

Meeting of the

OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 3 July 2012 at 7 p.m.

A G E N D A

VENUE

Room C1, 1st Floor, Town Hall, Mulberry Place, 5
Clove Crescent, London, E14 2BG

Members:	Deputies (if any):
Chair: Councillor Ann Jackson Vice-Chair: Councillor Rachael Saunders	
Councillor Rachael Saunders Councillor Tim Archer Councillor Stephanie Eaton Councillor Sirajul Islam Councillor Fozol Miah Councillor Amy Whitelock Councillor Helal Uddin Councillor Judith Gardiner	Councillor Peter Golds, (Designated Deputy representing Councillor Tim Archer) Councillor Harun Miah, (Designated Deputy representing Councillor Fozol Miah) Councillor David Snowdon, (Designated Deputy representing Councillor Tim Archer)
[Note: The quorum for this body is 3 voting Members].	

Co-opted Members:	
Memory Kampiyawo	– (Parent Governor Representative)
Jake Kemp	– (Parent Governor Representative)
Rev James Olanipekun	– (Parent Governor Representative)
Canon Michael Ainsworth	– (Church of England Diocese Representative)
Mr Mushfique Uddin	– (Muslim Community Representative)
1 Vacancy	– Roman Catholic Diocese of Westminster Representative

If you require any further information relating to this meeting and would like to request a large print, Braille or audio version of this document, or would like to discuss access arrangements or any other special requirements, please contact:

Simone Scott-Sawyer, Democratic Services,

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LONDON BOROUGH OF TOWER HAMLETS

OVERVIEW & SCRUTINY COMMITTEE

Tuesday, 3 July 2012

5.30 p.m.

SECTION ONE

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Chief Executive.

3. REQUESTS TO SUBMIT PETITIONS

To be notified at the meeting.

4. REQUESTS FOR DEPUTATIONS

To be notified at the meeting.

5. SECTION ONE REPORTS 'CALLED IN'

At the point of agenda publication, it is unknown whether the decisions of the Mayor in Cabinet made on 20 June 2012 have been called-in for further consideration. When the status of the decisions is known, Members will be informed accordingly.

6. REPORTS FOR CONSIDERATION

6.1 POLICE COMMISSIONING AND COMMUNITY SAFETY 3 - 24

6.2 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME

A workshop is scheduled to take place on Wednesday 27th June to discuss the Committee's work programme for 2012-13. A copy of the programme will be circulated to Members thereafter.

7. VERBAL UPDATES FROM SCRUTINY LEADS

(Time allocated – 5 minutes each)

**8. PRE-DECISION SCRUTINY OF SECTION ONE
(UNRESTRICTED) CABINET PAPERS**

(Time allocated – 30 minutes).

**9. ANY OTHER SECTION ONE (UNRESTRICTED)
BUSINESS WHICH THE CHAIR CONSIDERS TO
BE URGENT**

Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE CHIEF EXECUTIVE FOR MEMBERS OF THE OVERVIEW & SCRUTINY COMMITTEE

This note is guidance only. Members should consult the Council's Code of Conduct for further details. Note: Only Members can decide if they have an interest therefore they must make their own decision. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending at a meeting.

Declaration of interests for Members

Where Members have a personal interest in any business of the authority as described in paragraph 4 of the Council's Code of Conduct (contained in part 5 of the Council's Constitution) then s/he must disclose this personal interest as in accordance with paragraph 5 of the Code. Members must disclose the existence and nature of the interest at the start of the meeting and certainly no later than the commencement of the item or where the interest becomes apparent.

You have a **personal interest** in any business of your authority where it relates to or is likely to affect:

- (a) An interest that you must **register**
- (b) An interest that is not on the register, but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of your authority more than it would affect the majority of inhabitants of the ward affected by the decision.

Where a personal interest is declared a Member may stay and take part in the debate and decision on that item.

What constitutes a prejudicial interest? - Please refer to paragraph 6 of the adopted Code of Conduct.

