Draft Protocol for scrutinising the Community Safety and Cohesion Partnership

Sangita Patel – Scrutiny and Improvement Officer
Overview and Scrutiny Board
29th November 2011
Civic Centre

A PURPOSE OF THE REPORT

1. INTRODUCTION

In accordance with the Crime and Disorder Act 2006 (section 19), Overview and Scrutiny (O&S) is now required to scrutinise the functioning of the local Community Safety Partnership (CSP). In Oldham, the CSP is performed by the Community Safety and Cohesion Partnership. The legislation to do this came into force in April 2009 providing Councillors with clear and formal means of raising issues of local concern. In Oldham, the Overview and Scrutiny Board is the designated committee to undertake this role.

This protocol sets out clear guidance on the mutual expectations of both the O&S Board and the Community Safety and Cohesion Partnership. It is expected that good working relationships and trust is maintained throughout the whole O&S process.

B SUMMARY

2. COMMUNITY SAFETY AND COHESION PARTNERSHIP

The Community Safety and Cohesion Partnership (previously called the Community Safety Partnership (CSP) and Crime and Disorder Reduction Partnership) was created as a result of the Crime and Disorder Act 1998. This was developed to ensure that all the responsible authorities worked together to agree and deliver the community safety priorities. The Community Safety and Cohesion Partnership under the Public Service Board of the Oldham Partnership undertake the role of the CSP in Oldham.

There are six groups within the Public Service Board, all working within specific theme areas (see diagram below):
O&S must review decisions of the Community Safety & Cohesion Partnership at least twice within a twelve month period. The statutory responsible authorities for this Partnership are:

- Oldham Council
- Greater Manchester Police
- Greater Manchester Police Authority
- Oldham Primary Care Trust
- Greater Manchester Fire and Rescue Authority
- Greater Manchester Probation

All of the above responsible authorities work together to achieve the ‘Safe’ priorities for the CSP (2011 – 2013), which are to:

1. Tackling the cause and impact of ASB
2. Reducing the negative impact of alcohol and drugs
3. Reducing crime
4. Reducing re-offending and improving justice
5. Improving community cohesion
6. Preventing serious harm caused to communities
3. OLDHAM COUNCIL OVERVIEW AND SCRUTINY BODIES

The Local Government Act (2000) introduced O&S enabling Councillors who are not members of the Cabinet (the decision makers) to influence and shape policies and future decisions that impact the lives of local people. The role of O&S is to act as a critical friend to keep an eye on the decision makers to ensure that an open and transparent process has taken place. O&S looks at services delivered both by the Council and external to the Council.

O&S Members have the following powers:

- Make recommendations for change by influencing and shaping decisions & policies;
- Request Council Officers and Executive Councillors to provide information and attend meetings; and
- Local Government and Public Involvement in Health Act 2007 will soon place a duty on a wide range of partners to co-operate in the scrutiny process

There are two overview and scrutiny bodies at Oldham Council:

- Overview & Scrutiny Board
- Performance and Value for Money Select Committee

The O&S Board has the responsibility for scrutinising the Community Safety and Cohesion Partnership.

4. EXTERNAL INVITEES

When considering crime and disorder issues, representatives of the Greater Manchester Police Authority (elected member and/or officer) and/or other representatives if deemed appropriate, are invited to attend the O&S Board meeting to provide expert advice.

