A PURPOSE OF THE REPORT

The report provides the Overview and Scrutiny Safer and Stronger Communities (SSC) Select Group with research on how scrutiny of Crime and Disorder Reduction Partnerships (CDRP) is undertaken in other Local Authorities.

B SUMMARY

The Overview and Scrutiny SSC Select Group at its meeting on 9th November 2009 received a report which summarised the guidance produced by the Home Office in May 2009 on powers given to Overview and Scrutiny to scrutinise the Crime and Disorder Reduction Partnership (CDRP).

The Overview and Scrutiny SSC Select Group is the designated body to fulfil the role of scrutinising the CDRP, which is performed by the Safer and Stronger Communities Partnership Board of the Oldham Partnership. It is required by law that the Overview and Scrutiny SSC Select Group review decisions of the Safer and Stronger Communities Partnership Board at least twice in a 12 month period. This has been undertaken by the Overview and Scrutiny SSC Select Group in April and September 2009 and another update will be provided in March 2010. At present, a member of the Overview and Scrutiny SSC Select Group is also a Member of the Police Authority which provides invaluable link in scrutinising crime and disorder issues.

The guidance provided issues to consider in how the legislation would work in practice such as how items for crime and disorder issues would be identified for the work programme, what approach to take in scrutinising the CDRP, whether to develop a protocol on mutual expectations including requests for information, making and responding to recommendations.

The Overview and Scrutiny SSC Select Group at its meeting on 9th November 2009 requested that a piece of research be undertaken to determine how other local authorities similar size to Oldham Council scrutinise their CDRPs. This is detailed in the
appendix attached providing information on whether/how they have scrutinised their CDRPs, if they have developed a protocol and whether they have co-opted any members from the Police Authority.

C WHAT DOES SUCCESS LOOK LIKE?
More effective way to scrutinise crime and disorder issues in light of the new legislation for Overview and Scrutiny.

D PROPOSALS FOR FOLLOW UP
N/A

E RECOMMENDATIONS
The Overview and Scrutiny Safer and Stronger Communities Select Group is invited to make any recommendations it considers necessary in response to the information received.

F CONSULTATION UNDERTAKEN
Legal Finance Other
N/A

G IMPACT ON COMMUNITY STRATEGY & COMMUNITY COHESION
N/A

H REFERENCE DOCUMENTS
Overview and Scrutiny Safer and Stronger Communities Select Group’s Folder

I CONTACT DETAILS
Sangita Patel
Overview and Scrutiny Officer
0161 770 3932
Sangita.patel@oldham.gov.uk
### Research – Scrutiny of Crime and Disorder Reduction Partnerships (CDRP) in other Local Authorities

<table>
<thead>
<tr>
<th>Birmingham City Council</th>
<th>Designated O&amp;S Committee</th>
<th>CDRP</th>
<th>Police Authority Co-option</th>
<th>Protocol</th>
<th>Scrutiny of CDRPs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Local Services and Community Safety O&amp;S Committee</td>
<td>Safer Birmingham Partnership</td>
<td>No – a representative of the West Midlands Police Authority Safer Birmingham Partnership invited to attend when relevant issues are discussed</td>
<td>Yes (attached in appendix)</td>
<td>13 July 2009 – briefing on the CDRP guidance &amp; agreed to timetable scrutiny of the CDRP (LAA Delivery Plans)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8 December 2009 – LAA Delivery Plans. Examining the Delivery Plans to Local Area Agreement (LAA) targets</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>March 2010 – LAA Delivery Plans. Reducing reoffending</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>May 2010 - LAA Delivery Plans. Serious Violence</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lancashire County Council</th>
<th>Designated O&amp;S Committee</th>
<th>CDRP</th>
<th>Police Authority Co-option</th>
<th>Protocol</th>
<th>Scrutiny of CDRPs</th>
</tr>
</thead>
</table>
|                         | Communities O&S Committee | Safer Lancashire Board | Yes – co-opt when it seems sensible to do so using expertise and advice when considering issues | No – flexibility and pragmatism is needed. To learn and develop a mechanism suitable for local conditions | 11 March 2010 (Annual Event) – All Senior Members representing each responsible body that sit on the Safer Lancashire Board and the Council’s Community Safety Manager have been invited to attend the meeting. A report for the Committee will include:  
  - Role and function of the Safer Lancashire Board including allocation of resources  
  - The Annual Strategic Assessment and |
arising priorities

- The delivery and refresh of the Community Safety Agreement
- Work around Community Consultation and Engagement
- Information Sharing

At the meeting, each representative will speak about their:

- their organisation - role and function;
- their role on the Safer Lancashire Board and how that is managed internally;
- how the strategic commitments made at the level of Safer Lancashire Board are translated to operational activity at the level of local crime and disorder partnerships;
- the key community safety issues that the services of their organisation impact on;
- what the organisation sees as future challenges for Safer Lancashire Board and suggestions of any topics that they would welcome some input from O&S on

Blackpool MBC and Blackburn & Darwen MBC have also been invited to the annual event.

Informal Session – Representatives of the
Responsible Authorities on the CDRP attended to provide them with information about what to expect from the annual event.

**Work Programme** – Plan to have Community Safety related items for the Committee and Task & Finish Groups to undertake scrutiny reviews.

<table>
<thead>
<tr>
<th>Kirklees Council</th>
<th>Safer Stronger Communities Scrutiny Panel</th>
<th>Safer Stronger Communities Local Public Service Board</th>
<th>Option 2 is being explored (when it is not possible to have a police authority member on the committee, a member of the police authority can be issued with a standing invitation to attend the meeting as an 'expert advisor')</th>
<th>No – working arrangements (attached in appendix)</th>
<th>26 January 2010 – working arrangements between the CDRP and Scrutiny was approved.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>9 February 2010 – Safer Stronger Communities Local Public Service Board will be presented with the working practices to be agreed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Work Programme</strong> – In the next municipal year, will involve the CDRP during consultation on items for scrutiny work programme. Time will be set aside on the work programme to scrutinise crime and disorder issues.</td>
</tr>
<tr>
<td>Kirklees Council</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>Community Safety Issues considered:</strong> Anti-social behaviour and fear of crimes, domestic violence, integrated offender management.</td>
</tr>
<tr>
<td>Bury MBC</td>
<td>Safe Strong and Confident</td>
<td>Bury Safe Crime and</td>
<td>Invite locally elected Police</td>
<td>Yes (attached in appendix)</td>
<td>18 June 2009 – Bury Safe Strategic Assessment 2009/2010 (consideration of key</td>
</tr>
<tr>
<td>Local Authority</td>
<td>Panel/Committee</td>
<td>Partnership</td>
<td>Authority representative</td>
<td>Notes</td>
<td></td>
</tr>
<tr>
<td>-----------------</td>
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<td>-------------</td>
<td>---------------------------</td>
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<td></td>
</tr>
<tr>
<td><strong>Communities Scrutiny Commission</strong></td>
<td>Disorder Reduction Partnership</td>
<td>Authority representative</td>
<td>threats and recommendations for Bury) T&amp;F Groups established for Safer Town Centres, Integrated Offender Management and Alcohol.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Tameside MBC</strong></td>
<td>Resources and Sustainable Communities Scrutiny Panel</td>
<td>Tameside Crime and Disorder Reduction Partnership</td>
<td>Yes (attached in appendix)</td>
<td>Scrutiny Review of Re-offending Rates in Tameside Follow up review of Violent Crime in Tameside</td>
<td></td>
</tr>
<tr>
<td><strong>Salford City Council</strong></td>
<td>Neighbourhood Scrutiny Committee</td>
<td>Crime and Disorder Crime Partnership</td>
<td>Yes - co-opted an independent Police Authority Member</td>
<td>20 July 2009 – awareness session on CDRP 18 January 2010 – Progress since review of GMP review</td>
<td></td>
</tr>
<tr>
<td><strong>Stockport MBC</strong></td>
<td>Adults and Communities Scrutiny Committee</td>
<td>Safer Stockport Partnership</td>
<td>Considering whether locally elected member of the Police Authority is to be invited to the committee when looking at crime and disorder issues</td>
<td>Yes (attached in appendix)</td>
<td>21 September 2009 – Committee informed that the Safer Stockport Partnership approved the protocol in July 2009. Resume of the Safer Stockport Partnership is considered as an agenda item which includes brief overview of items discussed at their meetings.</td>
</tr>
<tr>
<td>Trafford MBC</td>
<td>Overview and Scrutiny Core Committee</td>
<td>Safer Trafford Partnership</td>
<td>Considering how to build relationships between representatives on sub regional bodies and O&amp;S</td>
<td>Yes (attached in appendix)</td>
<td>29 July 2009 – approved the protocol</td>
</tr>
</tbody>
</table>
Briefing on developing a protocol for scrutinising the Safer Birmingham Partnership