Your personal interest will also be a prejudicial interest in a matter if (a), (b) and either (c) or (d) below apply:-

- (a) A member of the public, who knows the relevant facts, would reasonably think that your personal interests are so significant that it is likely to prejudice your judgment of the public interests; AND
- (b) The matter does not fall within one of the exempt categories of decision listed in paragraph 6.2 of the Code; AND EITHER
- (c) The matter affects your financial position or the financial interest of a body with which you are associated; or
- (d) The matter relates to the determination of a licensing or regulatory application

The key points to remember if you have a prejudicial interest in a matter being discussed at a meeting:-

- i. You must declare that you have a prejudicial interest, and the nature of that interest, as soon as that interest becomes apparent to you; and
- ii. You must leave the room for the duration of consideration and decision on the item and not seek to influence the debate or decision unless (iv) below applies; and

- iii. You must not seek to improperly influence a decision in which you have a prejudicial interest.
- iv. If Members of the public are allowed to speak or make representations at the meeting, give evidence or answer questions about the matter, by statutory right or otherwise (e.g. planning or licensing committees), you can declare your prejudicial interest but make representations. However, you must immediately leave the room once you have finished your representations and answered questions (if any). You cannot remain in the meeting or in the public gallery during the debate or decision on the matter.

There are particular rules relating to a prejudicial interest arising in relation to Overview and Scrutiny Committees

- You will have a prejudicial interest in any business before an Overview & Scrutiny Committee or sub committee meeting where both of the following requirements are met:-
 - (i) That business relates to a decision made (whether implemented or not) or action taken by the Council's Executive (Cabinet) or another of the Council's committees, sub committees, joint committees or joint sub committees
 - (ii) You were a Member of that decision making body at the time and you were present at the time the decision was made or action taken.
- If the Overview & Scrutiny Committee is conducting a review of the decision which you were involved in making or if there is a 'call-in' you may be invited by the Committee to attend that meeting to answer questions on the matter in which case you must attend the meeting to answer questions and then leave the room before the debate or decision.
- If you are not called to attend you should not attend the meeting in relation to the matter in which you participated in the decision unless the authority's constitution allows members of the public to attend the Overview & Scrutiny for the same purpose. If you do attend then you must declare a prejudicial interest even if you are not called to speak on the matter and you must leave the debate before the decision.

Agenda Item 6.1

Committee Overview and Scrutiny	Date 3rd July 2012	Classification Unrestricted	Report No.	Agenda Item No. 6.1
Report of: Local Government Association	Title Police and Crime Commissioners – A guide for Community Safety Partnerships			
Originating Officer(s): Andy Bamber , Service Head Community Services	Ward(s) affected: All			

1. Summary

- 1.1 The attached background paper seeks to inform Members about the introduction of Police and Crime commissioners from November 2012. There will be a significant transition in police accountability and the abolition of police authorities will have an impact on community safety partnerships [CSPs]. This paper looks to explore what issues CSPs will face with the election of Police and Crime commissioners, and how they might prepare for them over the coming months.

2. Recommendation

Members are asked to note the contents of the attached paper.

3. Comments of the Chief Financial Officer

3.1 There are no specific financial implications emanating from this paper but in the event that the Committee agrees further action in response to this report's recommendation, then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

4. Concurrent report of the Assistant Chief Executive (Legal)

There are no implications

5. One Tower Hamlets Considerations

There are no implications

6. Sustainable Action for a Greener Environment

6.1 There are no implications

**LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF
THIS REPORT**

Brief description of "background paper"	If not supplied Name and telephone number of holder
No unpublished background papers have been relied upon to a material extent in preparing this report.	N/A

Police and crime commissioners

A guide for community safety partnerships



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Foreword

In September the LGA produced a short guide to police and crime commissioners for local authorities. In that we briefly set out some of the implications that the elections of police and crime commissioners would have for community safety partnerships in England and Wales. This second, more in-depth guide explores what police and crime commissioners mean for community safety partnerships and how partnerships can prepare for the changes resulting from the election of police and crime commissioners.

November 2012 still seems a long way off. Given the role police and crime commissioners will have in commissioning community safety services in their force area, partnerships will have to rethink how they work in order to provide a compelling business case for funding the commissioner holds. They will also need to examine their existing structures and decide if they are still fit for purpose in a new community safety landscape that will come into being at the end of 2012.

We hope that this guide facilitates partnerships' preparations. Over the coming months, the LGA will continue to support partnerships to prepare for the transition to police and crime commissioners so please keep in touch with us to let us know how this is taking shape in your area.

Cllr Mehboob Khan

Chair of the LGA's Safer and Stronger Communities Board

Text note

This guidance has been drafted by the LGA and as such reflects their views on the recent policy and legislative developments in relation to police and crime commissioners and community safety partnerships. It is not a reflection of the views of the Government or of civil servants at the Home Office who may issue official guidance in due course. Insofar as is possible it has been drafted so as to complement official guidance.

