**Friday 18th July 2014**

**Item 7**

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**Crime & Disorder Scrutiny Committees and**

**the impact of the Commissioner**

**1. Purpose**

* 1. This report informs the Panel about the latest priorities and views of Crime and Disorder Scrutiny Committees ahead of a discussion with representatives on the impact of the Commissioner and the role that Scrutiny Committees can play in making communities safer and feel safer.
	2. It is recommended that the Panel and Scrutiny representatives use the information and structure of this paper as a basis for discussion about their respective roles, including:
		1. What issues might the Panel raise with the Commissioner in future work?
		2. What changes might be made to the Principles of Engagement to improve the way in which Crime and Disorder Scrutiny Committees and the Panel liaise on issues of mutual concern?

**2. Local Scrutiny Investigations**

2.1 In the last six months the following investigations have been undertaken by the Wakefield CD Scrutiny Committee, all of which relate to priorities within the Police & Crime Plan:

* Hate crime – The committee has completed a report in which it recommended that:
* A communication plan is developed to raise awareness of existing methods of reporting hate crime/incidents, including specific measures targeted at minority groups.
* A co-ordinated public-awareness campaign is developed to increase understanding of hate crime incidents across the district.
* A regular and on-going training programme is introduced for staff from all partner agencies that are likely to come in to contact with hate crime victims. This should include raising awareness of the impact hate crime has on the victim.
* Specific reference is made to hate crime in the Community Safety Plan
* A publicly accessible hate crime action plan is developed to co-ordinate partnership activity to address hate crime issues.

All five of the above recommendations have been agreed by both the Wakefield Community Safety Partnership and the Wakefield Cabinet. The report was also presented to the Central Joint Consultative Committee to raise awareness of the issues within the council as an employer

* Child Sexual Exploitation – the committee has begun to look at the level of child sexual exploitation in Wakefield and the multi-agency work to combat the problem. This will continue into the new municipal year.
* Domestic Abuse – The committee began to examine this issue at the end of last year when it considered a new draft domestic abuse strategy and plans to review support and prevention services across the district. This work will continue into the new municipal year.

2.3 The Panel have not been made aware of any other recent or ongoing investigations within other authorities.

*2.4 Panel and Scrutiny Representatives may wish to discuss:*

* *Do the Scrutiny Committees receive adequate and timely information from the Commissioner to assist in their investigations*
* *What steps might Scrutiny Committees take to undertake joint investigations on priority issues.*
* *Do Scrutiny Committees wish to see any issues escalated to the Police and Crime Panel for further investigation?*

**3. Impact of the Commissioner**

3.1Along with Community Safety Partnerships, Scrutiny Committees welcome the commitment to extend the transfer of the Community Safety Fund to Partnerships until 2016.

3.2 There is significant concern, however, about the lack of clarity around the Commissioner’s intended approach to the future commissioning of Community Safety activities. The lack of clarity about how future funding will be allocated hinders districts abilities to ensure sustainable services in the localities.

3.3 There is still uncertainty about the PCC’s plans in relation to the £1million fund for local authorities and partners to tackle domestic abuse in West Yorkshire which was announced by in March. The Panel understands that the Commissioner has asked the West Yorkshire council Leaders to meet with the Commissioner to determine the process for allocating and monitoring the shared outcomes of the funding available for joint work on DV and community safety partnership initiative across West Yorkshire and that Leaders have delegated CSP Chairs to that role.

3.4 *The Panel and Scrutiny Chairs may wish to discuss:*

* *The implications for localities about the lack of clarity of future funding.*
* *Actions that the Panel can take to press the Commissioner for early information and assurances required*

**4. Delivery of the Police and Crime Plan**

4.1 A key area for the Panel’s is to support and scrutinise the Commissioner in delivering his Police and Crime Plan. The Panel have expressed concerns that a Delivery Plan underpinning the Police and Crime Plan, has yet to be made available.

4.2 The Commissioner has now established a Delivery Group which will oversee the development of the Delivery Strategy and subsequent Delivery Plans. Community Safety Partnerships form part of the Delivery Group and along with other partners will have input into the formulation of the Delivery Strategy and Delivery Plans.

*4.3 Delivery topics that the Panel and Partnerships may wish to discuss include:*

* *Are Scrutiny Chairs happy with the framework that has been put in place to develop and deliver the Police and Crime Plan.*

**5. Future Investigations**

5.1 Wakefield Scrutiny Committee is in the process of developing a work programme for the coming year. Wakefield Panel members will be kept informed and are regular attenders at all scrutiny meetings.