1  

Context
1.1 New powers were introduced in April to enable Birmingham City Council to scrutinise the Safer Birmingham Partnership (SBP). Briefings have been made to Local Services and Community Safety Overview and Scrutiny Committee on 20 April and 13 July, 2009 and meetings have been held with the Director of the Partnership. It has been agreed that a protocol should be developed in order to set out mutual expectations clearly. A protocol is attached to this briefing.

2  

Process
2.1 This protocol has been informed by best practice nationally and opportunity for feedback has been given to members of the Local Services and Community Safety Overview and Scrutiny Committee and the Executive Board of the Safer Birmingham Partnership.

2.2 Following feedback from this consultation it is proposed that a final version of the protocol will be agreed at the Local Services and Community Safety Overview and Scrutiny Committee on 26th January, 2010.

2.3 It is proposed that the protocol be reviewed on an annual basis.

3  

Recommendation
3.1 It is recommended that

- The Committee adopt the protocol;
- The protocol will be revised annually at the beginning of the municipal year.

4  

Further Information
4.1 If you require any further information please contact the Scrutiny Office in the City Council.

Contact Officer
Benita Wishart, Overview and Scrutiny Manager
E-mail: benita.wishart@birmingham.gov.uk
Phone: 0121 464 6871

Date: 26/01/10
Introduction

1.1 The Police and Justice Act 2006 (section 19) required local authorities to establish a committee to scrutinise local Crime and Disorder Reduction Partnerships from 30th April 2009. The Local Services and Community Safety Overview and Scrutiny Committee has been formally designated as this committee.

1.2 This protocol sets out the respective functions of the City’s Overview and Scrutiny Committees and the Safer Birmingham Partnership and an agreed set of principles to ensure effective partnership working to improve services for the citizens of Birmingham. They are at this stage not intended to be tablets of stone, but to set out expectations and it will be updated on an annual basis.


1.4 Over the past five years scrutiny committees have been developing good relationships with the Safer Birmingham Partnership and the West Midlands Police and the development of this protocol seeks to build on this work.

Safer Birmingham Partnership

2.1 The Crime and Disorder Act 1998 sets out an obligation for agencies to work together to form a Crime and Disorder Reduction Partnership (CDRP) for the local authority area. The Safer Birmingham Partnership (SBP) has this responsibility for Birmingham. The statutory responsible authorities for the SBP are:

- Birmingham City Council
- West Midlands Police
- West Midlands Police Authority
- West Midlands Fire and Rescue Authority
- Birmingham Primary Care Trusts
- West Midlands Probation (a responsible authority from April 2010).

2.2 Other existing partners are Birmingham Voluntary Services Council and the Third Sector Assembly.
2.3 The Safer Birmingham Partnership’s priorities are that:

- Birmingham will be a safe place in which to live, work and visit; achieved through reducing crime and anti-social behaviour and tackling the misuse of drugs and alcohol.
- Birmingham will feel a safe place in which to live, work and visit by improving public confidence that local crime and community safety priorities are being identified and addressed.
- Birmingham will be a place where young people choose not to engage in criminal and anti-social behaviour by tackling youth crime and developing effective strategies to reduce the involvement of young people in crime.

3 Birmingham City Council Overview and Scrutiny Committees

3.1 Overview and Scrutiny (O&S) is a semi-independent body of the City Council. The following Overview and Scrutiny Committees are closely aligned to the activities of the Council:

- Co-ordinating Overview and Scrutiny Committee
- Adults and Communities Overview and Scrutiny Committee
- Children and Education Overview and Scrutiny Committee
- Equalities and Human Resources Overview and Scrutiny Committee
- Finance and Performance Committee
- Health Overview and Scrutiny Committee
- Housing and Urban Renewal Overview and Scrutiny Committee
- Leisure, Sport and Culture Overview and Scrutiny Committee
- Local Services and Community Safety Overview and Scrutiny Committee
- Regeneration Overview and Scrutiny Committee
- Transportation and Street Services Overview and Scrutiny Committee
- Vulnerable Children Overview and Scrutiny Committee.

3.2 The committee with prime responsibility for matters concerned with community safety and the work of the Safer Birmingham Partnership is the Local Services and Community Safety Overview and Scrutiny Committee. Its remit includes: Local Services (including the operation of Neighbourhood Offices and clean and safe programmes); Community Safety (co-ordinating and initiating Council activities in relation to community safety and crime prevention initiatives); Licensing and Public Protection (including health and safety at work; environmental protection; and nuisances such as noise, rubbish dumping; and fly-posting). It is currently chaired by
Councillor Mark Hill and currently consists of five Conservative councillors, three Liberal Democrat and three Labour\(^1\).

3.3 The Equalities and Human Resources Overview and Scrutiny Committee has the responsibility for scrutiny of issues relating to community cohesion and gang violence, reflecting the Cabinet portfolios. Further crime and disorder issues come under other overview and scrutiny committees. For example, Transportation and Street Services Overview and Scrutiny Committee has interest in road safety and Vulnerable Children Overview and Scrutiny Committee is interested in the impact of criminal behaviours such as domestic violence on children.

3.4 Overview and Scrutiny Committees’ roles include:

- Considering requests for **Call-In** of decisions made by the Cabinet and individual Cabinet Members – deciding whether they think the Executive should think again about a particular decision;
- Examining **finance and performance** information;
- Reviewing **policy framework plans** - documents that the Council is legally required to have in place;
- Developing policy through **overview** work; and
- **Tracking recommendations** from previous Scrutiny reviews, ensuring that they are being implemented.

3.5 The most visible part of what Overview and Scrutiny Committees do is the **Scrutiny Review**. This is where a specific subject is investigated in depth. The outcome will be recommendations for how things may need to change. The aim of Scrutiny Reviews is to evaluate the effectiveness of practice and decisions in the Council with a greater degree of independence, as a ‘critical friend’. A review is presented to full Council with recommendations that the City Council requests the Executive to implement. However, the Executive is not obliged to implement recommendations. Similar, in many ways, is the **Overview** which essentially assists the Executive in shaping policy by considering issues prior to any firm decisions being taken. The outcome of this are suggested actions to relevant Cabinet Members.

3.6 Overview and Scrutiny Committees do not consider individual complaints.

4 **The Crime and Disorder Committee**

4.1 The statutory requirement is for a minimum of one meeting a year for the Crime and Disorder Committee. Instead, it has been agreed that certain agenda items of the Local Services and Community Safety Overview and Scrutiny Committee will be designated as falling under the statutory Crime and Disorder Committee. The Home Office regulations clarify that the terms of

\(^1\) The Chairman and the make up of the committee ensuring compliance with proportionality requirements is agreed each year at the Council’s AGM.
reference for the Committee are to scrutinise the work of the Safer Birmingham Partnership and the partners who comprise it “insofar as their activities relate to the partnership itself”. The guidance specifies that the role of the Committee is to be:

A ‘critical friend’ of the community safety partnership, providing it with constructive challenge at a strategic level rather than adversarial fault-finding at an operational level.

4.2 Specifically the role of the Committee under the guidance is to:

- Consider actions undertaken by the responsible authorities on the partnership;
- Make recommendations to the City and to responsible partners;
- Consider Councillor Calls for Action.

