

Report of	Meeting	Date
Head of Corporate and Policy Services (Introduced by the Executive Member for Community Safety)	Executive Cabinet	09.03.06

REVIEW OF THE CRIME AND DISORDER ACT 1998

PURPOSE OF REPORT

- To inform Members of changes within the Crime and Disorder Act that will have implications for the Community Safety Partnership within Chorley.

CORPORATE PRIORITIES

- Community Safety links very strongly to the Council's current Cleaner, Greener, Safer priority. It will also be a key part of the new priority of 'Place' with explicit links to the outcome of Safer Communities.

RISK ISSUES

- The issues raised and recommendations made in this report involve risk considerations in the following categories:

Strategy	4	Information	
Reputation		Regulatory/Legal	
Financial	4	Operational	4
People		Other	

- The changes within the Review of the Crime and Disorder Act will have an impact on the Community Safety Strategy and Partnership. It will also affect how the Partnership works at a strategic level and change how services are delivered at an operational level. There may be financial implications as funding could be focused on work in areas outside Chorley that have higher levels of crime and disorder if Strategy was determined at a County level.

BACKGROUND

- The Crime and Disorder Act 1998 required that Local Authorities and the Police Service review Crime and Disorder, producing a Strategy to tackle issues. There have been major successes since the introduction of the Act and improvements in Partnership working have benefited the whole community. The Strategy is renewed every three years, after a comprehensive audit is carried out around Crime and Disorder. The current Community Safety Strategy runs from 1st April 2005 – 31st March 2008. It prioritises areas such as Safe and Secure Homes, Safe and Secure Streets, Substance Misuse, Target Areas and Partnership Development. It contains targets, some of which are challenging and will require focused work from all partners in order to achieve them.
- In 2004, the Government announced a review of the Crime and Disorder Act under the police reform White Paper – Building Communities, Beating Crime. The result of the review has been the issue of a report which covers, Structures, Delivery, Governance and



Accountability, Mainstreaming and National Standards of Community Safety Partnerships. The Police and Justice Bill will be the vehicle for driving the changes forward. Royal Assent is expected in autumn 2006 from when the changes will be implemented.

SUMMARY OF REVIEW – (TEXT FROM HOME OFFICE REPORT)

7. **Structures** - The geographical disconnection between CDRPs (Crime and Disorder Reduction Partnerships, known in Chorley as the Community Safety Partnership) and other key partner agencies such as LCJBs (Local Criminal Justice Boards) and DAATs (Drug and Alcohol Action Teams) in two-tier areas does not aid successful partnership working. The review proposed splitting the strategic and operational decision making responsibilities of CDRPs, with the former sitting at county level. The benefits to CDRP/CSP performance of splitting their strategic and operational functions are such that we believe that this approach should be adopted by all CDRPs/CSPs, not just those in two-tier areas. Given the important role that CDRPs will play in delivering the Safer and Stronger Communities block of the LAAs (Local Area Agreements), we have concluded that CDRPs' strategic functions should rest at Local Strategic Partnership level.

In order for a CDRP's strategic and operational functions to be discharged successfully, the right people need to be at the partnership table. Although we do not want to dictate who should represent the individual agencies at a local level, the review has highlighted how important it is that those attending partnership meetings have the seniority to take decisions and commit resources on behalf of their organisation. We will be developing national standards for partnership working that amongst other things will outline the role and responsibilities of each partner in helping to deliver community safety.

In order to ensure that CDRPs are better equipped to deal with the rapidly changing partnership landscape, the Home Secretary wishes to take a power to extend the list of responsible authorities by means of secondary legislation.

8. **Delivery** - Intelligence led decision making lies at the heart of effective delivery. We want every CDRP/CSP to undertake an intelligence led, problem-solving and outcome orientated approach to community safety. We believe the police National Intelligence Model provides a good practice framework for routinely analysing data and intelligence to inform strategic direction, accurately direct resources and manage risk. We will be adapting many of the principles and practices behind NIM to a partnership setting.