The guidance is not intended to be prescriptive in nature. It sets out issues that community safety partnerships should

consider in planning for November 2012, and outlines the argument for and against certain courses of action. However, it will be necessary for decisions on these issues to be taken locally, rather than for solutions to be asserted from the centre in a way that may not be appropriate in some areas.

This document is designed as an accompaniment to the LGA publication 'Police and crime commissioners: A guide for councils' and the LGA/Centre for Public Scrutiny publication 'Police and crime panels: Guidance on role and composition'.

1. Introduction

Under current Home Office plans police authorities will cease to exist as of 22 November 2012, when police and crime commissioners take office. As well as marking a significant transition in police accountability, the abolition of police authorities will also herald a new world for community safety partnerships (CSPs).

The election of police and crime commissioners will mean changes in the structures of partnerships. Commissioners, unlike police authorities, will not be responsible authorities under the Crime and Disorder Act 1998. At the same time some of the powers the Secretary of State has in relation to partnerships, including the power to require a partnership to produce a report, will be transferred to commissioners. Commissioners will also be given a range of funding streams, a number of which have until now been given to partnerships. It will then be up to the commissioner to decide what community safety related services they want to commission in their area. They do not have to look to community safety partnerships to do this but could turn to the voluntary sector, the private sector or even individuals to provide the services they believe are needed.

This guide looks to explore what issues community safety partnerships will face with the election of police and crime commissioners, and how they might prepare for them over the coming months.

2. Police and crime commissioners

Roles and responsibilities

On 15 November 2012, voters in England and Wales outside London will go to the polls to elect 41 police and crime commissioners (PCCs) for the first time. In the capital the mayor of London will already have been acting as the PCC through the Mayor's Office for Policing and Crime since January 2012, while the City of London will remain as a police authority.

Police and crime commissioners introduced under the Police Reform and Social Responsibility Act 2011, are the cornerstone of the coalition government's policy on crime and policing. The government's intention is that PCCs will make the police democratically accountable to local people, with the PCC holding the chief constable to account for their leadership of the force. Should the public feel that the PCC is not doing this effectively, they can remove them at the ballot box.

The PCC will have similar functions to police authorities. Their main responsibilities will be to:

- secure an efficient and effective police force for their area
- appoint the chief constable, hold them to account for the running of the force and if necessary dismiss them
- set the police and crime objectives for their area by producing a police and crime plan (in consultation with the chief constable)

- set the annual force budget and police precept, and produce an annual report setting out their progress against the objectives in the police and crime plan
- contribute to the national and international policing capabilities set out by the home secretary in the strategic policing requirement
- cooperate with the criminal justice system in their area
- work with partners and fund community safety activity to tackle crime and disorder.

Although the first election for PCCs will take place in November 2012, subsequent elections are likely to take place on a four-yearly cycle from May 2016. Voting will be conducted using the 'single transferable vote' system, as used in the London mayoral election.

Staffing

The level of direct support available to a PCC will ultimately be for the PCC to decide although they are required by law to have a chief executive and chief finance officer post. In the first instance however the PCC will inherit the existing staff who directly support the police authority. The current chief executive of the police authority will become the chief executive of the PCC's staff.

Although these staff could be replaced by the PCC, it is likely that in the early days of the PCC's regime they will have a key role in the induction of the PCC, briefing them on key

issues, and introducing them to key partners and the wider community safety landscape. Forging strong relations over the next year with these police authority staff will be an important task for CSPs if they want to be well placed to work closely with the PCC from the outset.

Scrutiny

When the government set out its commitment to introduce PCCs it was clear that they would be subject to strict checks and balances between elections. The check and balance to the PCC will be provided by a police and crime panel. A panel will be established in each force area comprising representatives from each council, and in England councils will be responsible for setting up the panels.

As the Policing Minister has made clear, and as is set out in the recently published Policing Protocol¹, the role of the panel is to hold to account, and assist, the PCC for the way in which they exercise their role. It is not a replacement for the police authority. In order to scrutinise the PCC the panel will have a number of vetoes and powers including the ability to:

- require the commissioner or a member of their staff to attend panel meetings to answer questions
- request the chief constable attends the panel to answer questions, where it has already required the commissioner to appear before the panel
- appoint an acting commissioner from amongst the commissioner's staff if the commissioner has resigned, has been disqualified from office, or is incapacitated or suspended

¹ www.homeoffice.gov.uk/publications/police/pcc/policing-protocol

- veto the commissioner's proposed precept if two-thirds of the members of the panel vote in favour of doing so
- veto the commissioner's proposed appointment of a chief constable if two-thirds of the members of the panel vote in favour of doing so.