4.3 The agenda items which will comprise the Crime and Disorder Committee elements will include, but not exclusively relate to, the issues relating to the local indicators and the wider national indicator set noted in appendix 1. They will be identified on committee agendas as crime and disorder items.

4.4 Other committees may also consider crime and disorder issues at committee or through a review or overview which have a crime and disorder element. The Safer Birmingham Partnership and its partners will have contributions to make to cross-cutting reviews and overviews carried out by other committees that may have an impact upon crime and disorder matters. However, to ensure work load balances and avoid reporting duplication, the Chair of Co-ordinating Overview and Scrutiny Committee can be asked to manage such requests.

4.5 The protocol is only binding for how the Safer Birmingham Partnership relates to the Local Services and Community Safety Overview and Scrutiny Committee as this is the statutory committee. However, in specific circumstances the Chairs/Chairmen of other committees and the Director of the Safer Birmingham Partnership can agree to apply the protocol.

5 Committee Structure and Advisors

5.1 There is provision for the Committee to co-opt members in the regulations. Following discussion it was agreed not to co-opt and for the Committee to continue to have only elected councillors. It is, however, intended that standing invitations for all crime and disorder agenda items should be issued to:

- A named person from the Safer Birmingham Partnership, to be invited to attend to represent the Partnership and communicate the comments of the Committee to the Safer Birmingham Partnership Executive (Jackie Russell, Director, for 2009-10).
- A named person from the West Midlands Police Authority, to be invited to attend and be the single point of contact for the Police Authority (Jonathon Jardine, Policy Manager, for 2009-10).
However, each member of the WMPA has a specific lead and it may be that it is more appropriate for another member for the WMPA to attend and support the Committee for a particular agenda item.

5.2 The Safer Birmingham Partnership will act as a conduit of information to its partners from the Scrutiny Office. They will also provide named contacts for particular issues or reviews.

6 Principles of partnership working

Principles of partnership working

6.1 Scrutiny of the reduction in crime and disorder in Birmingham will be most successful if all the partners involved (whether statutory responsible partners or not) co-operate and develop mutual respect and trust and a shared understanding of what needs to be achieved.

Work Programme

6.2 The Committee agrees an annual work programme (June- July) at the beginning of each municipal year. This can be based on factors such as issues of concern at a ward level, opportunities from learning from good practice regionally and nationally, implementation of new polices, and forthcoming changes to legislation and guidance. The work programme should reflect local need and the partners on the Safer Birmingham Partnership will be consulted on this. It is intended that this complements and does not duplicate the work of the partnership and the Police Authority. Whilst the Committee agrees an annual work programme, this is not static and is updated on a monthly basis to reflect Committee priorities.

6.3 The Comprehensive Area Assessment (CAA) Framework (in place from April 2009) measures performance in local authority areas. The framework indicates that the relationship between the scrutiny function and the work of the Audit Commission is a two-way process with minutes and reports of scrutiny to be used as evidence in CAA inspections and scrutiny and overview committees being invited to use CAA findings to inform their work. This can also inform the work programme.

Annual Report to Committee

6.4 The Cabinet Member for Local Services and Community Safety already provides an annual report to Council and an update six months after to the Committee. The Chair of the Safer Birmingham Partnership will be invited to attend and present to the Committee jointly with the Cabinet Member.

Providing Information to Scrutiny

6.5 If someone is invited to attend a meeting, where possible written reports are also requested by members. These would normally have to be with the Scrutiny Office around three weeks prior to the meeting (dates will be advised).
6.6 When members of the Committee ask for further information it is normally expected that information routinely collected and collated should be made available within two weeks and other information within four weeks. When this is not possible a written explanation of the difficulties being faced should be sent to the Chairman. Requests for information from scrutiny officers will identify why the information is needed to enable partners to ensure appropriate information is provided.

6.7 In addition to the input into annual work planning, partners will identify information (such as survey results, data analysis and new ways of working, etc) which can be provided to the Committee.

6.8 All data shared must be anonymised and all partners will respect the requirements of the Data Protection Act 1998. Information should not be included which is likely to prejudice legal proceedings.

Attendance at Scrutiny Meetings

6.9 The regulations state that the Committee can require officers or employees of responsible bodies or co-operating bodies to attend provided reasonable notice is given. Where partners are requested to attend a Committee meeting, the reasons will be outlined in writing. Where possible, four weeks notice will be given if asking someone from the Safer Birmingham Partnership (or one of its constituent partners) to attend Committee. If less time is available efforts will be made to attend, but committee members accept that written information may not be available. The Partnership will help ensure that the appropriate person attends the meeting in order to answer questions accurately and openly.

Openness and Transparency

6.10 It should be noted that scrutiny committee meetings are open to the public and that information provided to the Committee are also public documents (and are posted on Birmingham City Council’s web site). Where information being provided by partners should not be made publicly available this needs to be made clear. There is provision for meetings or parts of meetings to be held in private. Advice is available from the Scrutiny Office.

6.11 The minutes of the Safer Birmingham Partnership Executive Board are not publicly available, but a summary will be circulated to members of the Crime and Disorder Committee. The Chair of the Committee will be sent non-confidential papers. Minutes and papers of executive board meetings of most Safer Birmingham Partnership partners are available on the internet:

- Papers of the West Midlands Police Authority meetings and sub committees are available at: http://www.west-midlands-pa.gov.uk/meetingsandevents.asp
- West Midlands Fire and Rescue Authority committee meeting papers are available at: http://94.236.33.181/cmiswebpublic/
- West Midlands Probation Board agendas are available at: http://www.westmidlands-probation.gov.uk/?page_id=247
Protocol for scrutinising the Safer Birmingham Partnership

- Birmingham East and North PCT Board papers are available at: http://benpct.nhs.uk/about/who-we-are-and-what-we-do/trust-board/trust-board-papers/
- South Birmingham PCT Board papers are available at: https://www.sbpct.nhs.uk/aboutthepct/Trustboard/TrustBoard.aspx
- Heart of Birmingham Teaching PCT Board papers are available at: http://www.hobtpct.nhs.uk/our_trust/public_meetings/#papers

Availability of meeting papers

6.12 Papers for overview and scrutiny committee meetings will be sent to those providing reports at each meeting (by email). Papers are sent out five working days before the meeting. Papers are also available from the Democracy in Birmingham web site at: http://www.birmingham.gov.uk/democracy/Pages/Index.aspx

Recommendations

6.13 The Committee can make recommendations to the Chair of the Safer Birmingham Partnership as a result of committee briefings and discussion. A formal response will normally be expected within 28 calendar days.

Reviews and Overviews

6.14 When the Committee is carrying out an in-depth investigation into a relevant topic (such as through a scrutiny review or overview) the above principles apply. For any scrutiny review that is agreed to be within the scope of crime and disorder matters:

- The Scrutiny Office will consult with Safer Birmingham Partnership lead on the terms of reference;
- Consideration can be given by the Chairman / review group lead member as to whether to ask a member of the Safer Birmingham Partnership to act as an advisor or co-optee;
- The Chairman / Review Group Lead Member will share the report timetable with the Safer Birmingham Partnership lead in order to ensure an opportunity for informal consultation and response on the draft report is identified;
- If there are recommendations for the Safer Birmingham Partnership the report will be shared at 8-day rule stage when Cabinet Members are given 8 days to respond to a report prior to final committee approval. The Chairman / Review Group Lead Member decides whether to accept responses;
- Once a report is published a copy will be sent to each of the named officers at the Partnership and the responsible authorities for a formal response. This will be provided within 28 calendar days (or as soon as possible thereafter). Responses can either be co-ordinated through the Safer Birmingham Partnership, or one of the partners, or organisations can respond individually.
6.15 The process of identifying and making recommendations is key to scrutiny reviews. Through this process recommendations can be made to the Chair of the Safer Birmingham Partnership. All scrutiny review reports include a recommendation to periodically report back to the appropriate Overview and Scrutiny Committee on progress. This reporting process continues for outstanding recommendations until all recommendations have been implemented. The Cabinet Member designated as lead for each review collates their response via the necessary Chief Officers and then reports upon progress to the Overview and Scrutiny Committee. The Cabinet Member states their view of where progress currently lies, according to a set of defined criteria. External partners will be asked to feed into this process. Overview and Scrutiny Committees give their view as to the progress made by the Executive at the appropriate meeting. It is important to note that once a recommendation is signed off it does not go back to committee for further tracking. Scrutiny officers can send out the procedure note entitled Tracking Recommendations to partners requiring further information.

