

APPENDIX A

**REVIEW OF THE PARTNERSHIP
PROVISIONS OF THE CRIME AND
DISORDER ACT 1998 – REPORT OF
FINDINGS**

Executive Summary

The Government announced a review of the partnership provisions of the Crime and Disorder Act 1998 in the police reform White Paper - *Building Communities, Beating Crime* - in November 2004. The review was conducted jointly by the representative bodies of all the agencies with responsible authority status on CDRPs/CSPs, and included input via regional workshops from well over 400 practitioners and other stakeholders. Representatives of other key central Government departments were also involved.

The partnership landscape has changed substantially since CDRPs and CSPs were first created in 1998, this coupled with the introduction of Local Area Agreements and the changing role of local government presents new challenges for CDRPs and CSPs. Changes in the Criminal Justice System and the delivery of the police reform agenda will also impact on how CDRPs/CSPs do business. The review, therefore, was a timely piece of work that will help ensure all CDRPs/CSPs are in a good position to adapt to a changing delivery landscape and take on any new challenges.

We have broken our proposals down under five main headings – Structures, Delivery, Governance and Accountability, Mainstreaming and National Standards.

Structures

The geographical disconnection between CDRPs and other key partner agencies such as LCJBs and DAATs 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, 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.

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.

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.

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.

1 – INTRODUCTION

1.1 The Crime and Disorder Act 1998 put Crime and Disorder Reduction Partnerships (CDRPs) (now known as Community Safety Partnerships – CSPs – in Wales) on a statutory footing for the first time. The Act required Local Authorities and the police to come together to review the pattern and extent of crime and disorder in their local area and to implement a strategy for tackling these issues. This legislation was widely welcomed at the time, and is generally believed to have led to real local successes in tackling the problems of crime, disorder, substance misuse and anti-social behaviour that still blight far too many people's lives. However, it is clear that some CDRPs/CSPs have achieved significantly better results for their communities than others, and we felt that it was important to understand the reasons for this. That is why we announced in the police reform White Paper in November 2004 - '*Building Communities, Beating Crime*' a review of the partnership provisions of the 1998 Act, as amended by the Police Reform Act 2002.

1.2 The review was conducted jointly by the representative bodies of all the agencies with responsible authority status on CDRPs/CSPs, and included input via regional workshops from well over 400 practitioners and other stakeholders. Representatives of other key central Government departments were also involved. This report draws heavily on the original review team's recommendations, whilst also reflecting the wider context of developments that will impact upon community safety such as the roll out of Local Area Agreements, the Home Office's own proposals for restructuring the police service, and the debate stimulated recently by ODPM on the future of local government. Where what we are proposing in this document departs from the review's original position, we say so and explain the reasons for the change.

1.3 We have broken our proposals down under five main headings – Structures, Delivery, Governance and Accountability, Mainstreaming and National Standards. These reflect quite neatly the themes and issues which emerged during the review.

2 – STRUCTURES

The growth in the number of partnerships at local level and the increasingly complex delivery landscape present significant challenges for CDRPs/CSPs. This section looks at the following issues:

- The role of CDRPs/CSPs within the local delivery landscape
- How CDRPs/CSPs manage the complexity of that landscape
- Getting the right people around the partnership table

The role of CDRPs/CSPs

2.1 The 1998 Act placed an unambiguous duty on local authorities and the police to work together to identify the pattern of crime and disorder in their area and implement strategies for tackling these problems. Subsequent changes have:

- extended CDRPs' duties to include tackling the misuse of drugs, and anti-social behaviour¹;
- led to the merger in many parts of the country of CDRPs with Drug Action Teams. Full integration has taken place in Wales;
- provided the Secretary of State with the power to make an order to merge two or more CDRPs as long as he considers it to be in the interest of reducing crime and disorder, or of combating the misuse of drugs, to make the order; and
- widened the "responsible authority" family to include police authorities, fire and rescue authorities and primary care trusts.

2.2 However, there are far more partnerships operating locally now than was the case in 1998 and this, coupled with some other major developments such as the advent of Local Area Agreements (LAAs) means that CDRPs face some complex questions now about who they need to engage with, on what, and how. These were not questions which had quite the same complexity when CDRPs were created, and answers to them are needed now if partnerships are to operate at maximum efficiency.

Context

2.3 The Government started the local vision debate in 2004 with local government and other stakeholders. It is leading the development of a Government wide strategy for the future of local government. The debate has so far generated productive ideas, on local leadership, neighbourhoods and

¹ Section 1 of the Clean Neighbourhoods and Environment Act 2005 stated that the CDA 1998 shall be amended as follows: In section 6 of the Crime and Disorder Act 1998 (c. 37) (formulation and implementation of crime and disorder reduction strategies), in subsection (2)(a) (reviews), in each of sub-paragraphs (i) and (ii) after "crime and disorder in the area" insert "(including anti-social and other behaviour adversely affecting the local environment)".

the performance framework. Through the local vision debate, the Government seeks to:

- understand what the strategic role and function of local government should be (in the future) - given prevailing trends in government policy and changes in society (e.g. expectations, demography and technology); and
- build consensus for that new role across local, regional and central government, and other partners working to govern and deliver in local areas.

No decisions have been taken about whether or not in some way to go for a reorganisation of the two-tier structure in local government but consideration of local government structures is part of this wider debate about governance in the 21st century. The Government has sought views on whether there is a need for single tier local government; any change in local government structure will follow and need to be consistent with the changes that are currently being discussed in health and community safety.

