



Committee Information and Proposal Paper

Title:

Crime and Disorder Committee remit and relationship with the Police and Crime Panel

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Purpose:

1. The purpose of this paper is to outline the role of the Environment Transport and Locality Services Select committee as the designated statutory crime and disorder committee and consider the relationship between the committee and the Police and Crime Panel (PCP). On the 13th May 2014, the committee will be having its first annual meeting as the crime and disorder committee (since the select committee was established in July 2013); this paper will also set out the proposed direction for that meeting.

Background – The requirement to have a designated crime and disorder committee

2. Community Safety is an area of concern for all communities and is consistently highlighted as a high priority by our residents. The impact of crime and disorder on the quality of life of individuals and whole communities means that it affects everyone who lives, works and visits Buckinghamshire. Crime and anti-social behaviour reduction is ranked as a top priority for residents in bucks in this year's budget consultation, with 49% of residents saying they would not want to see cuts in services within this area.
3. Section 19 of the Police and Justice Act 2006 requires every local authority to have a crime and disorder committee with the power to review or scrutinise decisions taken in connection with the discharge by the 'Responsible Authorities'¹ of their crime and

¹ Note – the Police Authority was previously identified as a 'Responsible Authority'. The Police and Crime Commissioners have NOT been designated as a responsible authority for these purposes. Responsible Authorities on Community Safety Partnerships include:- Local Authorities (County Councils and District Councils), The Police Force



disorder functions. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 complement the provisions under Section 19. The County Council has designated the Environment, Transport and Locality Services Select Committee as its Crime and Disorder Committee.

4. This role can involve contributions to strategy development, review of performance of the community safety partnership, and in-depth inquiries into particular issues of local concern which need partnership solutions. It is important to recognise however that these powers are limited to those services delivered by responsible authorities in partnership.
5. The Police and Crime Commissioner (PCC) is not a 'responsible authority' for the purposes of community safety partnerships, but bearing in mind s/he will have a commissioning role over its activities, close joint working between PCCs and Community Safety Partnerships (CSPs) is inevitable.
6. The Police and Social Responsibility Act also places a mutual responsibility on PCCs and the responsible authorities in the CSP to co-operate to reduce crime, disorder and re-offending. There is therefore a need to consider how CSP scrutiny and PCP scrutiny will relate to each other.
7. The Home Office has produced guidance on the scrutiny of crime and disorder matters [Home Office Guidance - Scrutiny of Crime and Disorder Partnerships](#).

Role of the Crime and Disorder Committee

8. As mentioned above, under the Police and Justice Act 2006, local authorities must scrutinise their area's CSP. Under the 2006 Act they are only able to hold the partnership as a whole to account, and the partners who comprise it, insofar as their activities relate to the partnership itself. The role of the Committee therefore, is to act as a 'critical friend' by constructive challenge at a strategic level.
9. Under the 2006 Act the committee:
 - Has the power to scrutinise the work of Crime and Disorder Reduction Partnership (the Safer Stronger Partnership Board, explained below).
 - This is a power to investigate work of the partnership as a whole. It is not giving power to scrutinise the police, this is the role of the Police and Crime Commissioner and the Police and Crime Panel.

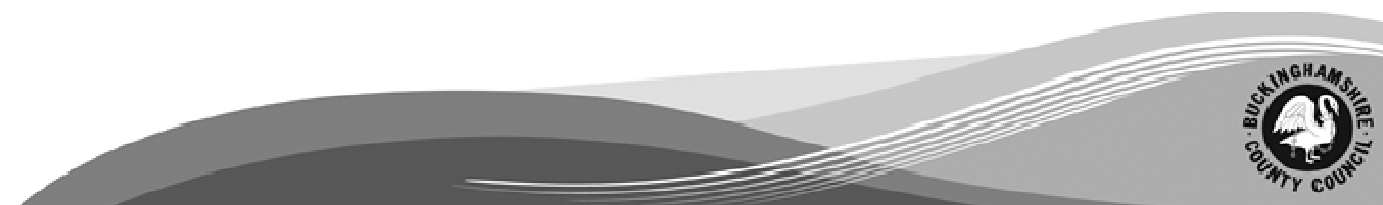
The Fire and Rescue Service, The Primary Care Trust (or successor bodies).



- Allows a councillor to ensure a crime and disorder matter is discussed at a meeting of the committee.
 - The committee can request information from the 'responsible authorities' and require attendance of officers or employees of 'responsible authorities' to answer questions or to provide information.
 - The responsible authorities are required to respond to any recommendations made by the Scrutiny Committee within 28 days or as soon as possible after.
10. The key functions of the Committee when considering issues relating to the Safer Stronger Partnership Board and the CSPs are as follows:
- Hold decision makers to account – to promote transparency and accountability of the work of the responsible authorities and the Safer Stronger Partnership Board (SSPB).
 - Contribute to policy review and development – allows a wider range of ideas and opinions to feed into new policies and to consider the effectiveness of existing policies that relate to crime and disorder or community safety. This will include making reports and recommendations to the local authority and relevant partners with regard to those functions.
 - Monitor performance and effective service delivery – ensuring robust performance management is taking place and necessary actions are being taken to drive up standards and improve service delivery.
 - Considering Councillor Call for Actions (CCfAs) relating to Crime and Disorder issues. This relates to a local ward issue that the local Councillor has been unable to resolve. The CCfA allows the Councillor to require the committee to consider the issue where it meets certain criteria and it can be evidenced that all attempts to resolve the matter have been exhausted.
 - Engagement between the relevant partners and the local authority, as equals, will be necessary to make sure that their roles complement each other.