Councillor Call for Action

6.16 The Local Government and Public Involvement in Health Act 2007 sets out the legislation for the Councillor Call for Action (CCfA). The prime aim of the CCfA is to support elected Members in achieving improvements for their local areas. The Act envisages that: councillors identify issues of significant concern to their communities; they seek to resolve problems by talking to the local authority and other service providers; and if they could not resolve matters, then they could refer them to overview and scrutiny committees "particularly ... for more intractable or strategic issues".

6.17 When such a Councillor Call for Action has been submitted which will involve the Safer Birmingham Partnership, partners will need to work together to help resolve the issues. Be Birmingham and the Safer Birmingham Partnership have agreed to the approach that is being followed. A procedure note is available from the Scrutiny Office. In following this, the timescales for requesting information or attendance may be shorter than set out elsewhere in this protocol.

Training

6.18 Improved understanding of legal frameworks, roles and responsibilities can aid the scrutiny process. To this end, partners will consider when it might be appropriate to open up internal training opportunities for other partners and members to attend and will seek to develop opportunities to help build mutual understanding and develop expertise in issues of shared concern.

Community Engagement, Consultation and Publicity

6.19 All partners will aim to share relevant information gathered through community engagement processes and to use opportunities, where practicable, to gather information to feed back into the scrutiny process. Where possible, annual reports should make reference to the joint working carried out through scrutiny and to improvements in services that have arisen due to this work.
Resolving Disputes about the Protocol

6.20 If there is a dispute relating to a failure to co-operate the Chairman of the Local Services and Community Safety Overview and Scrutiny Committee will write to the Chairman of the Safer Birmingham Partnership outlining the concern and asking for a formal response after consideration by the Executive Board.

6.21 If the Safer Birmingham Partnership wish to complain about the work of a Scrutiny Committee they should write to the Chairman of the Co-ordinating Overview and Scrutiny Committee (currently Councillor Dow).

Updating the protocol

6.22 An annual process will be put in place for agreeing the issues relating to co-options and for updating the protocol. This will be undertaken by the Overview and Scrutiny Manager, and the West Midlands Police Authority and Safer Birmingham Partnership named representatives and any changes will be agreed by the committee at a meeting at the beginning of the municipal year.

6.23 Contacts
Further information and clarification can be obtained from:
Benita Wishart,
Overview and Scrutiny Manager
E-mail: benita.wishart@birmingham.gov.uk
Phone: 0121 464 6871

26/1/10
Appendix 1: National and Local Indicators for Crime and Disorder Issues

Local indicators

<table>
<thead>
<tr>
<th>LAA Outcome</th>
<th>Delivery Plan</th>
<th>NI / Li</th>
</tr>
</thead>
<tbody>
<tr>
<td>7, Reduce the most serious violence, including tackling domestic violence, gang and gun related crime and violence in public places</td>
<td>Overarching</td>
<td>15 &amp; Li</td>
</tr>
<tr>
<td></td>
<td>Reducing Domestic Violence</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>Tackling Gangs and Reducing Gun Crime</td>
<td>15 &amp; Li</td>
</tr>
<tr>
<td></td>
<td>Reducing Alcohol Harm</td>
<td>15</td>
</tr>
<tr>
<td>8, Tackle serious acquisitive crime, and increase public and investor confidence in neighbourhoods by dealing with local crime, disorder and anti-social behaviour and securing cleaner, greener and safer neighbourhoods and public spaces.</td>
<td>Serious Acquisitive Crime</td>
<td>16</td>
</tr>
<tr>
<td></td>
<td>Building Community Confidence</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td>Arson reduction</td>
<td>Local Indicator</td>
</tr>
<tr>
<td>9, Reduce re-offending through the improved management of offenders and effective treatment of drug and alcohol using offenders.</td>
<td>Offender Management</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>Reducing Misuse of Drugs &amp; Alcohol</td>
<td>38</td>
</tr>
<tr>
<td></td>
<td>Young Offenders Engagement in suitable Education Training and Employment</td>
<td>45</td>
</tr>
<tr>
<td>11, Prevent the development of violent extremism</td>
<td>Building Resistance to Violent Extremism</td>
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</tbody>
</table>

National Indicator Set

Outcome: Safer Communities

NI 15 Serious violent crime
NI 16 Serious acquisitive crime
NI 17 Perceptions of anti-social behaviour
NI 18 Adult re-offending rates for those under probation supervision
NI 19 Rate of proven re-offending by young offenders
NI 20 Assault with injury crime rate
NI 21 Dealing with local concerns about anti-social behaviour and crime issues by the local council and police
NI 22 Perceptions of parents taking responsibility for the behaviour of their children in the area
NI 23 Perceptions that people in the area treat one another with respect and consideration
NI 24 Satisfaction with the way the police and local council dealt with anti-social behaviour
NI 25 Satisfaction of different groups with the way the police and local council dealt with anti-social behaviour
NI 26 Specialist support to victims of a serious sexual offence
Protocol for scrutinising the Safer Birmingham Partnership

NI 27 Understanding of local concerns about anti-social behaviour and crime issues by the local council and police
NI 28 Serious knife crime rate
NI 29 Gun crime rate
NI 30 Re-offending rate of prolific and priority offenders
NI 31 This indicator has been deleted
NI 32 Repeat incidents of domestic violence
NI 33 Arson incidents
NI 34 Domestic violence – murder
NI 35 Building resilience to violent extremism
NI 36 Protection against terrorist attack
NI 37 Awareness of civil protection arrangements in the local area
NI 38 Drug-related (Class A) offending rate
NI 39 Rate of Hospital Admissions per 100,000 for Alcohol Related Harm
NI 40 Number of drug users recorded as being in effective treatment
NI 41 Perceptions of drunk or rowdy behaviour as a problem
NI 42 Perceptions of drug use or drug dealing as a problem
NI 43 Young people within the Youth Justice System receiving a conviction in court who are sentenced to custody
NI 44 Ethnic composition of offenders on Youth Justice System disposals
NI 45 Young offenders’ engagement in suitable education, training and employment
NI 46 Young offenders’ access to suitable accommodation
NI 47 People killed or seriously injured in road traffic accidents
NI 48 Children killed or seriously injured in road traffic accidents
NI 49 Number of primary fires and related fatalities and non-fatal casualties (excluding precautionary checks)
AGENDA ITEM 5

Name of meeting: Overview and Scrutiny Management Committee

Date: 26 January 2010

Title of report: Working Arrangements for Scrutiny of Crime and Disorder

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Not applicable
---|---
Is it in the Council’s Forward Plan? | Not applicable
Is it eligible for “call in” by Scrutiny? | No
Cabinet member portfolio | Cllr Peter O’Neill

Electoral wards affected: all

Ward councillors consulted: not applicable

Public or private: Public

1. Purpose of report
1.1 On 8 December, the Overview and Scrutiny Management Committee was asked to establish a view on whether a joint flexible meaningful ‘protocol’ would be beneficial in establishing mutual expectations between Scrutiny and the Crime and Disorder Reduction Partnership (CDRP).

1.2 Whilst the Committee did not feel a ‘protocol’ was the most appropriate way forward, it was agreed that officers should develop a briefing on working practices between Scrutiny and those with CDRP responsibilities.

1.3 Members of the CDRP had previously stated that they would like to have clear guidance on what could be expected and how the relationship between Scrutiny and the CDRP would work effectively - including the types of issues which the CDRP would be called to Scrutiny to discuss and how the relationship would be managed.

