



# Overview & Scrutiny Committee

All Wards

29 July 2009

## 8. SCRUTINY OF CRIME AND DISORDER MATTERS - ARRANGEMENTS

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(Report of the Head of Legal, Democratic & Property Services)

### 1. Purpose of Report

To inform Members about required changes to the Scrutiny function to accommodate the scrutiny of crime and disorder matters and to consider what procedures the Council should adopt for the scrutiny of crime and disorder matters.

### 2. Recommendations

The Committee is asked to **RECOMMEND**

**a way forward for how this Council should approach the scrutiny of crime and disorder matters.**

### 3. Financial, Legal, Policy and Risk Implications

#### Financial

- 3.1 There are no financial implications at this stage. However, depending on the arrangements adopted by the Council for the scrutiny of crime and disorder matters and the use made of the process by Members, there may be a need to consider additional resources to support the Scrutiny function.

#### Legal

- 3.2 As set out in the report.

#### Policy

- 3.3 The Council currently has no formal policy or procedure on the scrutiny of crime and disorder.

#### Risk

- 3.4 If the Council fails to adopt a policy and procedure for the scrutiny of crime and disorder matters, this would result in a failure to comply with a legislative requirement; the loss of an opportunity to improve or achieve an outcome for local communities with regards to crime and disorder issues; and it would affect the Council's reputation.

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### Sustainability / Environmental

- 3.5 There are no sustainability, environmental or climate change implications.

### Report

#### 4. Background

- 4.1 Sections 19 and 20 of the Police and Justice Act 2006 sets out provisions requiring local authorities to have a Crime and Disorder Overview and Scrutiny Committee to review or scrutinise the decisions and actions of Crime and Disorder Reduction Partnerships (CRDPs) in England and Wales. These provisions came into force on 30 April 2009. As an interim measure, the Council's constitution was amended to specify that the overarching Overview and Scrutiny Committee operates as the acting Crime and Disorder Scrutiny Committee at this time until formal arrangements could be agreed.
- 4.2 Members have asked for information about arrangements for the scrutiny of crime and disorder matters at the Council. There is a need to ensure that appropriate procedures are set out in the Council's Constitution for the scrutiny of crime and disorder matters.
- 4.3 The Overview and Scrutiny Support Officers have met with the Head of Strategy and Partnerships, the Portfolio Holder for Community Safety and the Chair of the Overview and Scrutiny Committee to discuss possible options for establishing a structure to effectively scrutinise crime and disorder matters. The options discussed at this meeting are explained below.

#### 5. Key Issues

##### The purpose of Crime and Disorder Scrutiny

- 5.1 There are several roles that a Committee or panel can perform when undertaking the scrutiny of crime and disorder issues. Any established Committee or panel would be able to: hold the Crime and Disorder Reduction Partnership (CDRP) to account for its decision making; scrutinise the performance of the CDRP; and undertake policy reviews of specific crime and disorder issues. The Committee could also help to highlight and challenge people's perceptions of crime and disorder in the local area and undertake community engagement and consultation to establish local people's priorities for crime and disorder issues.
- 5.2 The legislation stipulates that any Committee or panel established to scrutinise crime and disorder matters must meet at a minimum once a year. The Comprehensive Area Assessment (CAA) will consider

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whether the scrutiny function at the Council is rigorously scrutinising performance in relation to crime and disorder and community safety issues. It is therefore important that the Council takes the opportunity now to establish a clear and robust process to scrutinise crime and disorder matters.

- 5.3 The following three options have been suggested by Officers and are detailed below for the consideration of the Committee.

### Option A: Current Overview and Scrutiny Committee

- 5.4 Option A would involve establishing the current Overview and Scrutiny Committee as the Crime and Disorder Scrutiny Committee. The Committee would programme specific (a) meeting(s) during the year where members would only scrutinise specific crime and disorder issues. The legislation stipulates that if the Council uses this model, the Council would have to ensure that at least one of the meetings held by this Committee was a large scale event. The committee would need to consider crime and disorder matters during at least one meeting of the Committee a year.
- 5.5 Members of the CDRP would be invited to the meeting(s) and to work with the Committee to establish an agenda for the meetings. The Committee would be able to commission Task and Finish Groups to conduct crime and disorder policy reviews as appropriate. This Committee or the general Overview and Scrutiny Committee would be expected to continue to receive the Portfolio Holder for Community Safety's Annual Report.
- 5.6 There are some advantages to using this model. The first is that there is already an established structure to support the model. This would ultimately mean that the administration of the Committee would be more straightforward for Officers and Members of the Council.
- 5.7 However, there are a number of significant disadvantages in adopting this model. Restrictions on timeframes may pose an issue to using the current structure. Presently, the Overview and Scrutiny Committee has meetings programmed to take place once every three weeks. The agenda for these meetings are often established far in advance of the date of the meeting so that the Committee has a busy Work timetable. Consequently, it may become difficult to find suitable meeting dates from these programmed meetings in which to hold the scrutiny of crime and disorder meetings.
- 5.8 Furthermore, if the Committee only managed to schedule a meeting once or twice a year to consider crime and disorder matters, it could be questioned whether this number of meetings would be enough to meet the requirements of the legislation. In addition, a limited number of scrutiny meetings focusing on crime and disorder issues

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might reflect poorly in CAA assessments of the Council and the role of scrutiny at the Council.