5. THE PRINCIPLES - UNDERTAKING SCRUTINY OF THE CSP

a. Work programme

The O&S Board agrees an annual work programme (June – July) at the beginning of each municipal year. The Community Safety and Cohesion Partnership will be consulted on the work programme to ensure that duplication of work is avoided. It may also provide opportunities to work together to meet the Safe priorities for Oldham.
b. Providing Information to Scrutiny
If an officer of the Community Safety & Cohesion Partnership is invited to attend a meeting, written reports would normally be requested by the O&S Board. These would normally have to be with the O&S Team around three weeks prior to the meeting (dates will be advised). When it is not possible to provide the information, a written explanation of the difficulties being faced should be sent to the Chair of the O&S Board. All information must be anonymous and all partners are expected to respect requirements of the Data Protection Act (1998).

c. Attendance at Scrutiny Meetings
A reasonable notice will be provided to require officers and/or employees of responsible bodies or co-operating bodies to attend O&S meetings, normally up to three weeks explaining the reasons in writing. If less time is available, efforts will be made to attend, but the O&S Board will accept that written information may not be available in advance of the meeting. The O&S Board will then accept written information tabled at the meeting. The Community Safety & Cohesion Partnership will ensure that the appropriate person attends the meeting to answer questions accurately and openly.

d. Openness and Transparency
It must be noted that all O&S meetings are open to the public and that information provided to the O&S Board are also public documents (available on www.oldham.gov.uk). Where information provided should not be in the public domain, this must be made clear when forwarding the information to the O&S Team. There is provision for meetings or parts of the meetings to be held privately, which the O&S Team can provide advice on.

The agenda and minutes of each body within the Oldham Partnership are available on the website:
http://www.oldhampartnership.org.uk/who-we-are.htm

Papers for O&S meetings will be sent to those providing reports at each meeting via email. Papers are sent out five working days before the meeting.

e. Recommendations
The O&S Board can make recommendations to the Chair of the Community Safety and Cohesion Partnership as a result of the briefings and discussions taken place at the constituted meetings. A formal response will normally be expected within 28 calendar days. If a response is not provided within this timescale, the Chair of the Community Safety and Cohesion Partnership will liaise with the Chair of the O&S Board to agree a date as to when a response can be provided.

f. Scrutiny Reviews
When the O&S Board undertakes in-depth investigation in service improvement or policy developments in relation to crime and disorder issues, the following will apply:
The O&S team will consult with the Community Safety and Cohesion Partnership on the terms of reference of the project;

Consideration will be given to appoint a representative of the Community Safety and Cohesion Partnership as a co-optee or an expert advisor;

Prior to recommendations being finalised, an informal consultation will be carried out with the Community Safety and Cohesion Partnership and their response on the draft report will be inserted in the final report;

Once the report is published, a copy of the report will be sent to each of the named officers at the partnership and 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 Community Safety and Cohesion Partnership, or one of the partners, or organisations can respond individually.

Where recommendations are accepted, the O&S Team will liaise with the support officers of the Community Safety and Cohesion Partnership to monitor the progress in implementing the recommendation and to determine the impact this has had in service areas. If any of the recommendations are not accepted, the Chair of the Community Safety and Cohesion Partnership will attend the next meeting of the O&S Board to provide reasons why the recommendations were rejected. If the Chair cannot attend, then a written response is provided.

6. RESOLVING DISPUTES

If there are any concerns in the working relationships between the Community Safety and Cohesion Partnership and the O&S Board this will be addressed as soon as possible.

Only as a last resort, if there is a dispute regarding a failure of co-operation of the Community Safety and Cohesion Partnership, the Chair of the O&S Board Group will write to the Chair of the Public Services Board (Oldham Partnership) outlining the concerns and asking for a formal response.

Equally, the Community Safety and Cohesion Partnership may also wish to raise concerns about the work of the O&S and should write to the Chair of the O&S Board.
7. UPDATING THE PROTOCOL

The protocol will be reviewed annually between representatives of the O&S Team and Oldham Partnership Team. Any changes made should be agreed by the O&S Board and Community Safety and Cohesion Partnership at its meeting at the beginning of the municipal year.

C RECOMMENDATIONS
Members are advised to note the report.

D CONSULTATION UNDERTAKEN

Legal ☐ Finance ☐ Other ☐

E IMPACT ON COMMUNITY STRATEGY & COMMUNITY COHESION

F IMPACT ON EQUALITIES

G APPENDICES

N/A