2. Key points

Crime and Disorder Scrutiny – Working Arrangements

1 Introduction
1.1 It is a requirement of the Police and Justice Act 2006, as amended by the Local Government and Public Involvement in Health Act
2007, that all local authorities should have a Crime and Disorder Committee which has the power to scrutinise the local Crime and Disorder Reduction Partnership (CDRP). For local authorities in England this requirement is supplemented by the Crime and Disorder (Overview and Scrutiny) Regulation 2009.

1.2 In Kirklees, the Safer Stronger Communities Scrutiny Panel acts as the Council’s Crime and Disorder Committee. The Kirklees Safer Stronger Communities Local Public Service Board holds the statutory responsibility of the CDRP.

1.3 These working arrangements have been created in response to a request made by the Overview and Scrutiny Management Committee and of members of the Crime and Disorder Reduction Partnership.

The working arrangements are to define the manner in which the Safer Stronger Communities Scrutiny Panel can scrutinise the Kirklees CDRP and its partners. The main aim of these working arrangements is to ensure that there are good working relationships maintained between the CDRP and the Safer Stronger Communities Scrutiny Panel throughout the scrutiny process.

2. Function and Terms of Reference of the Safer Stronger Communities Scrutiny Panel (in its role as the ‘Crime and Disorder Committee’)

2.1 The role of the Safer Stronger Communities Scrutiny Panel will be to act as a ‘critical friend’ to the CDRP and partner organisations who comprise it insofar as their activities relate to the partnership itself, providing constructive challenge at a strategic level.

This will include:
- Considering how the CDRP and members therein are discharging their crime and disorder functions;
- Responding to and where appropriate conducting a scrutiny review to investigate concerns raised with the Committee,
- Making reports and recommendations to the local authority (and partners) with regard to those functions. In practice the nature of the Committee and its work may mean that some recommendations will be made directly to the CDRP and the partners whilst others will be made to the relevant bodies within the council.
- Including a list of issues which it needs to cover during the year in its work programme.
- Considering Councillor Call for Actions (CCfAs) that arise through the Council’s CCfA process and which relate to Crime and Disorder matters.

2.2 The responsible authorities affected by these working arrangements include:
- Kirklees Council
- The West Yorkshire Fire and Rescue Authority
- West Yorkshire Police
- West Yorkshire Police Authority
- NHS Kirklees
- West Yorkshire Probation Service (likely from April 2010)
3. Scrutiny of Crime and Disorder Matters

| 3.1 | Crime and Disorder Scrutiny in Kirklees will involve scrutiny members and CDRP partners working closely together in a positive, objective and constructive manner. As requested by the CDRP members, the following section of the working practices will define what the CDRP partners and the scrutiny members may expect from each other. |
| 3.2 | Crime and Disorder scrutiny must be seen to be open and transparent. To this end any person involved in crime and disorder scrutiny must declare any personal and/or prejudicial interest that they have either: a.) in the subject of any scrutiny review, or; b.) in the matters to be considered at any meeting of the Safer Stronger Communities Scrutiny Panel |
| 3.3 | Limitations on the use of Crime and Disorder Scrutiny The crime and disorder scrutiny process will not be used as a process of raising complaints about a partner's action or inaction in respect of specific incidents or cases |

4. Undertakings by the Safer Stronger Communities Scrutiny Panel (in its role as the 'Crime and Disorder Committee')

| 4.1 | The dates and times of Committee meetings, together with copies of agendas, minutes and reports will be made available to the CDRP. At least once per year the Committee will consult with the CDRP and through it, the partners on the annual work plan of the Committee. The Committee will notify the CDRP in advance of the scope of any crime and disorder scrutiny that it is proposing to undertake. The CDRP will also be consulted on the Committee’s annual work programme relating to community safety. |
| 4.2 | Attendance at Crime and Disorder Committee meetings The Committee may request the attendance of a representative of the CDRP or its partners to give evidence to a scrutiny review or to attend a meeting of the Committee. Unless the matter can be shown to be urgent, a minimum of 15 working days notice will be given to the partners of requests to attend a meeting of the Committee. |
| 4.3 | Requests for information from the CDRP and its partners must be made in writing and the CDRP and its partners will be allowed at least 15 working days in which to respond. |
### 4.4 Reports and Recommendations

The following actions will be taken by the Safer Stronger Communities Scrutiny Panel when it produces a report or recommendations which will have an impact, or have the potential to impact, on community safety issues or upon the CDRP or its partners.

- The draft report will be sent to the CDRP and any relevant partners to be checked for factual inaccuracies. Any suggested amendments should be forwarded to the Committee within 15 working days.
- Copies of the final report or recommendations will be sent for comment to the CDRP and those community safety partners that are affected by the report or recommendations.
- The CDRP and relevant community safety partners will be asked to provide a written response to the report or recommendations. The response should be provided within 15 working days.
- The CDRP and the relevant partners will be given as much notice as practicable prior to any recommendations or the reports of the Committee being made public.

### 5. Undertaking by the Crime and Reduction Partnership and the partners.

#### 5.1
The CDRP and the partners will co-operate closely with the Council’s Safer Stronger Communities Scrutiny Panel to enable effective scrutiny of crime and disorder issues in Kirklees.

#### 5.2
The CDRP will nominate the most appropriate person as main contact for each crime and disorder scrutiny exercise and maintain regular contact with the Scrutiny Panel to ensure effective working arrangements between the CDRP and the Scrutiny Panel.

#### 5.3
When requested to do so, and where agreed notice has been given, the CDRP and partners will:
- Attend meetings of the Safer Stronger Communities Scrutiny Panel
- Provide any information requested by the Panel.

#### 5.4
The CDRP and the partners will respond to the Panel’s request for information within 15 working days of receipt of the request.

#### 5.5
The CDRP will provide comments on any draft reports and recommendations of the Panel within 15 working days of the date of receipt.

#### 5.6
The CDRP will not be expected to provide information that would be reasonably likely to prejudice legal proceedings or current or future operations of the CDRP and its individual partner agencies.
Information provided by responsible authorities and co-operating bodies must be depersonalised, unless the identification of an individual is necessary or appropriate in order for the Panel to properly exercise its powers.

6. The types of issues scrutiny could look at?

6.1 Scrutiny, by its nature, can take a variety of approaches to scrutinising crime and disorder and community safety issues. The types of areas of focus on which the CDRP may be asked to attend a Scrutiny Panel could include the following:

**Policy Development** – Scrutiny panels may carry out in-depth scrutiny reviews focused on a specific topic locally. This would traditionally be carried out in a task and finish group or scrutiny panel environment. Evidence would be gathered from a range of sources before producing a report and recommendations on which partners and the CDRP would be asked to respond. These pieces of work arguably have the most impact on local policy making and could include issues such as:
- Fear of crime
- Anti-social behaviour

**Contribution to the development of strategies** – If partners are putting together a strategy, plan or policy, it may be useful to build in a process for scrutiny to be consulted at a draft stage.

**Performance Management** – Scrutiny could examine the performance of the partnership, using it as an opportunity to look at performance “by exception” highlighting good and poor performance as part of scrutiny’s existing processes for monitoring performance across the Local Area Agreement.

3. Implications for the Council
   The Council’s Constitution has been amended to make provision for the Scrutiny function to carry out this role; which is a legislative requirement.

4. Consultees and their opinions
   Partners on the CDRP had previously asked that Scrutiny explain the following:
   - What the new scrutiny of crime and disorder regulations would mean for those with CDRP responsibilities.
   - How this relationship would be managed between scrutiny and the CDRP.
   - Areas that scrutiny could call members of the CDRP to discuss.

5. Next steps
   At the next Local Public Service Board on the 9 February 2010, the working practices will be presented to those with CDRP responsibilities.