- 5.9 It is envisaged that with the increased emphasis on the Council to undertake scrutiny of crime and disorder, Members involved in this would be able to develop a deeper knowledge of this subject area. It is likely that if the Committee was only to meet once or twice a year to specifically consider crime and disorder matters, Members would find it difficult to develop a consistent and up to date knowledge of crime and disorder issues. This system would also make it problematic for partner representatives to familiarise themselves with the scrutiny process.
- 5.10 This model could potentially place an emphasis on crime and disorder scrutiny taking the form of Task and Finish Group reviews. However, there is no guarantee that issues relating to crime and disorder would be proposed for Task and Finish Group reviews. There is also the danger that items relating to crime and disorder matters might be proposed for Task and Finish Group reviews in order to meet a perceived need to demonstrate that the Council did undertake crime and disorder scrutiny rather than because a review needed to be done.
- 5.11 It should also be noted that it will not be suitable to regard the meeting when the Portfolio Holder for Community Safety delivers an Annual Report as one of the meetings that fulfil the requirement. The guidance issued by the Home Office for crime and disorder scrutiny, 'National support Framework: Delivering Safer and Confident Communities' (May 2009), stipulates that scrutiny should focus on the work of the Crime and Disorder Partnership rather than on individuals.

### Option B: Crime and Disorder Scrutiny Panel

- 5.12 This option would involve establishing a stand alone Crime and Disorder Scrutiny Panel. This Panel could consist of a small number of Members, preferable chaired by a Member of the Overview and Scrutiny Committee. It would be able to hold as many meetings as it wished during the year. The Panel would have to report its activities and any recommendations it wanted to make to the overarching Overview and Scrutiny Committee. This could be achieved through appointing a member of the Overview and Scrutiny Committee to Chair the Panel, as that Member could then deliver regular updates to the overarching Committee regarding the work of the Panel.
- 5.13 The Panel could establish Task and Finish Groups to undertake crime and disorder policy reviews or it could undertake its own reviews. The Panel could also consider any crime and disorder related Councillor Calls for Action.

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- 5.14 As with Option A, the implementation of Option B has a number of advantages and disadvantages. Having a panel that could meet on a regular basis would mean that the Members on that panel would have an opportunity to develop 'expertise' in scrutinising crime and disorder issues. This arrangement would also enable the Members on the panel to build up a close working relationship with representatives from the CDRP as they would be meeting with them on a regular basis. The Panel would be able to programme a set number of meetings into the Committee timetable during the year and would develop a clear work programme.
- 5.15 There are, however, a number of disadvantages in implementing this option. The capacity of Members to form a further panel is limited and the addition of a new panel may cause extra strain on capacity levels. There potentially may also be an issue of the capacity of the Overview and Scrutiny Officers to service both this Panel and the work of the Overview and Scrutiny Committee in addition to its associated Task and Finish Groups. To overcome this potential problem, Officer and Members would have to work together to plan and monitor the workload of the Overview and Scrutiny Support Officers.

### Option C: Joint Crime and Disorder Committee

- 5.16 Option C would involve Members from both Redditch and Bromsgrove Councils forming one Joint Crime and Disorder Scrutiny Committee. This would work in a similar way to the Panel discussed in Option B. The Joint Committee would have to report to both Redditch's and Bromsgrove's respective overarching Overview and Scrutiny Committee's. The Committee would look at both Redditch and Bromsgrove related crime and disorder issues and could establish Task and Finish Groups to undertake crime and disorder policy reviews or it could undertake its own reviews. Again, the Committee could consider any crime and disorder related Councillor Calls for Action.
- 5.17 Again, as with the previous two options, there are advantages and disadvantages to implementing this model. On the positive side, this option would enable both Councils to reduce any possible duplication of work for both Community Safety Officers and the Police. This arrangement would be less likely to impact on the capacity of Members at each of the authorities. In addition, a 'pool' of Members with 'expertise' in scrutinising crime and disorder issues could be developed.
- 5.18 This option would also demonstrate that the Council had explored the possibilities for shared services and joint working between Redditch and other local authorities (this corresponds with the Council's Corporate Plan target WM10).

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- 5.19 There are also a number of disadvantages to using this model. One of the biggest issues in the implementation of this option would be the amount of time it would take to develop the structures to deliver crime and disorder scrutiny. There are numerous logistical issues that would need to be addressed including: where meetings should take place; how scrutiny officer support should be organised; and how the budget would be managed.
- 5.20 Sharing officer support for this Committee could be difficult when trying to maintain consistency for policy reviews, planning of agendas and work programme planning. It could also potentially cause difficulties for external partner organisations who might not know who to contact regarding crime and disorder scrutiny arrangements. Both Councils would have to consider how to make this arrangement fully 'joint'. The legislation states that even if both Councils were to pursue joint arrangements, each Council would still need its own individual crime and disorder scrutiny arrangements.

### 6. Other Implications

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|------------------|---|---|
| Asset Management | - | There are no asset management implications.   |
| Community Safety | - | This legislation provides an opportunity for the Council, through scrutiny, to strengthen and enhance the work of the CDRP and to contribute to tackling crime and disorder issues in the town. |
| Human Resources  | - | There may be a requirement to consider staffing implications in order to further support the scrutiny function depending on the policy and procedures adopted by the Council.                   |
| Social Exclusion | - | There are no social exclusion implications.   |
| Sustainability   | - | There are no sustainability implications.   |

### 7. Conclusion

- 7.1 It is important that the Council considers its approach to the scrutiny of crime and disorder matters and adopt appropriate arrangements.

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### 8. **Background Papers**

National Support Framework: Delivering Safer and Confident Communities', (Home Office, May 2009).

Relevant legislation.

### 9. **Consultation**

Consultation has taken place with relevant Borough Council Officers, the Chair of Overview and Scrutiny Committee, and the Portfolio Holder for Community Safety.

### 10. **Author of Report**

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### 11. **Appendices**

Appendix 1 - Diagram demonstrating Crime and Disorder Partnership Structures and the potential structure for the scrutiny of crime and disorder at the Council.

# Appendix 1