



HMICS Custody Inspection Framework

HMICS inspections are based on an inspection framework which ensures a consistent and objective approach to our work. The framework consists of six themes:

- Outcomes
- Leadership and governance
- Planning and process
- People
- Resources
- Partnerships



Each theme is supported by a range of indicators setting out what we expect to find during our inspections. In relation to custody inspections, our 'outcomes' theme features additional indicators specific to custody. These focus on the treatment of and conditions for detainees. When we conduct thematic inspections of custody, we gather evidence against all six themes. Inspections of custody centres which take place during our Local Policing+ Inspection Programme are primarily focused on the custody-specific outcomes outlined below, rather than the broader HMICS framework. However we will also comment on the other themes from our framework where appropriate.

A. Outcomes	
A1	The desired outcomes from the delivery of custody are clearly articulated, reflect efficiency and effectiveness of strategy/delivery, costs and service user views, and can demonstrate contribution to national priorities.
A2	Police Scotland/Custody Division compare performance with relevant benchmarks and this information is used to understand strengths and areas for improvement.
A3	Police Scotland/Custody Division set comprehensive and measurable standards for custody which take account of their responsibility for delivering statutory duties and local and national targets and/or priorities. These are communicated to the public, partners and stakeholders making it clear what they can expect from the service provided.
A4	Police Scotland/Custody Division collect sufficient and relevant information to facilitate analysis of performance and this is reported to the relevant staff, partners, the public, service users and stakeholders and used to facilitate continuous improvement.
A5	Police Scotland/Custody Division have a valid set of measures and targets that are documented and take account of the perceptions, satisfaction levels and the impact they have on the community, the public, service users and staff.

Custody-specific outcomes	
<i>Treatment and conditions</i>	
<i>Arrival in and release from custody</i>	
1	<p>The arrival and departure of detainees from custody is managed safely. Detainees are apprehended and taken into custody quickly and with the minimum amount of force necessary.</p> <ul style="list-style-type: none"> • Vehicle docking areas are safe and secure. • On arrival, detainees are booked in to the facility without unreasonable delay. • Formal procedures are in place for pre-release risk assessments. These procedures identify any risks and set out actions to be taken. • Any relevant information about risk, vulnerability or safeguarding is communicated to relevant agencies. • Particular attention is given to safely managing the release of those under the age of 18 and other vulnerable detainees. • Detainees who are being transferred to another custody facility or court are escorted safely and with consideration of their individual needs. Person escort records are used. Detainees' property is transferred at the same time as detainees.
<i>Respect</i>	
2	<p>Detainees are treated with respect for their human dignity. They are treated fairly and equitably and as individuals with specific and diverse needs.</p> <ul style="list-style-type: none"> • Staff interactions with detainees are positive and courteous. • The individual needs of detainees are identified and managed. Consideration is given to the specific needs of children and young people under the age of 18; women; black and minority ethnic detainees; foreign national detainees; immigration detainees; detainees whose first language is not English; those with disabilities; older detainees; detainees of all religions; detainees of all sexualities; transgender detainees; and detainees who are otherwise vulnerable. • When making any decisions regarding a child or young person under the age of 18, the best interests of the child shall be a primary consideration.
<i>Safety</i>	
3	<p>Detainees are held safely.</p> <ul style="list-style-type: none"> • Effective risk assessment and management systems in place. The risk detainees pose to themselves and to others is assessed and managed. • Risk assessments and risk management plans are reviewed regularly and revised where necessary. Risk management plans are always proportionate. • Cells are free from ligature points or the risks they present are managed. • Staff are able to safely evacuate detainees from the custody facility in the event of an emergency. • Where detainees share cells, they do so only after a cell sharing risk assessment has been completed. Detainees under the age of 18 do not share cells with adults and women are held separately from men.
<i>Searches</i>	
4	<p>Detainees are searched in a respectful, sensitive and proportionate manner.</p> <ul style="list-style-type: none"> • Searches are carried out by a member of staff of the same gender as the detainee.