6. Officer recommendations and reasons
   That the Overview and Scrutiny Management Committee approve the working arrangements between the CDRP and Scrutiny.
7. **Cabinet portfolio holder recommendation**  
   Not applicable

8. **Contact officer and relevant papers**  
   Beth Hewitt, Scrutiny Officer  
   Tel: 01484 221864   E-mail: beth.hewitt@kirklees.gov.uk

9. **Head of service responsible**  
   Philip Hume, Head of Policy & Governance
Bury Scrutiny Protocol: Scrutiny of the Crime and Disorder Reduction Partnership

1. Introduction

1. In accordance with Part 3 of the Police and Justice Act 2006, local authorities have the power to scrutinise the Crime and Disorder Reduction Partnership in their area and make reports and recommendations to the Local Authority and the Partnership. In Bury, this is undertaken by the Safe, Strong and Confident Communities Scrutiny Commission, which has been designated the “Crime and Disorder Committee” under Paragraph 1, Section 19 of Part 3 of the Act.

2. This Protocol has been produced between Bury Council – Safe, Strong and Confident Communities Scrutiny Commission and the respective partners comprising the Bury Crime and Disorder Reduction Partnership, (see attached schedule), to provide a framework for that scrutiny to take place. The publication of Regulations and good working practice has shaped this Protocol which may be revised by agreement between all the interested parties in order to continually improve the scrutiny process.

2. Principles Of the Scrutiny Function

1. Scrutiny in Bury is positive, objective and constructive. It acknowledges good practice and recommends improvements where it feels that these would be of benefit. Scrutiny concentrates on service outcomes and seeks to add value to each service that it considers.

2. Community safety and freedom from crime and disorder for the people of Bury is dependant upon many factors including the services provided in collaboration with partners in the Crime and Disorder Reduction Partnership. This shared responsibility will be acknowledged by scrutiny and will feature in scrutiny reviews. The ethos is to scrutinise the work of the Partnership and not the individual member organisations it is comprised of.

3. Scrutiny of the reduction of crime and disorder will only be truly successful if key organisations work and co-operate together in an atmosphere of mutual respect and trust with an understanding and commitment to its aims.

4. The key organisations involved in scrutiny of crime and disorder must be willing to share information, knowledge and reports which relate to the delivery and success of services in Bury and carry out duties that would be reasonably expected of them to enable crime and disorder scrutiny to be successfully undertaken.

5. At all times both officers and members of the organisations involved in crime and disorder scrutiny, representatives and members of the public, will be treated with respect and courtesy. Matters of confidentiality will be treated with respect.

6. Crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other interest that they have either in a scrutiny exercise or during a meeting
of the Scrutiny Commission in accordance with the Councillors’ Code of Conduct.

7. The Safe Strong and Confident Communities Scrutiny Commission, whilst working in partnership, is independent of the respective partners comprising the Bury Crime and Disorder Reduction Partnership.

8. Scrutiny of crime and disorder will try to maximise the involvement of the community and will work with other agencies representing the public.

9. Scrutiny of crime and disorder will be focused on improving services and service provision for the people of Bury and will concentrate on outputs that are intended to help improve community safety and reduce the fear of crime in Bury.

3. The Bury Safe, Strong and Confident Communities Scrutiny Commission

1. All dates and times of meetings of the Scrutiny Commission, agendas, minutes and reports will be circulated to members and the Bury Crime and Disorder Reduction Partnership in accordance with the Local Government Act 2000 or subsequent legislation.

2. The Bury Crime and Disorder Reduction Partnership will be consulted on Annual Work Programmes and informed in advance of scrutiny reviews that the Scrutiny Commission is intending to undertake. They will also be informed of the scope of all scrutiny reviews and will be given adequate notice of invitations to attend meetings of the Scrutiny Commission and any required information.

3. The Bury Crime and Disorder Reduction Partnership will be consulted on any draft reports before they are published. Final reports will be presented to Bury Council Executive, the Bury Crime and Disorder Reduction Partnership, be published on the Council’s website and circulated in accordance with the regulations on scrutiny of crime and disorder.

4. Crime and disorder scrutiny is not to be used as a complaints procedure. Case studies may however be used as part of supporting information for scrutiny exercises.

5. The Bury Crime and Disorder Reduction Partnership will be informed of any press releases relating to crime and disorder scrutiny although Council Officers may speak to the press in advance of meeting to brief them about forthcoming Scrutiny Commission meetings.

6. The Safe, Strong and Confident Communities Scrutiny Commission will at all times comply with the Constitution of Bury Council.

4. Bury Crime And Disorder Reduction Partnership

1. The Bury Crime and Disorder Reduction Partnership will work in partnership with the Safe, Strong and Confident Communities Scrutiny Commission to
provide objective and effective scrutiny of crime and disorder in Bury.

2. The Crime and Disorder Reduction Partnership will provide information relating to the planning and operation of crime and disorder reduction activities and strategies that is required by the Scrutiny Commission so that it can undertake its required scrutiny reviews. This will not, however, include confidential information that might impinge upon actual operations (police or otherwise) or individuals, unless an individual gives consent for such information to be released.*

3. The Crime and Disorder Reduction Partners will provide the Scrutiny Commission with such information within 15 working days of the receipt of the request from the Chair of the Commission.

4. The Bury Crime and Disorder Reduction Partnership will respond to crime and disorder scrutiny reviews within 28 days of receipt. A copy of such a response will be sent to The Head of Democratic Services, individuals who have contributed to reviews, local MPs, appropriate voluntary organisations, Bury libraries and customer information centres.*

5. A separate protocol and procedure will be agreed to cover references to the Scrutiny Commission from the elected members via the Councillor Call for Action.

6. The Bury Crime and Disorder Reduction Partnership will be consulted by the Scrutiny Commission to compile annual work programmes for crime and disorder scrutiny.

7. The Bury Crime and Disorder Reduction Partnership will nominate a main contact person for each crime and disorder scrutiny review and maintain regular contact with the Scrutiny Commission, attending in person when invited.

8. The Bury Crime and Disorder Reduction Partnership will ensure that officers attending Scrutiny Commission meetings are able to answer questions openly and are given appropriate support by their line managers.

(* Note – The writing of responses from the CDRP will be open to public scrutiny. Authors of documents are reminded that if there are elements of their work that need to remain confidential this should be identified within the document)
Tameside - Scrutiny Protocols

Scrutiny of the Crime and Disorder Reduction Partnership

1. Introduction

1. In accordance with Part 3 of the Police and Justice Act 2006, local authorities have the power to scrutinise the Crime and Disorder Reduction Partnership in their area and make reports and recommendations to the Local Authority and the partnership. In Tameside, this is undertaken by the Resources and Sustainable Communities Scrutiny Panel, which has been designated the “Crime and Disorder Committee” under Paragraph 1, Section 19 of Part 3 of the Act.

2. This Protocol has been produced between Tameside Metropolitan Borough Council, Resources and Sustainable Communities Scrutiny Panel and the respective partners comprising the Tameside Crime and Disorder Reduction Partnership, see attached schedule, to provide framework for that scrutiny to take place. The publication of Regulations and good working practice has shaped this Protocol which may be revised by agreement between all the interested parties in order to continually improve the scrutiny process.

2. Principles Of Scrutiny Operation

1. Scrutiny in Tameside is positive, objective and constructive. It acknowledges good practice and recommends improvements where it feels that these would be of benefit. Scrutiny concentrates on service outcomes and seeks to add value to each service that it considers.

2. Community safety and freedom from crime and disorder for the people of Tameside is dependant upon many factors including the services provided in partnership by partners in the Crime and Disorder Reduction Partnership. This shared responsibility will be acknowledged by scrutiny and will feature in scrutiny reviews.

3. Scrutiny of the reduction of crime and disorder will only be truly successful if key organisations work and co-operate together in an atmosphere of mutual respect and trust with an understanding and commitment to its aims.

4. The key organisations involved in scrutiny of crime and disorder must be willing to share information, knowledge and reports which relate to the delivery and success of services in Tameside and carry out duties that would be reasonably expected of them to enable crime and
disorder scrutiny to be successfully undertaken.

5. At all times both officers and members of the organisations involved in crime and disorder scrutiny, representatives and members of the public will be treated with respect and courtesy. Matters of confidentiality will be treated with respect.

6. Crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other pecuniary interest that they have either in a scrutiny exercise or during a meeting of the scrutiny panel in accordance with the Code of Conduct relating to standards of conduct and ethics.

7. The Tameside Resources and Sustainable Communities Scrutiny Panel, whilst working in partnership, is independent of the respective partners comprising the Tameside Crime and Disorder Reduction Partnership.

8. Scrutiny of Crime and Disorder will try to maximise the involvement of the community and will work with other agencies representing the public.

9. Scrutiny of Crime and Disorder will be focused on improving services and service provision for the people of Tameside and will concentrate on outputs that are intended to help improve community safety and reduce the fear of crime in Tameside.

3. The Tameside Resources And Sustainable Communities Scrutiny Panel

1. All dates and times of meetings of the Scrutiny Panel, agendas, minutes and reports will be circulated to members and the Tameside Crime and Disorder Reduction Partnership in accordance with the Local Government Act 2000 or subsequent legislation.

2. The Tameside Crime and Disorder Reduction Partnership will be consulted on Annual Work Programmes and informed in advance of scrutiny exercises that the Scrutiny Panel is intending to undertake. They will also be informed of the scope of all scrutiny exercises and will be given adequate notice of invitations to attend meetings of Scrutiny Panels and any required information.

3. The Tameside Crime and Disorder Reduction Partnership will be consulted on any draft reports before they are published. Final reports will be presented to Tameside Council, the Tameside Crime and Disorder Reduction Partnership, be published on the Council’s website and circulated in accordance with the regulations on scrutiny of crime and disorder.
4. Crime and disorder scrutiny is not to be used as a complaints procedure. Case studies may however be used as part of supporting information for scrutiny exercises.

5. The Tameside Crime and Disorder Reduction Partnership will be informed of any press releases relating to crime and disorder scrutiny although the Scrutiny Support Unit may speak to the press in advance of meeting to brief them about forthcoming Scrutiny Panel meetings.

6. The Resources and Sustainable Communities Scrutiny Panel will at all times comply with the Constitution of Tameside Metropolitan Borough Council.

4. Tameside Crime And Disorder Reduction Partnership

1. The Tameside Crime and Disorder Reduction Partnership will work in partnership with the Resources and Sustainable Communities Scrutiny Panel to provide objective and effective scrutiny of crime and disorder in Tameside.

2. The Crime and Disorder Reduction Partnership will provide information relating to the planning and operation of crime and disorder reduction activities and strategies that is required by the Scrutiny Panel so that it can undertake its required scrutiny reviews. This will not however, include confidential information that might impinge upon actual police operations or individuals, unless an individual gives consent for such information to be released.

3. The Crime and Disorder Reduction Partners will provide the Scrutiny Panel with such information within 15 working days of the receipt of the request.

4. The Tameside Crime and Disorder Reduction Partnership will respond to crime and disorder scrutiny reviews within 28 days of receipt. A copy of such a response will be sent to The Tameside Cabinet Deputy (Co-ordination Services), individuals who have contributed to reviews, local MPs, appropriate voluntary organisations, Tameside libraries and customer information centres.

5. A separate protocol and procedure will be agreed to cover references to the Scrutiny Panel from the elected members via the Councillor Call for Action.

6. The Tameside Crime and Disorder Reduction Partnership will be consulted by the Scrutiny Panel to compile annual work programmes for crime and disorder scrutiny.

7. The Tameside Crime and Disorder Reduction Partnership will nominate a main contact person for each crime and disorder scrutiny exercise and maintain regular contact with the Scrutiny Panel, attending in
8. The Tameside Crime and Disorder Reduction Partnership will ensure that officers attending Scrutiny Panel meetings are able to answer questions openly and are given appropriate support by their line managers.
Stockport MBC

CRIME AND DISORDER SCRUTINY PROTOCOL

(Agreed: )

Partners

This is an agreed protocol between:

The six statutory responsible authorities of the Safer Stockport Partnership:

- Stockport Metropolitan Borough Council
- Greater Manchester Police
- Greater Manchester Police Authority
- Greater Manchester Fire and Rescue
- Greater Manchester Probation Trust
- Stockport Primary Care Trust

to govern the operation of crime and disorder scrutiny in Stockport

Also agreed by the other membership agencies of the Safer Stockport Partnership:

- Stockport Magistrates Court
- HM Custom and Excise
- Victim Support Service
- Stockport Community and Voluntary Services
- Stockport Homes
- Stockport Housing Partnership
- Stockport Chamber of Commerce
- Stockport NHS Foundation Trust
- Pennine Care Mental Health Trust

Review

This protocol shall be renewed whenever there are substantial changes to the roles and responsibilities of partners, and, in any case, every two years.

Purpose of Crime and Disorder Scrutiny

The purpose of crime and disorder scrutiny is to help improve services and service provision for the people of Stockport, in order to help improve community safety, reduce fear of crime and tackle inequalities. It seeks to do this by:

- Scrutinising both community safety and the work of the crime and disorder reduction partnership as a whole in Stockport
• Seeking to question, challenge and improve local policy making, and policy implementation processes
• Promoting effective joint working between all stakeholders: the public, the voluntary sector, statutory services, and local businesses
• Ensuring that the public are fully informed and involved in decisions about community safety and services relating to crime and disorder

Crime and Disorder Scrutiny Committee Obligations

The Adults and Communities Scrutiny Committee is the designated committee in Stockport for crime and disorder scrutiny.

The Adults and Communities Scrutiny Committee will:

• Act in the best interests of the people of Stockport to promote community safety, recognising that crime and disorder is the product of many different factors, and that many inequalities are deep-rooted.

• Maintain and promote the independence of the Adults and Communities Scrutiny Committee, in its capacity of designated crime and disorder scrutiny committee.

• Inform and educate themselves about developments in community safety, services relating to crime and disorder in Stockport and the performance framework for the planning, monitoring and assessment of community safety.

• Ensure that any personal interests are declared

• Liaise and consult closely with the Police Authority about the state of crime and disorder services, the processes for public involvement, and issues of concern to the Police Authority, in order to ensure the work of Scrutiny and the Police Authority is complementary.

• Produce and disseminate an annual work programme, to guide its work. It will consult with partners, and other scrutiny committees in the construction of the programme, and will update this programme as circumstances change during the course of the year

• Work closely with neighbouring local authorities and other stakeholders to align work programmes and establish joint crime and disorder scrutiny arrangements, where issues and services changes affect populations across multiple local authority boundaries.

• Liaise closely with other scrutiny committees in Stockport to reduce overlap and duplication
• Promote effective community engagement with issues relating to crime and disorder and ensure that the voice of those experiencing inequalities and marginalisation is heard and respected.

• Ensure that decision-making processes properly involve the public, and are effective in improving community safety outcomes.

• Give due notice of any reports, information or advice that may be required of partners.

• Ensure that all those who are invited to committees or review panels are clear about what is expected of them, and are treated with courtesy and respect.

• Promote public involvement, understanding and debate through constructive use of local media and other channels.

• Base its findings on clear and robust evidence, and ensure that these findings are properly disseminated.

• Evaluate the impact of work on improving community safety and tackling crime and disorder inequalities.

• Scrutinise the Safer Stockport Partnership as a whole, focusing on policy issues.

• Advise the Safer Stockport Partnership of any draft Scrutiny reports relating to issues within the remit of the partnership before they are published. When conducting scrutiny reviews, the Adults and Communities Scrutiny Committee will ensure that relevant partners are appropriately engaged in the review.

• Inform the Partnership of any press releases relating to crime and disorder scrutiny in advance of their publication.

• At all times respect matters of confidentiality; and make provision to close portions of Committee meetings to the press and public where the information received by the Committee might impinge upon police operations or individuals and would be against the public interest.

The Adults and Communities Scrutiny Committee will NOT

• Take up individual complaints or grievances.

• Scrutinise “responsible authorities” independently from their contribution to the Partnership as a whole.

• Impede innovation in the delivery of services.
• Burden statutory organisations with excessive requests
• Waste time on matters that cannot be addressed locally

A separate procedure has been agreed to cover referrals to the Scrutiny Committee via the Councillor Call for Action.