5.2 Other authorities have not indicated what if any future investigations are planned.

*5.3 The Panel and Scrutiny Chairs may wish to discuss:*

* *What is the criteria for investigation*
* *Could there be better cross-authority collaboration on key themes*

**6. Liaison between Scrutiny Chairs and the Panel**

6.1 The Panel and Scrutiny Committees have agreed Principles of Engagement (attached as Annex A) that cover respective roles and the importance of working closely together. This provides the foundation for the quarterly ‘Local Perspectives’ report and the provision of information (e.g. meeting minutes) that help Partnerships to keep aware of Panel work. Whilst information is relayed back to the Partnerships and Committees that have provided information for the Panel, this should be further underpinned by Panel members de-briefing colleagues in constituent areas in order to put it in a firmer local context.

6.2 The Panel is keen to work closer with Community Safety Partnerships and Scrutiny Committees to better understand the impact of the Commissioner within West Yorkshire to enable it to prioritise key areas to scrutinise and monitor. The Panel are keen to better engage with the public and are proposing to hold themed meetings within localities and welcome input from Scrutiny Chairs around priority topics where they might have the best impact.

6.3 Scrutiny Chairs and Panel may wish to review and strengthen the Principles of Engagement that are attached to this report.

6.4 *The Panel and Partnership may wish to discuss*

* *How Panel can better support Scrutiny Committees to ensure local priorities are met*
* *What information and support can the Scrutiny Committees provide to the Panel to ensure that it targets the areas of priority that are impacting at a local level.*

**7. Recommendation**

7.1 It is recommended that the Panel notes the views and issues highlighted in this report. Suggestions for future work may be included in the Panel’s work programme and members may also wish to record items to raise with the Commissioner.

 **West Yorkshire Police and Crime Panel**

Appendix A

**Principles for Engagement:**

**Local Crime and Disorder Scrutiny Committees**

**Background to Local Crime and Disorder Scrutiny Committees**

Provisions in the Police and Justice Act 2006 extended the remit of local authorities to scrutinise crime and disorder functions and as of April 2009 each Council has been required to designate a Scrutiny Board to act as their ‘Crime and Disorder Committee.’

‘Crime and Disorder Committees’ have the powers to review or scrutinise decisions made (or action taken) by the local Community Safety Partnership (CSP) and the ‘responsible authorities’ that comprise it, but only with regards to activities which relate to the Partnership itself.

 **Impact of the Police Reform and Social Responsibility Act 2011**

Although the Act did not change the legal remit of local authority Crime and Disorder Scrutiny Committees, they will not have the power to directly scrutinise the Police and Crime Commissioner because he/ she will not be a ‘responsible authority’ on the CSP.

Under previous arrangements the Scrutiny Committees could scrutinise the West Yorkshire Police Authority. However, the reforms signal a readjustment of responsibilities in relation to the scrutiny of policing in West Yorkshire. In this sense, the West Yorkshire Police and Crime Panel will carry out part of the role previously exercised by Local Crime and Disorder Scrutiny Committees.

 **Rationale for Engagement**

The West Yorkshire Police and Crime Panel fully recognise the benefits of establishing and maintaining strong links with the five Local Crime and Disorder Scrutiny Committees. These Local Scrutiny Committees can play a critical role in helping the Panel:

* To **recognise** the needs and concerns of local communities in relation to community safety and crime.
* To better **understand** the link between the strategic direction set by the Police and Crime Commissioner and its impact on individual wards and **neighbourhoods.**
* To **assess the impact** of all Partners on crime and community safety related issues in each district.
* To apply the **skills and expertise** necessary to effectively scrutinise the Police and Crime Commissioner.
* To **focus** on issues which are common to all of the West Yorkshire districts.
* To **maximise its resources** by contributing to scrutiny work initiated by the West Yorkshire Police and Crime Panel.

Equally, the West Yorkshire Police and Crime Panel is eager to assist Local Crime and Disorder Scrutiny Committees by:

* Holding the **Commissioner to account** if he/she
* Has a detrimental impact on the safety or confidence of communities in West Yorkshire
* Raises public concern due to their chosen approach
* Acts in a way which would have previously prompted the Committee to ‘call in the responsible authority.’
* **Informing and supporting** the Commissioner in such a way as to ensure his/ her approach and plans reflect the needs and interests of the diverse communities across West Yorkshire.
* **Promoting** policing and community safety interventions which have proved successful in the past or are working well under the Commissioner.
* **Leading** on scrutiny investigations on behalf of the five Scrutiny Committees where issues of sub-regional significance have been identified.

**Moving Forwards**

On the basis of the rationale outlined above, the West Yorkshire Police and Crime Panel will work in partnership with Local Crime and Disorder Scrutiny Committees (CDCs) in the following ways:

**1. Panel Meetings**

1.1 CDC Chairs will, at the very least, be invited to meetings of the West Yorkshire Police and Crime Panel on an annual basis to engage in an open discussion about the impact of the Commissioner in each district and to review the relevance of the latest iteration of the ‘Principles for Engagement.’