	<ul style="list-style-type: none"> • The type of search to be carried out is decided following an assessment of the individual circumstances and is proportionate. • Strip searching is only carried out when strictly necessary. It is authorised by an officer of appropriate rank (sergeant or above) and the reason for the strip search is recorded. Strip searches are carried out in private and by two members of staff who are both of the same gender as the detainee. Strip searching is carried out in stages – detainees are not required to remove all clothing at once. • Intimate searching only takes place under the authority of a Sheriff's warrant. Such searches are carried out by health care professionals in a hospital. • Personnel receive appropriate training on searching detainees.
<i>Use of force</i>	
5	<p>Any use of force is lawful and proportionate.</p> <ul style="list-style-type: none"> • The extent and duration of the force used are no more than necessary. • Staff use only those techniques in which they are trained. Age-appropriate techniques are used for children and young people under the age of 18. Careful consideration is given to the use of force on other vulnerable detainees (such as those with disabilities or pregnant women). • The use of force is recorded on the detainee's custody record. • Following the use of force, detainees are examined by a health care professional if requested or if there are health care concerns. • The use of force is monitored at a service-wide level to assess trends and identify lessons to be learned.
<i>Physical conditions</i>	
6	<p>Detainees are held in a custody facility that is clean and in a good state of repair.</p> <ul style="list-style-type: none"> • Cells are equipped with call buttons which are pointed out to detainees on arrival. Call buttons are responded to promptly. • Cells are of a reasonable size and there are effective maintenance and cleaning arrangements in place. • Cells are well ventilated and have natural light. Where this is not the case, arrangements are made for detainees occupying those cells.
<i>Detainee care</i>	
7	<p>Detainees are able to be clean and comfortable when in custody.</p> <ul style="list-style-type: none"> • Detainees are provided with a mattress, pillow and clean blankets. Sufficient blankets are provided according to the temperature of the cell. • Hygiene packs for women are available and are routinely offered on arrival and provided on request. • Detainees are able to use a toilet in privacy. Toilet paper and hand washing facilities are provided. • Detainees who require a shower are offered the opportunity to do so. • Detainees whose clothing is seized are provided with appropriate alternatives as soon as reasonably practicable. • Changes of clothing are facilitated.
8	<p>Detainees are offered sufficient food and drink.</p> <ul style="list-style-type: none"> • Detainees are offered food and drink at recognised mealtimes and at other times taking into account when the detainee last had a meal. • Reasonable requests, such as for water or a hot drink, are met. • The food available meets dietary and religious requirements.