**Partner Obligations**

All statutory responsible authorities will

• Seek to uphold the independence of the Adults and Communities Scrutiny Committee, in its role of designated crime and disorder scrutiny committee

• Ensure that appropriate personnel attend committees, and provide clear and informative evidence

• Provide reliable evidence to the Committee, including performance data, activities and strategies relating to crime and disorder in Stockport. This will not however, include confidential information that might impinge upon police operations or individuals, unless an individual gives consent for such information to be released

• Ensure any written materials produced for the Committee limit the amount of technical jargon, and abbreviations. Where appropriate, a summary sheet should seek to summarise the key points of interest to the Adults and Communities Scrutiny Committee. Any written materials will be produced to a pre-agreed timetable.

• Respond to recommendations of the Adults and Communities Scrutiny Committee in a timely and appropriate manner, wherever possible within 28 days.
TRAFFORD COUNCIL

To: Overview and Scrutiny Core Committee
Date: 29 July 2009
Item for: Information
Item of: Scrutiny & Improvement Manager

Item Title

DRAFT PROTOCOL FOR SCRUTINY OF TRAFFORD’S CRIME & DISORDER REDUCTION PARTNERSHIP

Background

Scrutiny Core Committee has new powers arising from The Police and Justice Act (2006), to:

a) review or scrutinise the decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions; and

b) make reports or recommendations to the local authority with respect to the discharge of those functions.

Officers, in liaison with the Chairman, have prepared a draft protocol for scrutiny of Trafford’s Crime & Disorder Reduction Partnership (The Safer Trafford Partnership) presented here for the Committee’s consideration and also to be considered separately by the Safer Trafford Partnership Board.

Recommendation(s)

That the draft protocol be approved as a clarification of Scrutiny’s relationship with the Safer Trafford Partnership.

Contact person for access to background papers and further information:

Name: Samuel Martin
Extension: 4014

Background Papers:
None

1 of 6
1. Introduction

1. In accordance with Part 3 of the Police and Justice Act 2006, local authorities have the power to scrutinise the Crime and Disorder Reduction Partnership in their area and make reports and recommendations to the Local Authority and the partnership. In Trafford, this is undertaken by the Overview and Scrutiny Core Committee, which has been designated the “Crime and Disorder Committee” under Paragraph 1, Section 19 of Part 3 of the Act.

2. This Protocol has been produced between Trafford Council, Overview & Scrutiny Core Committee and the respective partners comprising the Safer Trafford Partnership, to provide a framework for that scrutiny to take place. The publication of Regulations and good working practice has shaped this Protocol which may be revised by agreement between all the interested parties in order to continually improve the scrutiny process.

2. Principles Of Scrutiny Operation

1. Scrutiny in Trafford is positive, objective and constructive. It acknowledges good practice and recommends improvements where it feels that these would be of benefit. Scrutiny concentrates on service outcomes and seeks to add value to each service that it considers.

2. In the scrutiny of Trafford Council’s partnerships, the role of scrutiny is to scrutinise the partnership as a whole rather than individual agencies.

3. Community safety and freedom from crime and disorder for the people of Trafford is dependent upon many factors including the services provided in partnership by partners in the Safer Trafford Partnership.
This shared responsibility will be acknowledged by scrutiny and will feature in scrutiny reviews.

4. Scrutiny of the reduction of crime and disorder will only be truly successful if key organisations work and co-operate together in an atmosphere of mutual respect and trust with an understanding and commitment to its aims.

5. The key organisations involved in scrutiny of crime and disorder must be willing to share information, knowledge and reports which relate to the delivery and success of services in Trafford and carry out duties that would be reasonably expected of them to enable crime and disorder scrutiny to be successfully undertaken.

6. At all times both officers and members of the organisations involved in crime and disorder scrutiny, representatives and members of the public will be treated with respect and courtesy. Matters of confidentiality will be treated with respect.

7. Crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other pecuniary interest that they have either in a scrutiny exercise or during a meeting of the scrutiny panel in accordance with the Code of Conduct relating to standards of conduct and ethics.

8. Trafford Overview & Scrutiny Core Committee and Select Committees, whilst working in partnership, are independent of the respective partners comprising the Safer Trafford Partnership.

9. Scrutiny of Crime and Disorder will try to maximise the involvement of the community and will work with other agencies representing the public.
10. Scrutiny of Crime and Disorder will be focused on improving services and service provision for the people of Trafford and will concentrate on outputs that are intended to help improve community safety and reduce the fear of crime in Trafford.

3. **The Trafford Council Overview & Scrutiny Core Committee**

1. All dates and times of meetings of the Core Committee, agendas, minutes and reports will be circulated to members and the Safer Trafford Partnership in accordance with the Local Government Act 2000 or subsequent legislation.

2. The Safer Trafford Partnership will be consulted on Annual Work Programmes and informed in advance of scrutiny exercises that the Overview & Scrutiny Core Committee and Select Committees are intending to undertake. They will also be informed of the scope of all scrutiny exercises and will be given adequate notice of invitations to attend meetings of Committees and any required information.

3. The Safer Trafford Partnership will be consulted on any draft reports on Crime and Disorder matters before they are published. Final reports on Crime and Disorder matters will be presented to Trafford Council, the Safer Trafford Partnership, be published on the Council’s website and circulated in accordance with the regulations on scrutiny of crime and disorder.

4. Crime and disorder scrutiny is not to be used as a complaints procedure. Case studies may however be used as part of supporting information for scrutiny exercises.

5. The Safer Trafford Partnership will be informed of any press releases relating to crime and disorder scrutiny although the Scrutiny and Improvement Service may speak to the press in advance of meeting to
brief them about forthcoming Scrutiny meetings.

6. The Overview & Scrutiny Core Committee will at all times comply with the Constitution of Trafford Council.

4. **Safer Trafford Partnership**
   1. The Safer Trafford Partnership will work in partnership with the Overview & Scrutiny Core Committee to provide objective and effective scrutiny of crime and disorder matters in Trafford.

   2. The Safer Trafford Partnership will provide information relating to the planning and operation of crime and disorder reduction activities and strategies that is required by the Scrutiny Committee so that it can undertake its required scrutiny reviews. This excludes information reasonably likely to prejudice legal proceedings or current or future operations of the responsible authorities, whether acting together or individually, or of the co-operating persons or bodies.

   3. Information provided to the Scrutiny Committee shall be depersonalised unless the identification of an individual is necessary or appropriate in order to enable the Committee to properly exercise its powers (not withstanding the paragraph above).

   4. The Crime and Disorder Reduction Partners will provide the Scrutiny Committee with such information within 20 working days of the receipt of the request, in line with Freedom of Information legislation. The Partners will endeavour to provide such information as soon as is practicable.

   5. The Safer Trafford Partnership will respond to relevant scrutiny reviews by written, considered response as soon as practicable and otherwise within a maximum of 10 weeks. The Safer Trafford Partnership will provide acknowledgement of the Report and an initial response within 4 weeks of the presentation of the report, if a considered response is
not ready at that time.

6. A separate protocol and procedure will be agreed to cover references to the Overview & Scrutiny Core Committee from the elected members via the Councillor Call for Action.

7. The Safer Trafford Partnership will be consulted by the Overview & Scrutiny Core Committee to compile annual work programmes for crime and disorder scrutiny.

8. The Safer Trafford Partnership will nominate a main contact person for each crime and disorder scrutiny exercise and maintain regular contact with the Overview & Scrutiny Core Committee, attending in person when invited with a minimum of 10 days notice.

9. The Safer Trafford Partnership will ensure that staff members attending Scrutiny Panel meetings are able to answer questions openly and are given appropriate support by their line managers.

10. The Safer Trafford Partnership will be proactive and suggest potential topics and items of interest for inclusion on the Overview & Scrutiny Core Committee’s medium term work programme.

11. The Safer Trafford Partnership will contribute where appropriate to other cross-cutting reviews that have incidental impact on Crime and Disorder matters.