As well as these statutory powers, the panel will also have the responsibility to:

- review the PCC's draft police and crime plan
- review the PCC's annual report
- hold confirmation hearings for the PCC's proposed chief executive, chief finance officer and any deputy PCC appointments
- deal with complaints about the PCC, including passing on any allegations about criminal offences to the Independent Police Complaints Commission.

Panels must have a minimum of 10, and a maximum of 18, councillor members, and as already mentioned each council within the force area must provide one councillor to take a place. Additionally, a minimum of two independent co-opted members must be appointed by the panel.

As the panel is owned by local government, it is the responsibility of local government to host, organise and run it – not the force, nor the police authority. Councils within each force area will need to collaborate on both panel composition and on the matter of which council should act as host.

Further detailed guidance about the role and composition of police and crime panels is available from the LGA/CfPS guide 'Police and crime panels: Guidance on role and composition'².

² <http://tinyurl.com/6nswajq>

3. Wales and London

The situation in Wales is broadly equivalent to that in England. Each of the four force areas will elect a PCC on 15 November 2012, who will have the same roles and responsibilities as their English counterparts.

The key difference is the establishment of Welsh police and crime panels; the National Assembly for Wales declined to allow the Home Office to legislate on local government matters (an area of devolved responsibility). The responsibility for creating the panels will therefore remain with the Home Secretary. Otherwise, the powers and functions are identical to English panels.

In London, the situation differs. From 16 January 2012, the role of PCC will be occupied by the Mayor's Office for Policing and Crime (MOPC), which is ostensibly the mayor of London (although this is likely to be delegated to a deputy mayor for policing and crime) and the Metropolitan Police Authority will be abolished. MOPC has a broadly similar range of powers to the PCC, but is unable to remove the commissioner of police of the metropolis.

The police and crime panel for London will be at the Greater London Authority, as a specific committee of the London Assembly, as opposed to a new body. MOPC will also have to produce a police and crime plan (for the period between mayoral elections), and will be required to consult all London boroughs on its contents.

CSPs in London have been working with the mayor's office for some time now, and the Police Reform and Social Responsibility Act largely just formalises those existing arrangements. In contrast with the rest of England and Wales, CSPs in London are unlikely to see much change on a day-to-day basis, although some issues for CSPs will be similar; namely, funding granted directly to the mayor, and considering how to work with the mayor in partnership to deliver key services.

4. The statutory relationship between PCCs and CSPs

Cooperation

Unlike police authorities, PCCs will not be 'responsible authorities' under the Crime and Disorder Act 1998, and hence will not be members of community safety partnerships. The statutory duties in the Crime and Disorder Act that apply to police authorities will not apply to PCCs. However, provisions in the Police Reform and Social Responsibility Act place a mutual duty on PCCs and responsible authorities in CSPs to cooperate to reduce crime, disorder and re-offending. There is also a similar reciprocal duty on the PCC and criminal justice bodies to cooperate.

Planning and prioritisation

The Act expands on the reciprocal duty to cooperate between PCCs and CSPs by requiring a PCC's police and crime plan to 'have regard to' the priorities of each CSP; and likewise, the CSP must have regard to the priorities established by the PCC in their police and crime plan.

The legislation requires the PCC to create a police and crime plan by the end of the financial year in which they are elected. For the first PCCs that means they will have to produce their plans by the end of March 2013. These plans will then last up to the end of the financial year containing the next election – potentially lasting therefore for five years and covering the period until March 2017. Although this covers ten months

when the PCC may not be in post, this will provide continuity whilst awaiting the new plan from the new commissioner. From April 2013 police and crime plans will replace the requirement for police forces to produce an annual policing plan (under the Policing Plan Regulations 2008).

CSPs however produce three-year rolling plans, refreshed annually; there is a risk therefore that a CSP's priorities will change over the course of the PCC's period in office. Ideally the PCC should refresh their own police and crime plan annually (this is permitted by the legislation) and the revised police and crime plan would then take account of changes in each CSP's plan. CSPs may need to take responsibility for informing the PCC of their planning cycle, to ensure that these are aligned; it may be worth working towards aligning the planning cycles of all CSPs within a force area (some places have already done this).

This should be beneficial for partnerships, as it obliges the PCC to take into consideration the CSP's priorities. Likewise, the requirement to help the PCC deliver his/her priorities means that there is a greater likelihood of crossover between PCCs and CSPs, more opportunity for joint working, and ideally, more opportunity for investment.