	<ul style="list-style-type: none"> • Food and drink are of adequate nutritional value.
9	<p>Detainees are offered outdoor exercise and reading materials. Those under 16 are offered visits, and consideration is given to offering visits to those who are otherwise vulnerable or who are held for prolonged periods.</p> <ul style="list-style-type: none"> • Detainees held for over 24 hours should be offered outdoor exercise each day.
Individual rights	
10	<p>Detention is appropriate, authorised and lasts no longer than is necessary.</p> <ul style="list-style-type: none"> • Appropriate grounds for detention are established and alternatives to detention are considered. • Detention is reviewed regularly. Extensions to detention are appropriate authorised and recorded. • Detainees are informed of the reasons for their arrest and any charges against them. • Immigration detainees are not held for longer than is necessary.
11	<p>Detainees understand their legal rights and can exercise those rights while in custody.</p> <ul style="list-style-type: none"> • Detainees are informed of their legal rights on arrival in a manner which they understand. • Detainees are given written information about their legal rights. • Interpretation and translation services are used for those detainees whose first language is not English.
12	<p>Detainees are able to consult with a solicitor.</p> <ul style="list-style-type: none"> • Legal visits and telephone consultations with solicitors take place in private. • Solicitors are contacted as soon as reasonably practicable. Any delays are recorded and justified.
13	<p>Detainees are able to notify a solicitor or third party of their detention in custody.</p> <ul style="list-style-type: none"> • The parents or guardians of those detainees under the age of 16, or between the ages of 16 and 18 and under a supervision order, must be informed of their detention (except where to do so would put the child at risk). • The third party is notified without delay except in exceptional circumstances which must be recorded (where a delay in notification is in the interest of the investigation to prevent crime or to facilitate the apprehension of offenders). Delays should be no longer than necessary.
14	<p>Detainees under the age of 16, those between the ages of 16 and 18 who are under a supervision order, and vulnerable adults are not interviewed without a relative, guardian or appropriate adult present.</p> <ul style="list-style-type: none"> • Appropriate adult schemes are in place and are used.
15	<p>Investigative interviews are conducted appropriately.</p> <ul style="list-style-type: none"> • Detainees are not interviewed while under the influence of alcohol or drugs, or if they are medically unfit. • Detainees are not interviewed for excessive periods without break.
16	<p>Detainees know how to make a complaint and are enabled to do so.</p> <ul style="list-style-type: none"> • Detainees are told how to complain and there are systems in place to facilitate complaints. • Complaints are monitored for patterns and trends and these are acted upon.
17	<p>Detainees appear at court promptly either in person or via video link.</p>
Health care	
18	<p>Detainees are cared for by health care professionals and substance use workers who have the appropriate skills and training, in a safe,</p>

	<p>professional and caring manner that respects their decency, privacy and dignity.</p> <ul style="list-style-type: none"> • Health care professionals and drug treatment workers are sensitive to detainees' situations and diverse needs, including language needs. • Clinical governance arrangements include management, training and supervision and accountability of staff. • Patients are treated by health care staff who receive on-going training, supervision and support to maintain their professional registration and development. Staff have the appropriate knowledge and skills to meet the particular health care needs of detainees in police custody. • Clinical examinations are conducted confidentially unless risk assessment suggests otherwise. Treatment rooms provide conditions that maintain decency, privacy and dignity. Infection control facilities are implemented. There is at least one room that is appropriate for taking forensic samples, and it is cleaned in accordance with current forensic operational procedures. • All equipment (including the resuscitation kit) is ready for use and regularly checked and maintained, and all staff (health care and custody staff) understand how to access and use it effectively. All staff have had appropriate initial and refresher training.
19	<p>Detainees are asked if they wish to see a health care professional. They are able to request to see one at any time, for both physical and mental health needs, and are treated appropriately.</p> <ul style="list-style-type: none"> • Each detainee seen by health care staff has a clinical record containing an up to date assessment and any care plan conforms to professional guidance from the regulatory bodies. The ethnicity of the detainee is also recorded. • Any contact with a health care professional is recorded in the custody record and a record made of any medication provided. The results of any clinical examination are made available to the detainee and, with detainee consent, his or her solicitor. • Treatments are appropriate to the clinical needs of the detainee.
20	<p>Detainees receive prescribed medication if needed and according to an agreed protocol with the partner health board.</p> <ul style="list-style-type: none"> • Medications on site are stored safely and securely and disposed of safely if not consumed. There is safe pharmaceutical stock management and use. • Detainees are prescribed medication to meet any clinical signs, symptoms or conditions. • Detainees received medication to provide relief for drug and alcohol withdrawal symptoms if clinically indicated. • Prescribed medication is received at the designated times.
21	<p>Police Scotland works effectively with partners to establish referral and diversion schemes for detainees experiencing mental health problems and/or engaging in substance misuse.</p> <ul style="list-style-type: none"> • Staff have training in mental health awareness. • Staff know how to identify signs of mental distress and disorder and refer appropriately.
22	<p>Police custody is not used as a place of safety under section 297 of the Mental Health (Care and Treatment) (Scotland) Act 2003.</p> <ul style="list-style-type: none"> • Police Scotland liaises with health boards, local authorities and the Mental Welfare Commission for Scotland regarding mental health assessments and the provision of places of safety other than police custody. • Management information is collected and monitored regarding the use of place of safety legislation.