2.4 On 8 December, the Government set out its vision for the role of local government within this complex partnership landscape in its consultation paper on the future development of Local Strategic Partnerships (LSPs) in England, 'Local Strategic Partnerships: Shaping their future' As that paper says, we see LSPs as the 'partnership of partnerships' within a local area 'ensuring that the lines of responsibility between partners and partnerships are clearly drawn and that duplication is avoided.' CDRPs have a vital role within this family of partnerships at local level, maintaining a focus on their primary function to tackle crime and disorder, anti-social behaviour and substance misuse but also influencing and being influenced by the area's Sustainable Community Strategy. A number of LSPs and CDRPs have already begun to work in this way, with the CDRP operating as a thematic sub-group of the LSP, and by aligning their three-year crime and disorder reduction strategy to the wider community strategy.

2.5 This new way of working is of course being brought into much sharper focus with the introduction of Local Area Agreements which are being rolled out across all top tier authorities in England from 2007/08. Safer and Stronger Communities is one of four blocks within Local Area Agreements. These developments are intended to strengthen partnerships and reduce the bureaucratic burden on them. They represent a new relationship between central and local government where funding is linked to the outcomes that areas, in consultation with their communities, want to achieve. LAAs and LSPs do not apply in Wales, so CSPs are unaffected by these initiatives.

2.6 The delivery landscape within which CDRPs/CSPs operate is also influenced by the Criminal Justice System, and the emerging picture on police reform. In April 2003, Local Criminal Justice Boards (LCJBs) were introduced to deliver the Government's priorities for the CJS; improving the delivery of justice, improving the service provided to witnesses and securing public

confidence in the criminal justice system. LCJB partnerships consist of the Chief Officers of Police, Crown Prosecution Service, Magistrates and Crown Courts, Youth Offending Teams, Probation and Prison service.

2.7 CDRPs and LCJBs have distinct roles and responsibilities. However, preventing and reducing crime and the efficient operation of the criminal justice system need to be seen as a continuum of activity by CJS and community safety agencies. The agencies working along this continuum need to engage closely with one another at the points where their agendas overlap or interface in order to provide a service to the public that reflects their priorities and concerns. Increasingly therefore, CDRPs and LCJBs are finding that they need to join up mutual areas of interest particularly issues such as domestic violence and the Prolific and Other Priority Offenders strategy. In response to this changing environment, the Home Office and Office for Criminal Justice Reform has recently published a document entitled 'CDRPs (CSPs) and LCJBs: How to work together' for both partnerships and boards to help them to work more closely together when it makes sense for them to do so.

2.8 The second wave of police reform will also have major implications for partnership working at CDRP level. We have set a very challenging timescale for police forces and authorities to submit options for restructuring in order to achieve the establishment of strategic forces which we believe is the best long term business solution for the police service. We are also convinced that co-terminosity between CDRPs and police force Basic Command Units needs to be achieved nationally in order to maximise the enormous benefits for partnership working that flow from co-terminous boundaries between police and local authorities.

Reducing the number of partnerships

2.9 One way to simplify a crowded delivery landscape is to take the opportunity, wherever possible, to reduce the total number of partnerships. This is obviously not as simple as it sounds, however, and should only be done where it is clear that the result will be benefit local communities by facilitating the delivery of better outcomes for them, whilst maintaining local focus. We have looked at whether, for example, there is a case in two-tier areas for simply creating one CDRP at county level, rather than having one per district as now. While that might be bureaucratically tidy, however, we have ruled this and similar options out on the grounds that they would make CDRPs too remote from the communities they serve, and be out of step with, for example, the Government's localism agenda and the neighbourhood policing initiative. Nonetheless, that is not to say that nothing can be done.

2.10 The first thing that we wish to do is to take a much more active role in encouraging **CDRP mergers.** The demands of community safety work, and the complex environment within which this work is undertaken, mean that all too often, smaller CDRPs lack the critical mass and infrastructure they need. The benefits of merger – economies of scale, and significantly greater

capacity to plan and undertake delivery of what their communities need in terms of community safety – are considerable. Underlining this message, the National Audit Office² commented in a report in December 2004 that smaller neighbouring partnerships should be encouraged to collaborate more closely, for example by sharing resources or where appropriate by merging in order to build up greater levels of expertise and resources to tackle crime. The NAO drew particular attention in this context to their finding that those crime reduction projects most ‘unlikely to lead to a demonstrable reduction in crime’ were those which were small scale and low cost.

2.11 Increasing the number of merged CDRPs will also facilitate greater co-terminosity across agency boundaries, particularly with the Basic Command Unit structure that operates within police force areas and with Primary Care Trusts which are increasingly being aligned with county council boundaries in two-tier areas.

2.12 The power to merge CDRP areas already exists in statute³ but we are not at this stage thinking of compelling mergers. We will, however, be asking the Government Regional Offices (GOs) to work with local partnerships to assess the case for mergers in their areas, against some criteria that we will be developing over the coming months. In taking this work forward, we will be working closely with ODPM as well as with regional and local partners to ensure that we do not end up with merged CDRP boundaries which are out of step with the likely future structure of local government itself.