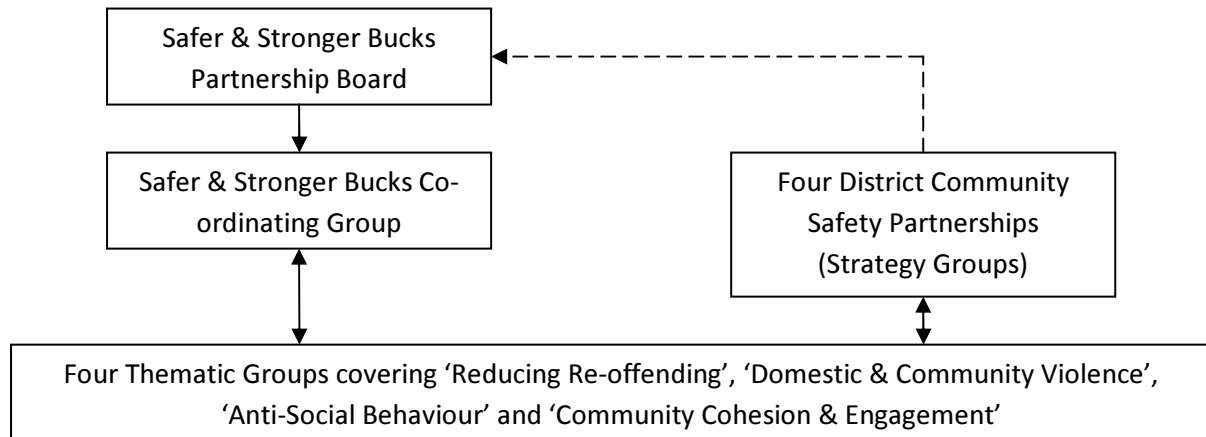
Community Safety Delivery structure/arrangements in Bucks

11. In Buckinghamshire, the Safer and Stronger Buckinghamshire Partnership Board has continued to provide an overarching strategic framework for Community Safety in Bucks at the County level, it is the crime and disorder reduction partnership for the purpose of the scrutiny legislation. The District Councils continue to convene the district based Community Safety Plans. Each of the district CSPs develops their own partnership plans each year.
12. Every year the partnership priorities in relation to reducing crime and disorder are agreed within the Safer Bucks Plan. This is a partnership document which acts as



the County Council's Community Safety Agreement; a requirement of two tier authorities as stipulated within the Crime and Disorder Act Regulations 2007.

The partnership structure in Bucks is highlighted in the diagram below:



Role of the Police and Crime Panel

- 13.** Elected Police and Crime Commissioners (PCCs) and Police and Crime Panels (PCPs) were introduced by the 2011 Police Reform and Social Responsibility Act. Under the Act, the PCC is responsible for holding the Chief Constable to account, securing an efficient and effective local police force and carrying out functions in relation to community safety and crime prevention.

The Thames Valley PCP are responsible for publicly scrutinising the actions and decisions of the PCC and in doing so:

- Reviews and makes reports or recommendations on the draft police and crime plan.
- Holds public meetings to consider the annual report from the PCC.
- Reviews and scrutinises decisions, or other action taken, by the PCC in connection with the discharge of his functions.
- Publishes all reports and recommendations the Panel makes and send copies to the constituent local authorities.

Liaison between the Police and Crime Panel and Crime and Disorder Committee

- 14.** The Centre for Public Scrutiny and the Local Government Association has produced a document 'Police and Crime Panels, A guide for scrutiny' that includes an emphasis for communication between the PCP and scrutiny arrangements within their respective local authorities. Agreeing a way to ensure an effective liaison and working relationship between both bodies could:

- Facilitate opportunities for the Committee to provide intelligence on local community safety/crime issues and concerns to the PCP which will be impacted by PCC decision making.
- Enable a PCP to understand PCC's strategic direction and how decisions are impacting locally. The panel will need some means to connect their work down to neighbourhood level. CSP scrutiny provides them with a means to do this.
- Could help assess how the PCC is co-operating with local community safety partners and funding activity to achieve Police and Crime Plan objectives.
- Enable the C&D committee to escalate issues that cannot be solved by local action and help PCP to aggregate issues that are common across the force.
- Help identify issues of mutual interest and concern and selecting the best forum to investigate those issues. It may even be worthwhile under certain circumstances to consider joint panel/CSP scrutiny investigations into certain issues.
- Enhance sharing of evidence. Joint working will mean a better use of resources, as the panel is able to draw on evidence collected by CSP scrutiny, and vice versa.

15. It is clear that there is a need to define and agree the division of responsibilities between crime and disorder scrutiny committees (at the local level) and a PCP (at force level) and what might be needed to make the relationships work well. Whilst recognising the common aims and the need for closer working, it is important to remember that the committee and the PCP are independent bodies and have autonomy over their work programmes, methods of working and any views or conclusions they may reach.

Suggested next steps – (for committee agreement)

16. The committee is meeting on the 13th May 2014 as the crime and disorder committee, for this focussed meeting it could:
- Receive the annual update on the community safety plan and priorities for 2014/15 from Safer and Stronger Bucks Partnership Manager and the Cabinet Member for Communities, Martin Phillips.
 - Consider options for crime and disorder inquiry areas for inclusion on the 2014-15 work programmes.
 - It will also receive an update from the chairman of Police and Crime Panel, Trevor Egleton on the planned activity of the PCP over the forthcoming year.
 - And, will consider the relationship between its role as crime and disorder committee and the police and crime panel and the division of responsibility between the two.