B. Leadership, governance and accountability	
B1	Leaders develop and communicate the mission, values and ethics of custody delivery, demonstrate and maintain a focus on outcomes and act as role models. <ul style="list-style-type: none"> • <i>There is a strategic focus on delivering custody safely, effectively and efficiently.</i>
B2	Leaders promote a culture of efficiency and sustainability and are held accountable for delivering services cost effectively.
B3	Leaders drive and support change and improvement.
B4	Leaders create a positive, supportive and inclusive culture than inspires people and encourages success.
B5	Leaders promote and ensure equal opportunities and diversity within Custody Division.
B6	Leaders review and improve the effectiveness of their personal performance and behaviours.
B7	Leaders actively build, support and participate in strategic partnerships.
B8	Leaders manage the reputation of Custody Division.
B9	There are clear and effective governance and accountability structures in place for the delivery of custody. <ul style="list-style-type: none"> • <i>There are effective procedures in place to learn from adverse incidents and to identify and share good practice.</i> • <i>Custody Division has effective internal audit processes.</i> • <i>The Scottish Police Authority holds the Chief Constable to account for the delivery of custody.</i> • <i>Independent custody visitors are enabled by Custody Division to carry out their statutory role and their feedback is acted upon.</i>
B10	Policy and strategy decisions are based on robust evidence and include anticipated impact that is used to subsequently review the effectiveness of the policy or strategy implementation.
B11	There is effective, objective and transparent scrutiny and challenge of policy development, decision making and performance that is encouraged by senior staff and actively engages the relevant partners in the processes.

C. Planning and processes	
C1	Police Scotland/Custody Division have policies, strategies and plans which set out how custody should be delivered and which link to the desired outcomes. <ul style="list-style-type: none"> • <i>Policies and procedures are accessible.</i> • <i>Staff are aware of and understand policies and procedures.</i> • <i>Policies and procedures are reviewed regularly and updated where necessary.</i> • <i>Changes to policies and procedures are communicated to all relevant personnel.</i> • <i>A senior officer has ownership of policies and procedures.</i>
C2	There are clearly aligned corporate strategies that take into account the corporate aspects of custody delivery.
C3	Police Scotland/Custody Division have integrated business and financial planning processes.
C4	Police Scotland/Custody Division have developed an organisational structure that delivers outcomes and priority activities efficiently and effectively.
C5	Police Scotland/Custody Division identify the internal and external factors or risks that may impact upon the delivery of outcomes and priorities. <ul style="list-style-type: none"> • <i>Police Scotland/Custody Division are aware of the wider legal and political context and plan for changes (e.g. Carloway, Cadder etc).</i>

	<ul style="list-style-type: none"> • <i>Custody Division effectively manages risk.</i>
C6	Police Scotland/Custody Division use structured processes to manage change and ensure the defined benefits from improvement actions are realised.
C8	Police Scotland/Custody Division identify, review and improve their key processes, and take into account the impact they may have on other areas of the organisation, including those undertaken in partnership. <ul style="list-style-type: none"> • <i>The work done by Custody Division and the impact of decisions taken in relation to custody are assessed for their impact on other areas of business, particularly local policing.</i>
C9	Police Scotland/Custody Division learn from and contribute to good practice both internally and externally to identify opportunities for improvement in their processes and those of partners to create a positive culture of learning. <ul style="list-style-type: none"> • <i>Police Scotland/Custody Division understand the reasons for both good and under-performance and take appropriate action.</i>
C10	Police Scotland/Custody Division have made engagement with the public, partners and stakeholders an integral part of planning and improving service delivery using a range of methods.
C11	Police Scotland/Custody Division have an easy to use complaints procedure which includes a commitment to deal with problems fully and solve them wherever possible within a time limit. Police Scotland/Custody Division learn from any mistakes by identifying patterns in complaints and comments and use this information to improve services and publicise action taken.