2.13 Another way of reducing the number of partnerships is to push for further integration in England of CDRPs and DATs (they are already fully integrated in Wales). Where this has happened, the result is a single unified partnership with a clear focus and investment to tackle crime and disorder, anti-social behaviour and substance misuse. Real benefits in terms of joint commissioning of initiatives have arisen. We expect it also to secure the better involvement of health partners and encourage and support the engagement of the voluntary and community sector in partnership working. In keeping with this broadening of their remit we intend formally to **extend the role of CDRPs by placing a duty on responsible authorities to prevent and reduce crime and disorder, anti-social behaviour, behaviour adversely affecting the environment and substance misuse in their local area.**

Strategic decision making

2.14 While we are clear that CDRPs and Drug (& Alcohol) Action Teams need to integrate fully to improve their overall effectiveness, this is very difficult to achieve in two-tier areas, where they are sited at different levels. And the same geographical disconnection lies at the heart of many of the problems that CDRPs and LCJBs have encountered when it comes to effective joint working – the sheer number of CDRPs with which the LCJBs

² ‘Reducing Crime, the Home Office working with Crime and Disorder Reduction Partnerships’ – National Audit Office (December 2004)

³ section 97(3) of the Police Reform Act 2002

need to collaborate mitigates against success. The review team considered this particular difficulty, and came up with a solution for two-tier areas based on the idea of separating the strategic responsibilities of CDRPs from those relating to operational delivery, placing the former at the county level. This is something that stakeholders involved in the review told us was already happening in some parts of the country, with positive results.

2. 15 Broadly speaking, the review distinguished the two functions of CDRPs as shown in the box below.

Functions of CDRPS

STRATEGIC

Identifying short, medium and long-term strategic priorities for community safety encompassing crime, anti-social behaviour, behaviour adversely affecting the environment and substance misuse.

- Commissioning and considering regular strategic intelligence assessments informed by community consultation and engagement
- Committing resources
- Overseeing performance and removing barriers to performance improvement
- Responsible for the interface between CDRPs and others with connected areas of responsibility (LCJBs, LSPs, YOTs, CYPSPs, CTs and Police Authorities etc)

OPERATIONAL

- Translating high-level strategic priorities into local action plans for delivery
- Key partners coming together on a more regular basis
- Commissioning and considering day to day 'operational' intelligence assessments to identify immediate priorities for action
- Commissioning community safety services and deploying resources – on either a locality or thematic basis
- Performance and risk management of community safety services

(In two-tier local authority areas, this operational function may need to be carried out at sub-county level with groups of district CDRPs working together or at county level depending on the nature of the priority to be addressed. For example, a thematic group may be set up at county level to provide a strategic approach to tackling incidents of domestic violence across the whole area).

We think that this distinction is right, and are greatly attracted to the notion that the performance of CDRPs/CSPs would be improved if they split their strategic and operational functions. So much so, in fact, that we have decided

to go beyond the review team's original proposal and require all CDRPs/CSPs to adopt this approach, not just those operating in two-tier areas.

2.16 We are very mindful of the need to avoid creating new structures without good reason but also of the new dimension to the debate which LAAs have added. Given how important a role CDRPs have in the delivery of the LAA Safer and Stronger Communities block, we have decided that at least some of CDRPs' key strategic functions, should, in future rest at the Local Strategic Partnership level, although the precise detail of the balance of responsibilities between the CDRP and the LSP will need to be considered further. This shift would fit with the fact that the Local Strategic Partnership already has a strategic co-ordinating role for the area - effectively LSPs act as the partnerships of all partnerships at a local level and in particular ensure a Community Strategy and LAA is produced and agreed by all parties. We will be working closely with stakeholders to reflect in more detail through, for example, national standards how we expect CSPs/CDRPs to split their strategic and operational functions.

In practice, this will mean that the responsibility will sit with the unitary LSP, and at the county level in two-tier areas. This will allow appropriate strategic links to be made with all the key players and initiatives locally, including LCJBs, DAATs, Youth Offending Teams and the relevant health service structures. Very importantly, it also makes quite clear the relationship between the CDRP and the LSP, which has been a source of some confusion locally until now.

2.17 We recognise that there will be some concerns about the capacity at LSP level to take on this important new role. However, ODPM supports this broad approach as it fits with the overall role for the LSP established in their consultation 'Local Strategic Partnerships: Shaping their future', and we will work further on this with them as part of the follow up to the consultation document on the wider role of LSPs published on 8 December.

Getting the right people around the partnership table

2.18 In order for the strategic decision making and operational delivery functions of community safety to be successfully discharged, the right people need to be at the right partnership table at the right time. We see two dimensions to this issue. The first is to be clear that the responsibilities of the individual partner agencies appropriately reflect their role in the delivery of safer communities. The second relates to the level at which those agencies should, ideally, be represented in the various phases of the work.

2.19 Taking agencies' responsibilities first, there currently exists a 'hierarchy of participation' which recognises that whilst many agencies and non statutory bodies including the business and voluntary and community sectors have a role to play in community safety locally, a handful of key agencies are ultimately accountable for delivery. One of the findings of the review team was that Chief Officers of Fire and Rescue Services should be given the same "responsible authority" status as Chief Officers of Police, in

recognition of the importance of their contribution. We absolutely agree that that their contribution is crucial, but our legal advice is that this recommendation cannot be implemented as intended because, unlike Chief Constables, Chief Fire Officers have no legal status independent of the authority they serve. We will therefore **use our proposed national standards for partnership working (see chapter 6 below) to make a formal statement of the role of Chief Fire Officers in the process**, in order to underline the importance of the role they have to play.

2.20 It is probably worth saying a word here in recognition of the challenges that Primary Care Trusts and other health services face in contributing to community safety through partnership. Primary Care Trusts became responsible authorities on 1 April 2004 and although much progress has been made in the drugs arena, more needs to be done to ensure that health partners engage and communities reap the benefits of collaborative working. Health services themselves can derive much benefit from partnership working to improve community safety. Investing in partnership work to reduce alcohol abuse and violent crime for example, will lead to reduced demand for local health services and thus release savings for reinvestment. Despite the planned structural changes within the Health Service and the role of the Primary Care Trusts in providing local healthcare, it is vitally important for the role of health authorities to continue within the CDRP/CSP framework.

