

**TELFORD & WREKIN COUNCIL**

**SCRUTINY LEADERSHIP BOARD – 24<sup>th</sup> SEPTEMBER 2009**

**SCRUTINY OF THE SAFER & STRONGER COMMUNITIES PARTNERSHIP**

**REPORT OF THE HEAD OF FINANCE & AUDIT**

**1.0 PURPOSE**

- 1.1 The purpose of the report is to summarise the changes needed to the Council's scrutiny arrangements relating to scrutiny of the Crime & Disorder Reduction Partnership called locally the Safer & Stronger Communities Partnership as a result of Sections 19 and 20 of The Police & Justice Act 2006, as amended by Section 126 of the Local Government and Public Involvement In Health Act 2007.
- 1.2 And to propose how scrutiny of the Safer & Stronger Communities Partnership could be carried out.

**2.0 RECOMMENDATIONS**

- 2.1 **Members note the legislative requirements on the Council to implement a process for scrutinising the local Safer & Stronger Communities Partnership;**
- 2.2 **Members of the Scrutiny Leadership Board discuss and agree the arrangements proposed in this report for carrying out scrutiny of the Safer & Stronger Communities Partnership;**

**3.0 PREVIOUS MINUTES**

- 3.1 SLB 58 – Scrutiny Leadership Board 9<sup>th</sup> July 2009  
SLB 50 – Scrutiny Leadership Board 23<sup>rd</sup> June 2009

**4.0 REQUIREMENTS OF THE POLICE & JUSTICE ACT 2006 AND REGULATIONS**

- 4.1 The Police and Justice Act 2006, and the amendments made by the Local Government and Public Involvement in Health Act 2007, requires every local authority to have a crime and disorder committee with the power to review and scrutinise, and make reports and recommendations regarding the functioning of responsible authorities. These requirements were enacted by the Crime and Disorder (Overview and Scrutiny) Regulations 2009 that came into force for local authorities in England on 30<sup>th</sup> April 2009. The Home Office has produced guidance for local authorities and partners on implementing these requirements which is attached as appendix A.

- 4.2 All Authorities are required to create, or designate, a crime and disorder committee to deal with crime and disorder scrutiny. At Telford & Wrekin during the restructuring of scrutiny at the beginning of 2009 it was agreed that the Scrutiny Leadership Board would be designated to deal with crime and disorder scrutiny and the terms of reference were changed accordingly.
- 4.3 The Scrutiny Leadership Board is expected to:
- Consider actions undertaken by the responsible authorities on the Safer & Stronger Communities Partnership;
  - Make reports and recommendations to the local authority on the Safer & Stronger Communities Partnership
  - Include in its work programme a list of issues which it needs to cover during the year. This should be agreed with relevant partners and reflect community need;
  - Consider developing a short, flexible and meaningful protocol with partners from the Safer & Stronger Communities Partnership which lays down mutual expectations of scrutiny members and partners;
  - Meet at least once a year to discuss the Safer & Stronger Communities Partnership. The Home Office guidance suggests that scrutiny functions and partners should work together to come up with local solutions, which might form a combination of formal meetings, informal “task and finish” groups, or other methods of evidence gathering and public involvement.
- 4.4 If a local authority decides to undertake “set piece” community safety scrutiny only once a year, then the Home Office guidance suggests that this annual meeting could be in the form of an event looking at crime and disorder matters and discussing which crime and disorder matters should be considered in the next municipal year as matters of local concern. However, the guidance does indicate that the scrutiny function should consider community safety issues more consistently throughout the year, just as it would with any other subject matter;
- 4.5 The guidance suggests that scrutiny should consider co-opting additional members to take part in this scrutiny process. At the Scrutiny Leadership Board meeting on 23<sup>rd</sup> June 2009 Members agreed to adopt option 3 set out in the guidance for co-opting a police authority member onto the Scrutiny leadership Board when policing matters are being considered. Further to this decision, the Police Authority has nominated Cllr. Kuldip Sahota to become a co-optee in this capacity.
- 4.6 As part of the crime and disorder scrutiny process, the Scrutiny Leadership Board can require attendance (following reasonable notice) of any officer or employee or a responsible authority or co-operating person or body and request information (giving reasonable notice) from responsible authorities, co-operating persons or bodies. The information provided must be de-personalised, unless the identification of the individual is necessary or appropriate for the committee to properly exercise its powers. The information should also

not include information that would be reasonably likely to prejudice legal proceedings or current or future operations.