Strategic intelligence assessments will have to be undertaken at least on a six-monthly basis and they will have to be used by all those discharging strategic and operational community safety functions. This will replace the three yearly audits currently being undertaken by CDRPs/CSPs.

The six-monthly strategic intelligence assessments will inform the new requirement to produce annual rolling three year community safety plans. Many CDRPs/CSPs already review their three year strategies on an annual basis in response to shifting patterns of crime, anti-social behaviour and substance misuse. Repealing the requirement for triennial strategies will reflect the good practice already implemented by many CDRPs.

Effective community safety plans will be heavily dependent on the quality of the strategic intelligence assessments being produced by analysts and this in turn will

be reliant on good information sharing amongst partner agencies. To this end, we intend to strengthen section 115 of the Crime and Disorder Act 1998 (CDA) and place a duty on responsible authorities to share depersonalised data which are relevant for community safety purposes. We will also make it clear through national standards how vital it is for every partnership to have an effective information sharing protocol in place to assist this process.

9. **Governance and Accountability** - Community safety matters greatly to local people and CDRPs play a crucial role in delivering this for local communities. Therefore, it is important that CDRPs should be both more visible to the communities they serve, and more accountable to them.

We will ensure that CDRPs continue to engage with local people and actively encourage and empower them to be involved in improving their quality of life. The Crime and Disorder Act required CDRPs to consult with a range of local agencies and people on the findings of their three year audits. We intend to continue this good practice by ensuring that within the NIM framework mentioned above, CDRPs/CSPs provide regular opportunities for local people to raise their concerns and provide valuable community intelligence.

We will no longer require CDRPs/CSPs to provide the Home Secretary with annual reports on the implementation of their three year strategies, but instead we want CDRPs to produce regular reports to their communities. It is essential that local people help inform decisions over local community safety priorities and are able to see how the partnership is performing in order to hold it to account.

We will be extending the powers of local authority Overview and Scrutiny Committees to encompass the work of CDRPs/CSPs. A form of 'scrutiny plus' involving the partner agencies will allow scrutiny committees better to reflect the multi-agency nature of community safety work. In addition, we will be introducing a mechanism for triggering action whereby communities will be able to secure a response from partners to a particular community safety issue that has not been adequately addressed. The local ward councillor will play a key role in securing a response but the local authority scrutiny committee will be used to look at cases that cannot be easily resolved.

Local councillors will act as the conduit at neighbourhood level for relaying local concerns to community safety partners and encouraging local people to get involved in local governance. Our national standards will also reflect our desire to build on the active involvement of elected community safety portfolio holders in the strategic community safety decision making processes.

10. **Mainstreaming and National Standards** - Section 17 of the CDA has worked on the rationale that the socio-economic and environmental causes of crime and disorder can be impacted on by a range of agencies working in the locality and therefore they should regularly consider this in all their operational and strategic delivery decisions. This is still immensely relevant but we believe that the time has come formally to broaden the definition of s17 to require agencies to also take account of anti-social behaviour, behaviour adversely affecting the environment and substance misuse. In addition, the Home Secretary intends to take a power to add to the list of agencies to which section 17 applies by means of secondary legislation.

The guidance that accompanied the CDA in 1998 was intended to provide a framework within which agencies could decide how they best worked together at a

local level to deliver on community safety. We still believe in this localised approach but as the review has underlined, during the past eight years it has become apparent that there is a need for a set of standards that clearly sets out what is expected of each partnership and the roles and responsibilities of the individual partners, whilst at the same time not prescribing how they meet these standards. National standards will establish a consistent approach to partnership working across all CDRPs/CSPs in England and Wales. Compliance with these national standards will be compulsory and will cover a range of key issues which have been addressed in these findings. **(HOME OFFICE TEXT ENDS)**.

IMPLICATIONS FOR CHORLEY

11. The report will involve fundamental changes in how Community Safety is delivered within Chorley. In general terms the report ignores both the debate about the future structure of local government and the concurrent consultation paper on Local Strategic Partnerships 'Shaping their Future'. Logic would suggest that the debate on the future local government structure should be resolved prior to reaching any decision on both Community Safety and Local Strategic Partnerships.