D. People	
D1	Police Scotland/Custody Division have policies, strategies and plans for people that support the core values, outcomes and priorities of the service/division.
D2	Police Scotland/Custody Division work with staff groups and trade unions to develop and review people policies, strategies and plans.
D3	Police Scotland/Custody Division ensure equality and fairness for all people.
D4	Police Scotland/Custody Division understand the skills and competencies that are required to deliver their outcomes and priorities.
D5	Police Scotland/Custody Division have developed a communication strategy, approaches and channels that meet people's needs.
D6	Police Scotland/Custody Division help people understand the outcomes and priorities they are working towards and how they contribute. Police Scotland/Custody Division recognise and value people's contributions.
D7	Police Scotland/Custody Division encourage people to share information, knowledge and good practice and involve people in reviewing and improving the organisation while working together as a team.
D8	Police Scotland/Custody Division review people's performance and provides appropriate training and development opportunities including induction processes. <ul style="list-style-type: none"> • <i>All custody staff (officers, civilian staff and those who backfill) are appropriately trained for their role. They receive initial and refresher training.</i> • <i>Training is broad and includes first aid, use of force and managing the diverse needs of detainees (including vulnerable detainees such as children and young people or those with mental disorder).</i>
D9	Police Scotland/Custody Division evaluate the impact that its investment in people's training and development has had on performance and service delivery.
D10	Police Scotland/Custody Division empower and encourages their people to be creative and innovative and to act as ambassadors for the

	division.
D11	Police Scotland/Custody Division provide a healthy and safe working environment, promote and encourage work-life balance and focus on the wellbeing of their employees.

E. Resources	
E1	Police Scotland/Custody Division ensure all resources are managed in the most efficient and effective way to secure best value. <ul style="list-style-type: none"> • <i>Custody is sufficiently resourced to provide a safe environment for detainees in which their needs are adequately met.</i> • <i>Staff levels are sufficient across Custody Division. Custody centres are sufficiently staffed to hold detainees safely, and there are sufficient staff to effectively manage the division.</i>
E2	Police Scotland/Custody Division have a clear financial strategy and financial management and governance processes for custody which include risk assessment and transparent reporting processes.
E3	Police Scotland/Custody Division's procurement processes ensure that resources are used efficiently and effectively.
E4	Police Scotland/Custody Division ensure that information is managed and that people have access to the information they require to make decisions and deliver an efficient, improving service.
E5	Police Scotland/Custody Division ensure intelligence and resources are protected and made available securely to appropriate and relevant organisations.
E6	Police Scotland/Custody Division take environmental sustainability into account in procurement decisions as well as the use and disposal of resources.
E7	Police Scotland/Custody Division make the most of technology to manage resources and assets to support and improve services and/or deliver efficiencies. <ul style="list-style-type: none"> • <i>There is a strategy for the maintenance and development of the estate.</i>

F. Partnerships	
F1	There is an agreed vision, purpose and objectives for the partnership that support the delivery of outcomes in an efficient and sustainable way. <ul style="list-style-type: none"> • <i>Police Scotland works effectively with partners such as health care providers and commissioners, local authorities, social work services, COPFS, Scottish Court Services, escort providers and immigration authorities.</i>
F2	The partnership assesses and manages risk.
F4	Police Scotland/Custody Division and their partners have effective governance arrangements in place to manage, deliver and review the partnership and progress against outcomes and priorities.
F5	Police Scotland/Custody Division and their partners ensure resources are used and shared to deliver custody effectively.
F6	Police Scotland/Custody Division work in partnership to contribute to the measurement of outcomes of the partnership activity.