- 4.7 Once the Scrutiny Leadership Board has considered an issue its report or recommendations should be sent to all the key affected parties. The recipient of any such report/recommendations should respond within 28 days (or as soon as reasonable). The Police and Justice Act 2006 imposes a requirement on them to have regard to the report or recommendations in exercising its functions. The Guidance suggests that pre-circulation of draft reports and recommendations may smooth the process, increase ownership of the findings within the recipient organisation and consequently be more likely to influence change.

## **5.0 CRIME & DISORDER REDUCTION PARTNERSHIPS**

- 5.1 Crime & Disorder Reduction Partnerships (CDRPs) were introduced by the Crime & Disorder Act 1998. They exist to ensure that a number of prescribed “responsible authorities” work together to develop and implement strategies to reduce crime, disorder, anti-social behaviour, substance misuse and behaviour adversely affecting the local environment.

- 5.2 The responsible authorities have a duty to work in co-operation with the “co-operating bodies” who are probation, parish and town councils, NHS Trusts, NHS Foundation trusts, proprietors of independent schools and governing bodies of an institution within the further education sector.

- 5.3 The CDRP for Telford & Wrekin is known as the Safer & Stronger Communities Partnership. The Partnership consists of the following representatives from each of the responsible authorities:

- Telford & Wrekin Council
- West Mercia Police
- Telford & Wrekin Primary Care Trust
- Shropshire Fire & Rescue Service
- West Mercia Police Authority

- 5.4 The Safer and Stronger Communities Partnership is required to carry out a number of main tasks. Including:

- Preparing an annual strategic assessment. This is a document identifying the crime and community safety priorities in the area, through analysis of information provided by partner agencies and community;
- producing a partnership plan, laying out the approach for addressing those priorities;
- undertaking community consultation and engagement on crime and disorder issues; and
- sharing information among the responsible authorities within the Safer & Stronger Communities Partnership.

## **6.0 SUGGESTIONS FOR CARRYING OUT SCRUTINY OF THE SAFER & STRONGER COMMUNITIES PARTNERSHIP**

6.1 The Council and its partners have a long established working arrangements and relationships. It is important that the new scrutiny powers to scrutinise the Safer & Stronger Communities Partnership are used to “add value” to the existing system and are not seen as an unnecessary level of bureaucracy.

6.2 The Home Office guidance notes that there are a variety of different approaches to scrutinising community safety issues:

- Policy development
- Contribution to the development of strategies
- Holding to account at formal hearings
- Performance management

6.3 Members of the Scrutiny Leadership Board will need to agree how to carry out scrutiny of the Safer & Stronger Communities Partnership. The following suggestions of how this could be done initially are listed below:

- Mainstreaming of community safety. The Government believes that Section 17 of the Crime & Disorder Act should be the principle vehicle for mainstreaming community safety. It is expected that Responsible Authorities build crime and disorder considerations into their governance and decision making processes, policies, strategies, plans, budgets and the delivery of key services.
- Scrutinising a cross cutting issue like anti social behaviour.

It is also proposed that a meeting of the Scrutiny Leadership Board with the Executive Board of the Safer & Stronger Communities Partnership is arranged to discuss and agree the agenda setting for scrutiny of the partnership going forward.

## **7.0 BACKGROUND PAPERS**

Home Office – National Support Framework – Delivering Safer and Confident Communities May 2009

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