2.21 Turning to the question of who should represent the individual agencies at what stages in the process, we recognise that this has always been left to local decision, and we do not intend to change that – although we will certainly want to **discuss models with stakeholders as we develop and consult upon our proposed national standards for partnership working** (see below). For example, it would seem clear that the local authority cabinet member with responsibility for community safety must be a member of the Local Strategic Partnership: it is at the LSP where the strategic decisions affecting CDRPs/CSPs will be made under our new model, and it is also here where the LAA is managed. Having the community safety portfolio holder fully engaged with these key processes will be essential. This issue was initially considered within the ODPM Consultation “Local Strategic Partnerships: shaping the future”.

2.22 Finally, the Home Secretary wishes to reflect the rapidly changing nature of the wider partnership landscape – and the Government’s drive to reduce bureaucracy - by taking **a power to extend the list of responsible authorities within the meaning of the 1998 Act by means of secondary rather than primary legislation**. There may be occasions when this is needed in the future (for example, we are at a preliminary stage of discussion with DH officials about the possibility in relation to NHS Trusts) and secondary legislation represents a much simpler and faster way of achieving the same result.

3 - DELIVERY

Effective delivery relies on good decision making and good decisions are based on good information. This section outlines the following proposals that were developed from the review findings:

- Introducing intelligence led partnerships
- Introducing annual 3 year rolling community safety plans
- Improving information sharing

Intelligence led, outcome focussed delivery

3.1 In this section we set out our vision for delivery, both strategically and operationally. The changes outlined here build on good practice identified during the process of the review. At their heart lies the drive to provide a framework that will enable partnerships to be more responsive to the needs and concerns of local people. To be responsive, CDRPs/CSPs need to be well informed about the crime, anti-social behaviour and substance misuse risks and problems in their area through the use of real time intelligence and data. It is the use of this real time intelligence that should direct partnership activity both at a strategic level and at the level where strategic priorities are translated into action, at neighbourhood level.

3.2 The changes outlined in this section set out a vision for an intelligence-led, problem-solving and outcome oriented approach to community safety – enabling all partners to collaborate and target their efforts where they are most needed. By fully exploiting the data already collected by local agencies, we want CDRPs/CSPs to build and maintain an up-to-date, comprehensive picture of local community safety. This intelligence can then be used to inform every aspect of partnership business; from how to prioritise and target resources, and balance swift enforcement with early intervention and longer term prevention, through performance and risk management, to when and where to focus intensive efforts to engage communities.

3.3 To be genuinely responsive to what are often complex and multi-faceted problems, agencies need to collaborate in different ways at different levels. Long-term crime prevention measures require input at a strategic level from all those setting priorities for public services in a locality. Similarly, the everyday maintenance of safety and security in a local area is dependent on a wide range of services and activities across the public, private, voluntary and community sectors.

3.4 We believe that a responsive framework needs to be based on the aims and principles of the police National Intelligence Model (NIM). NIM is a system for using intelligence and information to direct police activity enabling police forces to trace the continuum between anti-social behaviour and the most serious crime, and to identify those local issues most in need of attention. It ensures that information is fully researched, developed and analysed to provide intelligence that senior managers can use to inform

strategic direction, make tactical resourcing decisions about operational policing, and manage risk.

3.5 Although the business processes of NIM may not always be directly transferable to a multi-agency environment, its principles and many of its practices are just as relevant. There is a huge range of intelligence gathered, produced and retained by the many bodies operating within a locality. Brought together, this intelligence has the power to produce a much more focused assault on the drivers of crime, anti-social behaviour and substance misuse.

3.6 Information-based problem-solving approaches to partnership working are nothing new; many areas already operate in this way. They provide a framework for every community across England and Wales, which provides sufficient flexibility to take account of local circumstances whilst providing a set of common standards for all.

3.7 At the strategic level, intelligence led partnership working will mean more effective and co-ordinated strategic planning across partner agencies and with other local partnerships. Chief Officers of partner agencies will need to consider strategic intelligence assessments on a six-monthly basis, in order to set – and then review – the strategic priorities for the area. These will include crime, victim and offender data, along with other relevant local profiling for the purposes of risk assessment and resource allocation and draw on softer intelligence generated through community consultation and engagement carried out at district and neighbourhood level. We expect that partners working together at a strategic level will be able to make better informed decisions about where resources need to be deployed in order to make the biggest impact, and improve their performance and risk management processes. For those designing and delivering services, it will support smarter responses to emerging problems and better targeting of resources – to enable maximum impact on the safety of the local environment.

3.8 CDRP strategic priorities will be translated into action at the operational level by senior officers from the partnership agencies. Senior officers with the authority to take decisions and deploy resources will commission and co-ordinate the action required to secure delivery of the CDRP's community safety priorities.

3.9 In order to achieve all this we will **adapt NIM to the partnership environment, and require (by means of national standards) its use by all those discharging the strategic or operational functions of community safety.**

Annual 3 year rolling community safety plans

3.10 At present, CDRPs are required to carry out triennial audits of crime and disorder and drugs misuse and to implement strategies for tackling the problems these audits identify. Three audit cycles have been completed

since the Act was introduced in 1998 and they have been useful stand-alone assessments. However, three year audits are also resource intensive and often now seen as a distraction from delivery, tying up key partnership staff for up to a year in their production. The reality on the ground is that many partnerships are becoming increasingly performance focussed and intelligence-led; informed by real-time information and community intelligence.

3.11 In place of the three yearly audits we believe **CDRPs/CSPs should undertake regular strategic assessments, at least on a six monthly basis, which will need to tie in with the six monthly progress reports for Local Area Agreements to avoid duplication.** This would be in keeping with the approach adopted by many well performing partnerships.