1.2 Should serious concerns arise during the year, the Panel may ask one or more CDC Chairs to attend additional Panel meetings and provide their perspective on the issue under consideration.

1.3 CDC Chairs can request an item to be put on the agenda of a Panel meeting by contacting the Chair of the Panel directly and explaining the reason for the request.

**2. Influencing the Police and Crime Plan**

2.1 The Police and Crime Panel is in a fortunate position in terms of its ability to influence the development of the Police and Crime Plan and the CDCs are encouraged to inform the Panel’s approach when exercising this influence.

2.2 The Police and Crime Panel will encourage the Commissioner to have regard to the business cases and strategic assessments submitted by the individual authorities when developing his/ her Police and Crime Plan and subsequent commissioning arrangements.

2.3 CDCs will be sent a copy of all the draft iterations of the Police and Crime Plan that are submitted to the Panel and will be asked to return any comments or suggestions in advance of the Panel meeting during which the draft will be discussed.

2.4 CDCs are also asked to brief their authority’s Panel Members in advance of any discussions on the Plan so the local perspective is sufficiently understood and so the Panel is made aware if the Plan does not have regard to the evidenced needs of communities across West Yorkshire.

**3. Regular Exchange of Information and Intelligence**

3.1 The five CDCs will each complete a quarterly briefing note for use by all Panel Members to support them in assessing the impact of the Commissioner across West Yorkshire.

3.2 The lead scrutiny officers will be notified of the deadlines for these briefing notes as far in advance as is practicable. These deadlines will be aligned with Panel Meeting dates as responses will be required two weeks before each Panel meeting.

3.3 All completed briefings notes are to be formally approved by the CDC Chair before submission.

3.4 Unless a request is made to the contrary, all submissions will be circulated to the other CDCs in West Yorkshire to allow comparisons and further linkages to be made.

3.5 The completion of the briefing notes will not be an onerous task and will only call upon information and examples that the CDCs are already aware of or hold.

3.6 CDCs will be encouraged to play an active role in developing and adapting the themes covered within the briefing note.

3.7 Questions in the briefing note will, at the very least, relate to:

* The findings of any relevant investigations carried out at the local level
* Plans for any future investigations at the local level which may be of interest or relevance to the Panel and/ or other CDCs in West Yorkshire.
* Any concerns the CDCs want the Panel to be aware of, to either raise directly with the Police and Crime Commissioner or to investigate further.
* Any suggestions about the way in which the Panel could better support or influence the approach of the Police and Crime Commissioner.

3.8 Panel Members will have sight of all of the completed briefing notes as well as a covering note highlighting any common issues or trends.

3.9 CDCs may also choose to arrange regular verbal briefings with the Panel Members representing their authority on the West Yorkshire Police and Crime Panel.

**4. Co-ordinating Work Programmes**

4.1 CDCs will submit the latest iteration of their work programmes along with their quarterly briefing notes.

4.2 These work programmes will then be circulated to the five CDC lead officers to help identify linkages across the five CDC work programmes and will also be used by the AWYA to identify linkages between the work of the CDCs and the Panel.

4.3 In cases where the CDCs are due to carry out investigations that are likely to be of interest to the Panel, the Panel may request a short briefing note summarising the results of these investigations.

4.4 Where one or more of the CDCs are due to investigate the same issue the Panel may decide to carry out the investigation at a sub-regional level on behalf of all five CDCs or in conjunction with them.

4.5 If the Panel identifies an issue for concern which relates to only one of the West Yorkshire districts, the relevant CDC may be asked to lead on the resultant investigation with support from a Panel Member from that authority.

4.6 CDCs will be notified of such a request from the Panel at the earliest possible opportunity and the Panel recognises that the CDC response to these requests will be dependent on the availability of resources at that time.

4.7 Equally, the Panel’s ability to lead on investigations on behalf of the CDCs will be resource and work load dependent.

**5. Aligning Membership**

5.1 Where possible, at least one Panel Member will sit on each CDC to ensure the Panel has a detailed understanding of local issues as well as the skills necessary to effectively scrutinise the Commissioner.

5.2 Where membership is not aligned in this way a Panel Member from each authority will be designated as the lead Panel Member for their authority’s CDC and as such will contribute to CDC meetings and investigations as and when required and subject to existing workload pressures.

**Endorsement**

These principles have been endorsed by:

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Cllr Peter Box (on behalf of the West Yorkshire Police and Crime Panel)

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Cllr Rizwan Malik (on behalf of Bradford CDC)

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Cllr Helen Rivron (on behalf of Calderdale CDC)

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Cllr Kenneth Sims (on behalf of Kirklees CDC)



Cllr Barry Anderson (on behalf of Leeds CDC)

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Cllr Laurie Harrison (on behalf of Wakefield CDC)