It should also mean that the police and crime plan incorporates the evidence on local crime and disorder used to build up CSP strategic assessments. CSPs will need to remember though that PCCs are elected politicians

and commitments made during the election process will undoubtedly influence the police and crime plan. Police and crime plans may well therefore contain priorities that reflect the views and philosophy of the PCC rather than being based on evidence that the police and CSPs have previously used to set policing plan priorities.

Accountability

Although there is nothing explicit in the Police Reform and Social Responsibility Act stating that CSPs report to PCCs, partnerships do have a level of accountability towards PCCs. The current ability of the Secretary of State to request a report from a CSP where it is deemed not to be meeting its requirements to reduce crime and disorder will be handed to the PCC. A PCC will also have the ability to call the chairs of CSPs to a meeting to discuss strategic priorities and other force-wide issues (the frequency of these will be determined by the PCC). The intention behind this is to give PCCs the ability to hold just the one meeting with CSPs in their area, rather than having to visit them individually.

Theoretically, a PCC could compel chairs of CSPs to meet with him or her on a regular basis, or to discuss an emerging performance issue, or perhaps to account for themselves following a particular incident. It is expected that individual PCCs will interpret this part of the legislation in different ways. Where there are already existing strategic level partnership structures, consideration should be given to how these could be adapted to meet the needs of PCCs to collectively engage with CSPs. Presenting a new PCC with a pre-existing arrangement that meets his/her needs and allows him or her to engage with partnerships across

all or part of their force area will mean that the PCC does not have to create their own structures that could duplicate arrangements already in place.

At the outset of the Police Reform and Social Responsibility Bill, there was significant concern amongst CSPs that an incoming PCC would sweep away the existing network of CSPs and install a single, force-level partnership board. This has been allayed by a section in the Act which only gives PCCs the power to approve the mergers of partnerships, not to enforce them (although they can suggest them). If two or more partnerships wish to merge, they now need only the signatures of the chief executives of each responsible authority in each area, to present to the PCC for approval. This is significantly simpler than existing arrangements (although the Home Secretary still needs to give final approval for mergers).

As well as their relationship with PCCs, CSPs remain accountable under the crime and disorder scrutiny provisions originally set out in the Police and Justice Act 2006. Councils are therefore still required to have an overview and scrutiny committee covering crime and disorder matters and which scrutinises the performance of its CSP. As the PCC is not a responsible authority on the CSP, this committee will not be able to scrutinise the PCC – this will be the role of the police and crime panel (see chapter 2).

Crime and disorder overview and scrutiny committees will need to consider how local-level issues uncovered in their own work (but which relate to the PCC and decisions they may have made) are passed on to the police and crime panel. In drawing up their work programmes it seems sensible for the work programme of the police and crime panel to

be taken into account to avoid duplication and maximise use of scrutiny resources. These issues will be explored in more detail in a forthcoming LGA guide.

Perhaps of most interest to CSPs is that the PCC will inherit all grant funding previously awarded to CSPs from government (see chapter 5).



5. The PCC's commissioning role

The PCC will be responsible for setting the force budget, making community safety grants, and setting the local precept. These are substantial powers in the hands of one individual.

PCCs will have the ability to make grants for the reduction of crime and disorder to any person/organisation they see fit (although the financial code for PCCs may limit who they can fund), and will inherit various grants from government (probably in April 2013), with no obligation to pass funding on to CSPs.

The community safety fund, which will have been reduced by 60 per cent from April 2012, will be paid to PCCs from April 2013 at the latest, alongside funding such as the Home Office elements of drug intervention programme money. The Policing Minister recently announced there would be a consultation on transferring Ministry of Justice funding for supporting victims of crime to PCCs. The Home Office is in the process of drawing up a list of additional grants to be handed to PCCs, but has yet to finalise it. It is likely that any ringfencing around these grants will be removed, enabling the PCC to deal with a truly pooled budget, giving them maximum flexibility to tackle the issues relevant to their community.

In Wales the position for partnerships will be slightly different; the Welsh Government also currently provides funding to community safety partnerships and has said it will continue to do so rather than hand the money over to the PCC.

Commissioning

This pooled budget will be entirely at the behest of a single PCC, and its allocation will depend on his/her beliefs and priorities. Indeed, a PCC could hypothetically choose to invest their grant funding back into the police force, rather than commission the broad range of services a CSP may traditionally have chosen.