3.12 With the lifting of this requirement, we also want to see a change in the way in which CDRPs/CSPs approach the development of their community safety strategies. Many CDRPs/CSPs already review and revise their three year strategies on an annual basis to reflect shifting patterns of crime, anti-social behaviour and substance misuse. We therefore intend to **repeal the requirement for triennial audits and strategies, replacing this with a requirement for annual rolling three year community safety plans.** These plans would be underpinned by the six-monthly strategic intelligence assessments and informed by consultation and engagement with communities. They will need to be firmly integrated with the Sustainable Community Strategy and Local Area Agreements as well as local thematic plans such as the Local Policing Plan, Local Area Agreements, the Youth Justice Plan and the Children and Young People Strategic Plan.

Improving information sharing

3.13 The intelligence-led framework for delivery described above relies on effective analysis and this in turn depends on the regular availability of good quality data. However, we know that many stakeholders are frustrated by partners who do not always co-operate fully when approached with a request for information. Uncertainty over what is legally permissible is, in many cases, inhibiting data sharing. The issue is not just that legislation around data sharing can be misunderstood or misapplied. There is also a sense that the law can be used as an excuse; sometimes held up to 'justify' an inherent reluctance to share information outside a particular agency, or for purposes that might not be that agency's primary objective.

3.14 The use and exchange of data identifying particular individuals are – quite rightly – carefully controlled. However, the same legislative restrictions do not apply when data do not refer to specific people or when they have been 'cleansed' to a point when individuals are no longer identifiable. Although much less problematic in terms of the legal framework, this kind of "depersonalised" information is still not always shared between agencies.

3.15 Yet it is of critical importance to local partnerships, enabling them to carry out evidence-based, targeted community safety interventions and to evaluate their impact. Routine profiling of key data sets is also vital for

performance and risk management purposes. The improved outcomes of an intelligence-led, problem solving approach to community safety can only be achieved when partners have access to a broad range of robust and up-to-date information.

3.16 To address these barriers, we intend to **strengthen section 115 of the Crime and Disorder Act, which gives relevant agencies the power to disclose information, and place a duty on responsible authorities to share depersonalised data which are relevant for community safety purposes and already held in a depersonalised format.** This duty will apply to data already collected by partner agencies in a depersonalised format.

3.17 We also believe it is vital for every CDRP/CSP to have an information sharing protocol in place which formally sets out the principles of the partnership's data sharing arrangements, detailing what will be exchanged, by whom, with whom, for what purposes and with which safeguards in place. An effective and enabling framework for inter-agency data exchange would need to include a shared understanding of its limits, as well as what it permits. We also want to ensure that, at the strategic decision making level, someone in each of the responsible authorities is given formal responsibility for facilitating data and information sharing across all partnership agencies.

4 – GOVERNANCE AND ACCOUNTABILITY

Successful partnership working depends on good governance and accountability arrangements. This section looks at how we are going to improve the democratic accountability and visibility of partnerships whilst engaging local people in community safety initiatives:

- Engaging local people in collective action to make their communities safer
- Improving the visibility of CDRPs to local people
- Getting the accountability arrangements right

Engaging local people in collective action

4.1 Community safety matters to local people. For some people it is among the biggest concerns in their everyday life. We want to transform that concern into action by providing local people with opportunities to get involved in initiatives and decision making by working through and with their local CDRP/CSP. There are a number of benefits for partnerships in involving local people and communities in action to improve community safety. Local residents probably understand their own problems better than service agency practitioners. They can be very creative with ideas for tackling crime and disorder and improving community safety in their neighbourhoods.

4.2 Community engagement is about actively involving citizens in improving their quality of life. It can involve a wide variety of approaches. For example, participation in focus groups through to participation in the governance or direct delivery of public services, including through public sector volunteering or Voluntary and Community Sector activity. CDRPs/CSPs have a strong tradition of involving their communities in community safety initiatives and under the Crime and Disorder Act are required to consult on the findings of their three year audits with a range of local agencies and local people. We intend to build on this tradition and **ensure that CDRPs consult and engage with their communities on a regular and ongoing basis.**

4.3 Under the framework for delivery described above, we envisage CDRPs undertaking regular strategic assessments based on real time data, including community intelligence. **CDRPs/CSPs will need to provide regular opportunities within this framework for delivery for local people to raise their concerns, in the knowledge that they will be listened to and their concerns addressed by local agencies.** These proposals are about putting people at the heart of public services and passing more power, control and influence to local communities.

4.4 In addition to collective action that mobilises communities to become involved in partnership led activity, CDRPs/CSPs also have a role to play in building the capacity of communities to take action that helps direct that activity. For example:

- involvement in joint tasking and co-ordination groups, where appropriate, to identify community priorities;
- influencing the deployment of resources in a local area;
- identifying incidents of anti-social behaviour and developing community based solutions to deal with it; and
- influencing the type of unpaid or reparative work undertaken by offenders as part of community orders.

Improving the visibility of CDRPs/CSPs to local people

4.5 Involving local people in community based action to improve the safety of their neighbourhoods will strengthen accountability at local level. It will also help publicise and promote interest in the work of the partnership, thus increasing the visibility of partnership agencies and the services they deliver within their communities. We are increasing the visibility of the police service in local areas with the introduction of our Neighbourhood Policing programme. By 2008 every area will benefit from dedicated neighbourhood policing teams. The public will know who their local officers are and how they can be contacted. We want people to have a genuine say in their local policing and community safety priorities. As part of this work we want to involve local people in our arrangements for improving the accountability of the police and other agencies working in partnership within the communities they serve. This will also raise their profile and encourage greater communication.

