. In 2022, FSEL will experience a significant period of demand where the volume of renewal applications doubles.

Year	Total Renewals	Average Monthly Renewals
<b>2019</b>	2436	203
<b>2020</b> (New grants switched off due to Covid)	2934	244
<b>2021</b> (Figure inflated by FSEL asking some people to bring their renewal forward)	4287	357
<b>2022</b>	6091	507

As standard practice, FSEL inform certificate holders expiring in the next 12 weeks by mail.

In March 2021, FSEL wrote in advance to all certificate holders due for renewal in 2022, explained the demands in 2022 and requested they apply to renew early, the caveat being, no certificate holder would lose more than 6 months' time off their certificate. Circa 1300 applicants have come forward early.

The net effect of these two actions have allowed FSEL to equalise the volumes between Jan 2022 – Jun 2022.

The average turnaround time for renewal applications between Jan-April 2022, was 38 days, against a 90 day, nationally agreed, SLA. During this period FSEL completed 1545 renewal applications.

### 6.3 **Risks/Mitigation**

Embedding the new staff structure has been problematic in some areas. Some of the more experienced colleagues have taken the view that with limited opportunities to progress within the FSEL, they have sought progression elsewhere in the organisation.

As previously mentioned, there are several key posts that are being recruited, this is having an impact on the Teams ability to keep pace with demand. Some of the lower risk tasks i.e., security checks following a change of address, are backing up. In response to this, colleagues from both Police Special Constabulary and the ARV units are assisting with security visits on behalf of FSEL.

There are currently two geographical regions in the county where there is no FEO cover. All renewals, suitability and welfare checks have been passed to other FEO's to assist. New Grants are being prioritised with the oldest first. There are currently 12 new grants beyond the 90 day SLA, however the overall average turnaround time for a new grant to be processed is at 37 days.

OPC Command has furnished FSEL with a reasonable overtime budget to support with key tasks whilst vacancies are filled, and new colleagues embedded.

#### **Statutory Guidance for Chief Officer**

The content of the new Statutory Guidance for Chief Officer was presented to OPC in Feb 2022. There were two areas where Chief Officers have departed from the guidance.

#### **GP Fees**

The new statutory guidance states that where the GP indicates that there are relevant medical issues and the police require further medical information in order to consider the application, the police should ask the applicant to contact their GP to obtain a further report about these medical issues. If the GP requires a fee to be paid for providing such a report, this will be payable by the applicant. If, following receipt of the above report, the police have concerns about any of the medical information given or wish to obtain a more detailed report, they may request this from the GP or, if appropriate, from a relevant specialist. The police **should** meet the costs associated with the provision of this additional report.

Essex Police have taken the approach that any such cost associated with an applicant's medical suitability should be payable by the applicant.

#### **Checks at Renewal**

The new Statutory Guidance suggests that at renewal, a risk-based approach may be considered. However, a Chief Officer would need to satisfy the following criteria for an applicant at renewal to not require additional checks:

- (i) certificate held for at least two cycles (10 years) where the applicant has not come to police attention and there are no medical concerns raised by the GP.

In Oct 2019, CC Harrington signed off that he was satisfied this type of risk-based approach could be carried out where the certificate was held for one cycle (5 years) with no criminal or medical concerns.

A post implementation review of this approach and FSEL processes was conducted by T/Chief Insp Andrew Watkins in Sept 2021. The review raised no new concerns.

Following the tragic shooting incident in Plymouth last year, The Home Secretary requested forces conduct a review to examine all incidents in the previous 12 months where guns had been seized and a decision made was to return them to the certificate holder.

In Essex 21 cases were reviewed. The reviewing Superintendent was satisfied that all 21 cases reviewed were low risk and no decisions were overturned. However, due to the high-risk nature of these type of reviews, a change in the delegated authority was approved by DCC Prophet. Since Sept 2021, all return of gun's decisions following a seizure or voluntary surrender are now conducted by the OPC Superintendent with the responsibility for FSEL.

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

There have been equality, diversity or human rights identified at this time.

#### **6.5 Health and Safety Implications**

In Aug 2021, FSEL in partnership with the shooting organisation British Association for Shooting and Conservation (BASC), began a roll out programme of communicating with GPs regarding suicide prevention. This engagement is conducted 'virtually' on MS Teams. GPs are invited to watch a presentation and ask questions of BASC and FSEL staff.

This collaborative approach with GPs allows FSEL to share the licensing process and the importance of the medical screening reports and medical markers when deciding a person's suitability and the opportunity to intervene when there is a concern with the certificate holder's health or domestic situation. This initiative is aimed at sharing information between both parties to prevent suicides across the county involving legally held firearms.

New Statutory Guidance issued in Nov 2021, requires Chief Officers to ensure that all FEO's have been given adequate training on how to spot the sign of Domestic Abuse. A bespoke training package was constructed and delivered by the DAIT team to FSEL colleagues In May 2022.

In May 2022, following a review of a domestic homicide, FSEL received two recommended actions.

The first recommendation highlighted the work already being done with GPs and recommended that this was extended to other healthcare professionals and multi-agency groups involved in safeguarding domestic abuse victims and protecting vulnerable people.

The second recommendation was Essex Police form a working group with relevant partners from Essex Safeguarding Adult Board and SETAB to better understand if there is a method of providing Firearms Licensing information to agencies involved with persons in potential risk situations.

Both recommendations have been accepted and will be implemented over the coming months.

## **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**

- A PIR of the new guidance is to be conducted by the Home Office in the Autumn 2022.
- GSA, the software provider for the Cyclops system, have released their new cloud based version. The costs and benefits of the new system have been forward via an ideas validation for Essex Police IT team consideration
- A request to the Strategic Change Co-ordination Board has been submitted to commission a review of the Robotic Process Automation (RPA) system, to assess if it is suitable for Firearms Licensing administration.
- By June 2022, the data capture exercise that will be used to inform the Home Office consultation on reviewing future licensing fees will begin.
- The National Firearms Licensing System has been updated and is now hosted on a new platform. During the update new management reports were released. Of note, is a new report that now allows certificate holder information to be extracted by their email address. This has the potential to create a communication channel for reaching out to all certificate holder who have provided an email account (currently 23k certificate holders in Essex). A Hornbill request via IT has been submitted to create an Essex FSEL account that can support this new opportunity.