More likely is that the PCC will seek to commission services from a mixed economy of providers. Essentially the PCC can choose from a free market in community safety services, and voluntary/community or private sector providers or even other public sector services may be willing to compete with CSPs to provide services traditionally undertaken by community safety teams or their partners. Partnerships will therefore have to consider if they wish to bid for funding from PCCs. If they do, the onus will be on CSPs to provide an outcomes-based, well evidenced business case in support of their request for funding (see chapter 6 for tips on commissioning).

It is worth noting that the community safety fund may only account for around 3 per cent of the PCC's overall financial responsibility. Even with the addition of other grants, the actual non-police fund commissioning ability of the PCC is small compared to their overall responsibility. It may well be that the PCC would not want to create a new commissioning bureaucracy (as

traditionally police authorities have not had much experience in this area), but instead choose to commission through a single commissioning framework (see chapter 6), or instead simply passport funding directly to CSPs, in order for them to commission services in support of the PCC's stated priorities. This would be a positive outcome for CSPs, but will only happen if a PCC considers the CSP to be a trustworthy partner; again, the CSP will need to provide evidence for this.

Force budget and precept

The PCC will be responsible for setting the force budget and local precept. The precept – the amount added to a council tax bill for the funding of local policing – has to be ratified by the police and crime panel (see chapter 2). The force budget must include an element of the 'strategic policing requirement' – the activities each force is duty-bound to undertake to preserve national security – but other than that the PCC can set the force budget any way they choose.

Where CSPs are concerned, this flexibility is likely to have implications for activity such as neighbourhood policing, which is highly visible and traditionally works closely in partnership with other agencies.

Clearly these are significant responsibilities for a PCC, and, as mentioned in chapter 2, it is worth noting that one of the two members of staff a PCC has to employ by law is a chief finance officer.

6. Making it work for you

Clearly the changes will be significant for the community safety sector. For some places, there are considerable challenges to work through and the incoming PCC may be seen as a barrier to further progress. Others are already fully involved in making transition arrangements, and seeking to work with this powerful new partner. Whatever the approach, the PCC will have a major impact on community safety, and partnerships need to put themselves into the best possible position to ensure this new relationship delivers continued reductions in crime and disorder for the communities they serve.

The PCC's freedom to commission services from any person or organisation has essentially created a free market in community safety. If CSPs – or any of their constituent responsible authorities – wish to be commissioned, ahead of other providers, to continue to deliver the services they have been developing, then they will need to evidence to a PCC exactly what they can offer in terms of outcomes.

Where CSPs have an advantage is that they have already been doing the work. CSP partners can actively demonstrate the impact their activity has had over time, and hence why the PCC should continue to invest in them. Where external providers may offer to provide a similar service for less cost, partnerships need to be able to evidence a superior level of quality and sustainability in their service as the decisive factor. This alone may not be enough; if a PCC considers "value for money" (which they must legally

take account of) to be purely the fiscal value of a contract, and not its broader quality or diffused benefits, then they may still choose to commission an alternative provider ahead of a CSP or other key partner.

There is no point duplicating activity. CSPs need to prioritise key activities they believe they are best placed to deliver. It may be that CSPs can negotiate with the PCC to determine this; the PCC might commission their services and CSPs will look to plug the gaps left.

Competing with voluntary/community and private sector providers may be unfamiliar territory for CSPs. It is worth studying effective bid-writing and sharpening up the greatest asset CSPs have in this field – proof of previous delivery – before the election.

Joint commissioning frameworks

Some partnerships have come together across force areas to consider establishing their own joint commissioning framework for community safety. When a PCC inherits the staff of the existing police authority, they are unlikely to include individuals with comprehensive experience of commissioning and procurement. Likewise, police forces rarely do much of this themselves. Councils and PCTs, however, are highly experienced, and have whole teams established to ensure services are adequately commissioned, procured and contracts monitored.

By establishing a framework by which activity is commissioned jointly and procured where necessary through a single portal, partnerships can make significant savings themselves. This might also provide a commissioning service for the PCC across the force area. Provided formal agreements are in place between partnerships in advance of offering services, this should be attractive to a PCC; it excuses them the task of recruiting and providing for their own commissioning and procurement unit, and also brings the PCC closer to the partnerships when it comes to decision-making about commissioned services. When this is linked to the duty to have regard to each other's priorities, this presents a compelling picture of a unified approach to commissioning crime and disorder services.