Structures – the proposed two-tier arrangements of splitting operational from strategic responsibility will have an impact locally. Strategic working being based at County level may reduce the priority of many of the issues in Chorley, with the focus being on other higher crime areas in Lancashire. Experience in preparing the Local Area Agreement at County level has provided practical experience of the difficulties involved in reaching agreement across a vast range of partners.

It is not clear how our Local Strategic Partnership (the Chorley Partnership) and the County LSP will work together and give the direction needed. The strategic role will be to commit resources which will have an impact as to how much funding is accessible for Chorley. The Executive Member for Community Safety will be required to be a member of the LSP.

In preparing the Local Area Agreement much good work has been done at a sub-regional level. Chorley has worked with Preston, West Lancashire and South Ribble and it has been possible to reach consensus on the key issues affecting our cluster. The proposals ignore the opportunity for sub-regional working.

Delivery – intelligence-led work is stressed throughout the delivery section. Currently there is no provision of an analyst within the Partnership to perform in the way described. There has previously been a gap identified around analyst capacity, but the changes will mean that a far higher reliance on analytical information will occur. To fulfil this need, there will be a financial implication for the Partnership, or agencies involved with the Partnership.

The aim to strengthen Section 115, will be welcomed. Within Chorley we are fortunate that many agencies already adhere to the information sharing requirements of Section 115, but by strengthening the legislation, it can only benefit work undertaken.

There appears to be more emphasis on reports within the changes. Although some of these are already undertaken by the Partnership, a far heavier burden may be placed in producing reports, working and consulting with the community and reporting back to LCC with regards to strategic objectives. This could have resource implications on the Partnership.

The merging of Partnerships is discussed, but is emphasised that this will not be forced, only to be worked on when benefits will occur. This may become a higher priority within Lancashire when other agencies work to different levels than council boundaries.

Instead of a three-yearly audit, Partnerships will be required to undertake six-monthly strategic assessments. This has to tie-in to the progress reports for the Local Area Agreements. This could have resource implications for the Partnership.

Governance and Accountability – The view to become more visible and accountable to the Community is welcomed, but the method in which consultation is to take place is not specified. Consultation does need to be balanced with robust data collection. The ability to deliver to public expectations will have to be managed. Falsely raising public expectation could have a detrimental impact on the Partnership. If the strategic structure is removed to a County level, there may not be the opportunity for the communities concerns to be fed effectively through the process to influence work.

Consultation with the public can be an expensive process. The report states that community consultation will have to be undertaken more regularly than is carried out under current legislation. This could have financial and resource implications for the Partnership.

Senior representatives of the Partnership will be expected to hold regular 'face the people' briefings. This will be question and answer sessions open to the public, community groups and the media. There will be resource implications for all agencies involved.

Mainstreaming and National Standards – The broadening of the definition of Section 17 of the Crime and Disorder Act to include anti-social behaviour, behaviour adversely affecting the environment and substance misuse is welcomed. This will address some of the community concerns that were raised in the Crime and Disorder Audit undertaken in 2004/05.

National standards will provide a useful tool, to give agencies clear guidance as to what their roles and responsibilities around crime and disorder are. It is hoped sanctions are also specified and the implications of not taking Section 17 into consideration.

COMMENTS OF THE HEAD OF HUMAN RESOURCES

12. There are no current implications, but could be when implementation occurs.

COMMENTS OF THE DIRECTOR OF FINANCE

13. There are no current financial implications, however the report highlights a number of areas which might have resource implications should the proposals be implemented. Clearly these will need to be addressed in due course.

RECOMMENDATION(S)

14. Executive Cabinet are requested to make representations to GONW along the lines detailed in paragraph 11 of the report.

TIM RIGNALL
HEAD OF CORPORATE AND POLICY SERVICES

Background Papersc			
Document	Date	File	Place of Inspection
Review of the Partnership Provision of the Crime and Disorder Act 1998 – Report of the findings	January 2006	***	www.homeoffice.gov.uk

Report Author	Ext	Date	Doc ID
Audrey Harrison	5335	14 th February 2006	