4.6 Under current arrangements CDRPs/CSPs are required to provide the Home Secretary with an annual report on the implementation of their three year strategies. We know that in many areas, CDRPs/CSPs are already using a range of creative media to publish innovative reports for local people in order to communicate consistent messages about community safety issues. The Government believes that this practice should be universally adopted as it provides local people with information on the work of the partnership and the progress made towards making their communities safer. **We will therefore in future require CDRPs/CSPs to produce regular reports to their communities. The details of this will be set out in national standards after further consultation with stakeholders.** These reports will need to be considered as part of the LSP's overall communication strategy to avoid duplication.

4.7 The principles of citizen engagement, local responsiveness and customer service lie at the heart of the Government's programmes of police, local government and criminal justice reform. Local people need to understand how local agencies are working together to build safer and stronger communities and be able to use this information to make balanced judgements about local priorities. In respect of local policing information we have introduced a provision in the Serious Organised Crime and Police Act 2005 that Police Authorities must provide information to households in the authority's area on matters relating to the policing of the area. We want partnerships to achieve a significant level of visibility within their communities and to this end have encouraged police authorities through guidance to consider additionally producing information with a partnership dimension

wherever possible. We want CDRP/CSP partners to collaborate to achieve this aim so that as a matter of course local people can expect regular information on the partnership's community safety activities. We will be working with stakeholders to provide more detailed information on this collaboration between Police Authorities and CDRPs/CSPs through national standards.

4.8 We are convinced that the public should know what community safety priorities are being delivered by partnerships and how they are performing in order to hold these agencies to account. However, **we do not believe that there is any value in retaining a requirement for CDRPs to send a separate report on their annual performance to the Home Secretary.** We have introduced internal performance management arrangements whereby the Home Office Regional Directors in the Government Offices for the Regions performance manage their local partnerships, working closely with them to develop robust performance management systems that allow for effective monitoring of local delivery. These arrangements are intended to strengthen the accountability of partnerships in delivering reductions in crime, anti-social behaviour and misuse of drugs and we believe negate the need for separate reporting arrangements to the Home Secretary by way of an annual report.

4.9 Also relevant here is the Government's⁴ Respect Action Plan (launched on 10 January 2006). This states that in future senior representatives of CDRPs will be expected to hold regular "face the people" briefings. – essentially, question and answer sessions open to the public, media and community groups. We will work this requirement into our proposed National Standards (see Chapter 6 below), and will consult with key stakeholders on the details as that work progresses..

Improving democratic accountability arrangements

4.10 Increasing opportunities for communities to have both a voice and a role in community safety is an essential prerequisite for holding to account those who are responsible for tackling crime and disorder in a local area. We will be introducing a mechanism (the 'Community Call for Action'), as outlined in the White Paper *Building Communities, Beating Crime*, whereby communities can secure a response from the police and their partners to a community safety issue that has not been adequately addressed. We are clear that ward councillors should have a key role in the process, so that the route to getting a response from the relevant agencies for local people will be through an approach to their ward councillor. We see a role for local authority scrutiny committees in looking at particularly difficult cases which cannot be resolved through the informal mechanisms which exist between the ward councillor and local partners.

4.11 Whilst we expect that the Community Call for Action will be a remedy of last resort, we are nevertheless clear that local councillors will need to play a central role in the dialogue between local agencies and local people. Many local councillors already work closely with community safety agencies at

⁴ Chapter 6, Page 28 RESPECT Action Plan published by COI on behalf of Respect Task Force

neighbourhood level and as leaders of and advocates for their communities, are uniquely placed to act as a conduit at neighbourhood level for relaying local concerns to community safety partner agencies. They are equally well placed to encourage local people to get involved in neighbourhood governance. In so doing they can help inform decisions over local community safety priorities and help to mobilise local action.

4.12 Within the framework set out in chapters 2 and 3, we believe the active involvement of elected members in community safety to be equally important at both neighbourhood and strategic levels. We want to build on this and reinforce local democratic accountability for community safety by bedding community safety arrangements firmly into local democratic processes.

4.13 Our proposals for separating out CDRPs' strategic and operational functions (Chapter 2) requires that in unitary and two-tier areas, local authority cabinet members with the portfolio for community safety should sit on the Local Strategic Partnership which owns the LAA. We will ensure that the portfolio holder's participation in the CDRP strategic decision making process is mandatory. This will:

- provide a direct link between the heart of the council's leadership and strategic community safety decision making processes; and
- ensure that chief officers of council services are held to account for those contributions;

4.14 We also set out in chapter 2 the expectation that district level CDRPs will in conjunction with the Home Office Regional Director for the area, consider carefully the merits of formally merging with other CDRPs. **Where mergers do occur we will expect all the district portfolio holders to be involved in the newly merged CDRP.**

4.15 In addition to the involvement of community safety portfolio holders in strategic decision making, back bench scrutiny committees will play a key role as part of the checks and balances necessary to hold community safety decision makers to account for the delivery of local priorities. Scrutiny Committees currently have the ability to co-opt people who are not councillors, summon members of the council executive and officers of the authority to answer questions, and invite other people to attend meetings to give their views or submit evidence. This, along with the opportunity for the public to be directly involved, positions them well to tackle complex and cross cutting issues and support partnership working. We know that with the co-operation of local partners reviews have already been undertaken by a number of councils and that this has resulted in changes in the way services are delivered, with tangible benefits for local people.