Of course, creating something like a joint commissioning framework before November 2012 is challenging, but not impossible. Partnerships will need to show a PCC that they are capable of radical change in order to achieve better outcomes more efficiently.



7. What you need to be doing

As CSPs have ably demonstrated, individual agencies struggle to cut crime on their own - but working in partnership brings real and tangible benefits. If councils are going to respond to residents' desire for crime and anti-social behaviour to be tackled they are going to have to continue to engage with the police. Between now and the election on 15 November 2012, CSPs will want to be proactively preparing to work closely with their PCC.

Meeting with other CSPs

Firstly, if areas have not done so already, an opportunity must be made for representatives of all CSPs in a force area to come together to discuss the changes, their implications, and explore options for joint working. The meeting should include:

- exploration of the Act and the sections relevant to CSPs
- discussion on joint working opportunities
- examination of a 'brochure' for the PCC
- consideration of a joint strategic assessment, or force-wide summary document
- establishment of a joint commissioning framework across the force area
- contemplating options for setting up and hosting police and crime panels
- a joint communications campaign on behalf of all CSPs.

This meeting should be more than a talking shop – decisions need to be made, action plans drawn up, and activity delegated to key individuals to take forward.

Devon and Cornwall

Aware of the emerging picture, CSPs in Devon and Cornwall first met in January 2011 to debate and plan for incoming PCCs. The partnerships worked through the early drafts of the legislation and were able to uncover the likely key issues affecting CSPs, and begin to plan to mitigate them.

Almost a year later they have a detailed action plan in place, and many of the ideas in this guide have derived from their thinking and the work they have been undertaking together. As a result of coming together – which they had never previously done as a group – they have embarked on a series of joint initiatives and shared good practice, and have improved outcomes for residents.

The working group also brings together chairs of CSPs in the force area on a quarterly basis to give them strategic direction, and are working to a new peninsula-wide grouping of chief executives and leaders to prepare a range of options for the establishment of a police and crime panel.

Although some areas will have a long history of collaboration between CSPs at force level, some force areas exist only as policing boundaries (eg West Mercia, Thames Valley), where CSPs may never have come together before. This should be seen as an opportunity to share good practice and create new chances for collaboration.

Many CSPs are keen to preserve their individuality and their autonomy. However, in a financially restricted climate, it may not be possible for all CSPs to be sustainable, especially in rural or low-crime areas. Many CSPs have already informally merged and the Act enables a more simplified process for formal mergers to take place (see chapter 4). This does not mean an end to, or dilution of, community safety activity in an area; rather, it can mean a greater emphasis on tactical delivery rather than supporting strategic decision-making, and can deliver better value for money.

Norfolk

Even prior to the ratification of the Act, Norfolk had made the decision to simplify its community safety landscape. The force area of Norfolk is made up of one county council and seven district councils. Each had its own CSP, despite some having very low levels of crime. Officers were spending lots of time creating separate plans, strategies and strategic assessments, and supporting meetings of responsible authority groups.

After a review of their arrangements, the decision was taken to create a single, county-wide community safety partnership, and replace those at district level with a network of location-based tactical delivery groups. This freed up officer time to focus on problem-solving and multi-agency operational support. Simultaneously, Norfolk reduced the demand on strategic and administrative support, by ending the requirement for seven districts to produce key documents and host strategic planning meetings and replacing them with one county process. Districts still have a significant role in guiding the work of the partnership, through their representation on the county-wide group.

As well as creating savings, this approach will enable a PCC to easily engage with partnerships through a single point of access.

Spreading the word

An incoming PCC may not be aware of the role or detail of community safety partnerships or how community safety works within their new force area. To address this, a number of partnerships are considering producing a joint local 'brochure' to welcome the PCC, including details of each CSP, the key contacts for each, a list of their priorities, and a calendar of their meetings and document production timetable for the year ahead. If adopted, this approach should be jointly owned and co-ordinated by all CSPs in the force area. It may be worth including details of key voluntary/community sector partners in this brochure.

The election of PCCs will mean that community safety will be politicised like never before. CSPs will need to consider how they can operate in a political environment; the executive member will be vital in this.

CSPs should consider how they can work to communicate knowledge around CSPs and promote their activities to candidates before the election. Some CSPs are considering working with local political parties to ensure that those involved in selecting candidates for a PCC are fully aware of CSPs and the possibilities of success for a PCC willing to work with them in partnership.