4.16 However, the Audit Commission and others have highlighted a mixed picture of progress made by local government. Consultation with stakeholders during the course of the CDA review showed that some partners have concerns about more assessment while others express fears that placing a

duty to co-operate on the police could result in interference with the detail of the day to day management of policing operations. We believe that with political will and mutual respect these concerns can be overcome. A form of “scrutiny plus” involving members of Police and Fire Authorities and Primary Care Trust Boards would bring a breadth and balance to the process allowing scrutiny committees better to reflect the cross cutting, multi-agency nature of much community safety work. A precedent for this already exists in relation to the health service where the Health and Social Care Act 2001 extended the functions of scrutiny committees so as to enable them to review and scrutinise matters relating to the health service in the local authority’s area. **We therefore intend to extend the powers of local authority Overview and Scrutiny Committees to encompass the work of CDRPs/CSPs.** The wider extension of scrutiny powers is considered within the ODPM Consultation “Local Strategic Partnerships: shaping the future” and will be developed as part of the Local Government White Paper and draft LSP Guidance during Summer 2006.

4.17 We propose that if the scrutiny committee concludes that partnership action is necessary, as in the case of the mechanism for triggering action on specific issues, then the relevant community safety partners would have a duty to consider the recommendations and report back to the scrutiny committee on action that has been or will be taken, or on the reasons for deciding that action cannot be taken. The relevant partners would be under an additional duty to explain any decision not to take action at the next scrutiny committee meeting.

4.18 The police reform agenda will mean that the creation of larger forces will require police authorities to take a more strategic view when discharging their functions. Concerns have been expressed that this may lead to strategic forces and authorities being remote from communities at a neighbourhood and district level. We believe that the measures set out above for improving democratic accountability of all CDRP partners, including BCU Commanders, together with the introduction of neighbourhood policing across the country and the ‘Community Call for Action’ (set out in the Respect Action Plan) will allay such concerns. BCU Commanders, alongside other responsible authorities, would be answerable to the Overview and Scrutiny Committee for their contribution to the delivery of local community safety priorities as detailed above. The police authority would be co-opted to sit on the committee to ensure that they play a role in ensuring local policing priorities are reflected at a more strategic level and vice-versa.

5 – MAINSTREAMING

This section outlines what more needs to be done to ensure agencies mainstream crime reduction and community safety considerations in the delivery of all their services:

- Broadening the definition of section 17 of the Crime and Disorder Act
- Extending mainstreaming to additional agencies

Broadening the definition of section 17

5.1 It is clear that there has been a steady improvement in the delivery of local crime and disorder reduction partnerships since 1998. However, partnerships continue to face real challenges not least of which is the challenge agencies face in mainstreaming community safety within their core activities.

5.2 Section 17 of the Crime and Disorder Act 1998 places a duty on those organisations that fall within its ambit⁵ to do all they reasonably can to prevent crime and disorder in their area. Its underpinning rationale is simple: levels of crime and disorder are influenced by the policies, decisions and practices of agencies and organisations working in a locality. Thus, specified organisations should routinely consider the implications for crime and disorder as they carry out their day-to-day business.

5.3 We believe that section 17 should be the principle vehicle for mainstreaming community safety in key local agencies. We expect the agencies to which the legislation applies to build crime and disorder considerations into their governance and decision making processes: policies, strategies, plans, budgets and the delivery of key services must all be considered for their contribution to preventing and reducing crime and associated problems.

5.4 However, given the range of community safety considerations that agencies now tackle in partnership as a matter of course, **we believe that the time has come formally to broaden the definition of section 17 so that agencies take account not just of crime and disorder but also of anti-social behaviour, behaviour adversely affecting the environment and substance misuse.**

Extending mainstreaming to additional agencies

5.5 Section 17 complements local authorities' responsibilities under Part 1 of the Local Government Act 2000 to promote the economic, environmental and social well being of the communities they serve. Their community leadership role and the wide range of local services they provide makes them ideally placed to impact on the socio-economic and environmental drivers for

⁵ Local Authorities, Police, National Park Authorities, the Broads Authority and following the Police Reform Act 2002, Police Authorities and Fire Authorities.

crime. Through education, health and social care, children's services, housing, transport, planning and other community based services, an increasing number of councils are addressing the implications of section 17 and taking action to implement it. Some councils have used the best value review process to good effect to examine and make changes to the way they deliver key services in light of their effect on local crime and disorder and the fear associated with it.

5.6 Although most organisations have made some progress with mainstreaming, compliance with section 17 remains inconsistent across the board. This is something that we want to address. Mainstreaming means more than simply changing procedures. It requires a change in culture to a mindset that involves understanding what matters most to local people and careful thought about how everyday practices can be organised to make a full contribution to improving community safety. We have already taken steps to ensure that all top tier councils embed community safety into the culture of their organisations through the inclusion of a particular focus on section 17 compliance within the Safer and Stronger Communities element of the Comprehensive Performance Assessment (CPA) 2005. There are encouraging signs that this is already changing behaviour in councils.

5.7 Equally, the addition of Police Authorities and Fire Authorities as CDRP responsible authorities introduced in the Police Reform Act 2002 has brought their section 17 responsibilities into much sharper focus.

5.8 Whilst the Police Reform Act 2002 extended the provisions of section 17 to Police Authorities and Fire and Rescue Authorities, it was not similarly extended to other agencies with a significant contribution to community safety. In order to ensure that future additions can be made to the list of agencies to which section 17 applies with the minimum bureaucracy, the Home Secretary intends to take **a power to add to the list of responsible authorities by means of secondary legislation**, in line with the proposal in respect of adding to the list of responsible authorities discussed in Chapter 2.