Ultimately, a CSP can be doing fantastic work, but if a PCC is unaware of it or does not view the evidence of it, then they will be less likely to regard a CSP as a strong partner in community safety. It is therefore vital that CSPs spend the remaining time before the election strengthening their evaluations, building an evidence base, and developing a powerful communications strategy to demonstrate clearly the benefits of working with CSPs.

Some areas are trialling the creation of a single, force-wide strategic assessment, summarising the content of each CSPs assessment, to present to the PCC; this will ensure that the PCC's police and crime plan is informed by the same data as CSPs' partnership plans. Having this in place should enable an alignment of priorities, and a discussion about how these will be tackled by the PCC and CSPs in partnership, rather than as parallel entities (see also chapter 9).

Checklist for CSPs

Have you:

- briefed your chief executive, council leader, and senior responsible authority members on the forthcoming changes and the impact on them?
- come together with fellow CSPs in your force area?
- together, discussed the possibility of:
 - a single strategic assessment
 - a joint commissioning framework
 - a welcome pack for the PCC
 - an access point of engagement to partnerships for the PCC?
- planned a programme of evaluation of, and communication about, your work?

8. What if we do nothing?

There is a temptation, in particular among those opposed to the election of police commissioners, to carry on as normal. In some areas the amount of grant funding transferred to the PCC's control will be an insignificant percentage of that area's total spend on community safety, and local leaders may regard the PCC as hostile to the continued existence of the CSP.

This would be a mistake. Research conducted by the LGA showed that the public's top priority for incoming PCCs was anti-social behaviour. PCCs are likely to find they need to engage with councils and CSPs to deliver on their manifesto commitments, and the police will struggle to deal with anti-social behaviour and other issues without the engagement of councils. Furthermore the legislation is particularly designed to support the links between PCCs and CSPs, and if properly managed the relationship could be fruitful for all parties. It may well be that the emphasis is on the CSP (or group of CSPs) to drive the relationship, at least initially, as the PCC is likely to consider their prime relationship to be with the chief constable.

It is vital that CSPs strive to ensure that workstreams are aligned with the PCC. Failure to do so will result in parallel strategies competing for diminishing resources, diluting the efforts of both. A CSP strategy that does not in some way complement the aims of the PCC is extremely unlikely to receive community safety grants, and partners will struggle for

direction. Most importantly, the key partner in community safety – the police force – is likely to give precedence to the direction set by the PCC.

This will result in poorer outcomes for communities, as organisations retreat into silos, public spending is duplicated, and the small resource left to spend on community safety is much less efficiently distributed. Ultimately partners could seek to withdraw from CSPs and partnership working will cease.

9. Having a successful relationship with your PCC

The alarming scenarios painted in the previous chapter need not happen, of course. Once the PCC is in post, the successful CSP will engage with him/her and draw up complementary strategies to support joint objectives, with funding and resources aligned across partnerships to focus on the areas of greatest need.

Early days

To make this happen, it is important to consider the points made previously about engaging the PCC. Following the election, the PCC is likely to be busy with organising their own office, fulfilling media obligations, and starting to think about producing their police and crime plan. The staff of the police authority will be transferred to work for the PCC just after the election, and it is with these individuals that the months of joint work invested prior to the election will bear fruit.

In the hectic early weeks of the PCC's leadership, their new chief executive will fulfil a vital role in managing the PCC's commitments and ensuring their obligations are met. As these will include joint working with CSPs, you will need to work with the chief executive of the police authority in the months prior to their transfer to ensure they are fully aware of your CSP's capabilities, achievements, priorities and planning cycle. The successful CSP will cultivate this relationship well in advance of the election.

Working together

As the purseholder of community safety grant funding, the PCC's relationship with the CSP will include both partnership and commissioning. There are likely to be many opportunities for CSPs to present themselves as preferred delivery partners but CSPs will need to present a convincing case (funding and commissioning of CSPs are discussed in detail in chapters 4 and 5).

As discussed in chapter 7, some CSPs are already considering a shared single strategic assessment across the force area (although some fear their own area's issues will be swallowed up in a greater mass of data). Should a police and crime plan be informed by the same evidence base as a CSP's partnership plan however, then there would be a greater likelihood of identifying shared priorities, which would in turn result in a higher probability of developing joint work between the PCC and CSPs.

CSPs need to consider how they will create this new partnership with the PCC, and turn it to the advantage of communities. There is a possibility in the time of transition to create a stronger entity across the force area that provides better outcomes for local people at a reduced cost, but CSPs will need to ensure that they are envisaged as willing partners to the PCC (as opposed to being resistant to change) and are open to responding to new opportunities.



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