6 – NATIONAL STANDARDS

Effective partnership working relies on clarity between agencies about their individual contributions and roles and responsibilities within the partnership. This section sets out how we will provide clarity for agencies through a set of National Standards for partnership working

6.1 The proposals in this paper set out why we believe changes need to be made to improve the effectiveness of CDRPs/CSPs and how we think these improvements can be achieved. There will be a need for some legislative changes to make a reality of these proposals, but we also believe that much change can be realised if partner agencies are clear about their individual contributions and roles and responsibilities within the partnership.

6.2 When the Crime and Disorder Act initially came into effect in 1998, the accompanying guidance was intended to provide a broad enough framework for agencies in different areas and with different problems to develop their own ways of working together to tackle crime and disorder. We believe this is still right. However, during the intervening eight years, it has become increasingly apparent that a broad set of principles or standards are needed to clarify what is expected of agencies in partnership, whilst not prescribing how they meet these standards. We believe it is central government's job to set the framework within which agencies need to work together in partnership whilst not prescribing the way in which they work within that framework at local level.

6.3 We therefore believe that the case has now been made for a set of national standards for community safety partnership working. These national standards, compliance with which will be compulsory, will cover a number of key areas of partnership activity that have been identified by commentators, including HMIC⁶ and the Audit Commission⁷ as critical factors for successful partnership working since the introduction of the Act in 1998.

6.4 For example, successive reports (some referred to in this paper) have highlighted the importance of strong, committed leadership as a defining characteristic of successful partnerships. This is as relevant to the political contribution to community safety work as it is to the managerial leadership provided by partner agencies. Feedback from stakeholders during the course of our review of the CDA points to lack of consistent engagement from some key agencies and inappropriate levels of representation with delegation of responsibility for attendance at partnership meetings to officers who lack the seniority to take decisions and commit resources on behalf of their organisations. This inhibits partnerships' ability to fulfil their full potential and undermines the added value for communities that true collaboration can provide.

⁶ Calling Time on Crime – A Thematic Inspection on Crime and Disorder conducted by HMIC, Home Office (July 2000)

⁷ Community Safety Partnerships – AC Knowledge – Learning from Audit, Inspection and Research, Audit Commission (2002)

6.5 We want to ensure that all key local agencies commit energy and resources to community safety. This means securing the leadership and active involvement of Chief Officers of all partner agencies with the introduction of National Standards which will spell out the contribution of senior officers, as described in previous chapters. In line with the Government's wider policy of devolution and delegation, we do not propose to prescribe how they do this but the standards will set out clearly what we expect of them.

6.6 These key areas include:

- their role in the implementation of a NIM framework to:
 - produce annual three year rolling plans
 - undertake regular strategic assessments
 - use intelligence led problem-solving approach to support business processes such as performance, risk and financial management (described in chapter 3);
- the benefits of engaging communities in crime and anti-social behaviour prevention and reduction (described in chapters 3 and 4);
- clarity around the roles and responsibilities of partner agency chief officers in providing leadership and strategic direction for the partnership at county, district and unitary level (described in chapter 2);
- ensuring their organisation's compliance with section 17 (described in chapter 5);
- clarity around inter-agency, and local democratic governance and accountability arrangements (described in chapter 4); and
- the principles that govern information sharing such as information sharing protocols (described in chapter 3).

6.7 These National Standards will be developed in partnership with stakeholders such as practitioner bodies, Government Offices and national bodies such as ACPO, APA, LGA, CFA and the NHS Confederation, and will set out how we expect CDRPs to use real time intelligence, including hard data such as crime and substance misuse statistics as well as community intelligence to identify short, medium and long term priorities for the partnership. We will set out the roles and responsibilities of individual partner agencies and chief officers and the standards of good governance we expect them to achieve. In two-tier areas of local government, compliance with National Standards will be partly founded on collaboration between CDRPs at district level and the strategic CDRP at county level, in support of joint county-wide strategic analysis and priority setting.

6.8 The Morgan Report⁸ defined community safety 'as having both social and situational aspects, as being concerned with people, communities and organisations including families, victims and at risk groups, as well as with attempting to reduce particular types of crime and the fear of crime.' Many

⁸ Morgan, J – Safer communities: the local delivery of crime prevention through the partnership approach – Home Office, Crime Prevention Unit (1991)

partnerships have been making a reality of this interpretation for some time, and in Wales local partnerships, known as Community Safety Partnerships, have been tackling crime and disorder and substance abuse issues since 2003. **We intend to use national standards to respond to what is already happening on the ground by consulting with stakeholders on adopting a new name for English partnerships that better reflects this wider remit.**

7 – CONCLUSION

7.1 A number of the proposals in this findings report will require new - or amendments to existing - legislation. The Police and Justice Bill (just introduced in Parliament) will be the vehicle for these changes. The Bill will make communities safer by driving forward the police reform programme and the Prime Minister's Respect agenda, as well as taking forward important proposals on the management of offenders, youth justice and sentencing. The legislative timetable will mean that Royal Assent is likely to be sought in the autumn of 2006, with implementation of the measures following thereafter.

7.2 In the meantime we will be working with stakeholders to develop the national standards that will allow for the legislative changes and some other changes set out in this report to be delivered by CDRPs/CSPs. Our aim will be to develop the tools that partnerships will need to help them implement these proposals effectively and get the most from them. We will continue to work on those elements of the findings that do not require legislation and/or national standards, for example encouraging further CDRP mergers where appropriate.

7.3 The review has been a hugely productive piece of work that will impact positively on the effectiveness of partnerships across England and Wales at a time when police reform and changes to local government are helping to shape the delivery landscape. We would like to thank all those who have taken part and dedicated so much time and effort to help shape our vision for the future of partnership working.

7.4 Questions about the findings of this report should be directed to cdareview@homeoffice.gsi.gov.uk

Home Office
January 2006