

PROTOCOL

ARRANGEMENTS FOR CRIME AND DISORDER SCRUTINY

1.0 Introduction

- 1.1 In accordance with Part 3 of the Police and Justice Act 2006, local authorities have the power to scrutinise the Crime and Disorder Reduction Partnership in their area and make reports and recommendations to the Local Authority and the partnership. In West Lancashire, this is undertaken by the Corporate and Environmental Overview and Scrutiny Committee, which has been designated the “Crime and Disorder Committee” under Paragraph 1, Section 19 of Part 3 of the Act.
- 1.2 This Protocol has been produced between West Lancashire Borough Council’s Corporate and Environmental Overview and Scrutiny Committee and the respective partners comprising the West Lancashire Community Safety Partnership, see attached schedule, to provide framework for that scrutiny to take place. The publication of Regulations and good working practice has shaped this Protocol which may be revised by agreement between all the interested parties in order to continually improve the scrutiny process.

2.0 Role of the Corporate Overview and Scrutiny Committee

- 2.1 The role of the committee in respect of crime and disorder scrutiny is to:
- Consider Councillor Calls for Action (CCfA) that arise through the Council’s existing CCfA process. A copy of the proforma completed by Councillors is attached at Appendix 1.
 - Consider actions undertaken by the responsible authorities on the CSP via the minutes of the CSP which will be regularly reported in the Members Update.
 - Make reports and recommendations to Cabinet/Council with regard to community safety issues.
- 2.2 The legislation gives powers to scrutinise the CSP, rather than the partners, in order to focus policy issues. The aim of the Corporate and Environmental Overview and Scrutiny Committee is to:
- Ensure that the CSP is accountable.
 - Enhance the performance of existing services
 - Undertake constructive examination of priorities of the CSP.
 - Cut across organisational boundaries over the course of any reviews.
 - Provide a ‘critical friend’ of the CSP, providing it with constructive challenge at a strategic level rather than adversarial faultfinding at an operational level.

3.0 Principles of Crime and Disorder Scrutiny

- a) Scrutiny of the CSP will only be truly successful if key organisations work and co-operate together in an atmosphere of mutual respect and trust with an understanding and commitment to its aims.

- b) The key organisations involved in scrutiny of crime and disorder must be willing to share information, knowledge and reports which relate to the delivery and success of services in West Lancashire and carry out duties that would be reasonably expected of them to enable crime and disorder scrutiny to be successfully undertaken.
- c) At all times both officers and members of the organisations involved in crime and disorder scrutiny, representatives and members of the public will be treated with respect and courtesy. Matters of confidentiality will be treated with respect.
- d) Crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other pecuniary interest that they have either in a scrutiny exercise or during a meeting of the scrutiny in accordance with the Code of Conduct.
- e) The Corporate and Environmental Overview and Scrutiny Committee, whilst working in partnership, is independent of the respective partners comprising the West Lancashire Community Safety Partnership.
- f) Scrutiny of Crime and Disorder will be focused on improving services and service provision for the people of West Lancashire and will concentrate on outputs that are intended to help improve community safety and reduce the fear of crime.

4.0 Frequency of meetings

- 4.1 Crime and Disorder scrutiny meetings must take place at least once a year, however the Corporate and Environmental Overview and Scrutiny Committee may decide to consider other related issues as part of its work programme which is usually agreed in June.

5 Responding to requests

5.1 Requests for information

- 5.1.1 As part of the crime and disorder scrutiny process, the scrutiny committee will from time to time request information from the CSP. When asked, the CSP will be under a duty to provide this information. There is no specific timescale for this, but the committee can expect a response to be provided as soon as reasonably possible.
- 5.1.2 Requests for information will be made in writing (usually by e-mail) via the Corporate Director of Place and Community and will include a date that the response is required by (no shorter than 2 weeks).

5.2 Information requests and data protection

5.2.1 The information provided by responsible authorities and co-operating bodies must be depersonalised, unless the identification of an individual is necessary or appropriate in order for the committee to properly exercise its powers. The information should also not include information that would be reasonably likely to prejudice legal proceedings or current or future operations of the responsible authority or co-operating body. In practice, it is unlikely that the committee will need to receive reports relating to specific individuals, or where specific individuals are mentioned in respect of crime and disorder matters.

5.2.2 Schedule 12A of the Local Government Act 1972 should not be used as a method to bypass the requirement to depersonalise the information by placing reports which are not depersonalised onto Part II of a committee agenda, as an item to be heard without the press or public present.

5.3 Making and responding to recommendations

If the Corporate and Environmental Overview and Scrutiny Committee draft a report or recommendations which have an impact on community safety issues, the following should occur:

- Copies of reports and recommendations should be sent to the such responsible authorities or co-operating bodies as are affected by the report or recommendations, or as otherwise appropriate in accordance with section 19(8) of the Police and Justice Act 2006.
- The relevant partner (or partners) should submit a response within a period of 28 days from the date the report or recommendations are submitted (or if this is not possible as soon as reasonably possible thereafter).
- Following receipt of the response, the committee will need to agree with the relevant partner(s) how progress in implementing the recommendations will be monitored.

6.0 Crime and Disorder Scrutiny in Practice

6.1 The Corporate and Environmental Overview and Scrutiny Committee will undertake scrutiny of crime and disorder matters as follows:

- a) A yearly review of the Annual Strategic Assessment in March – Representatives from the CSP will be invited to attend to present the report and answer questions.
- b) Hold the CSP to account by considering the minutes of its meetings via the Members Update – Meetings of the CSP are usually held in January, April, July and October.
- c) Consider any ‘Councillor Call for Action’ requests that apply to the CSP and invite representatives where appropriate.

- d) Carry out in-depth reviews, which the Committee have agreed as part of its Work Programme (usually agreed in June). The CSP will be consulted on Annual Work Programmes and informed in advance of scrutiny exercises that the Scrutiny Committee is intending to undertake. They will also be informed of the scope of all scrutiny exercises and will be given adequate notice of invitations to attend meetings of Scrutiny Committees and any required information.
- e) Consider any reports, strategies, plans or policies that the CSP have referred to the Committee at a meeting or via the Members Update, whichever is appropriate.
- f) Members of the Committee will endeavour to attend the 'Face the People' event organised by the CSP – a public meeting to engage with residents about what they are doing to fight crime and the fear of crime. All Councillors, Parish Councillors, Key Partners and Voluntary Bodies are invited to attend.
- g) Provide the CSP with all dates and times of meetings of the scrutiny committee and forward agendas, minutes and reports which relate to crime and disorder issues as appropriate.
- h) Consult the CSP on any draft reports before they are published. Final reports will be presented to West Lancashire Borough Council's Cabinet/Council as appropriate and the CSP. Final reports will then be published on the Council's website and circulated in accordance with the regulations on scrutiny of crime and disorder.
- i) Crime and disorder scrutiny will not to be used as a complaints procedure.

6.2 *West Lancashire CSP will support scrutiny of crime and disorder matters as follows:*

- a) Respond to requests for information via the Corporate Director of Place and Community as soon as practicable or within 2 months.
- b) Consider reports and recommendations within 28 days (or if this is not possible as soon as reasonably possible thereafter), in accordance with the 2009 Regulations, any response will be made available to the public unless otherwise stated.
- c) Refer the Annual Strategic Assessment and any other reports, strategies, plans or policies as appropriate to the Corporate and Environmental Overview and Scrutiny Committee via the Corporate Director of Place and Community.
- d) Work in partnership with the Scrutiny Committee to provide objective and effective scrutiny of crime and disorder in West Lancashire.

- e) Provide information relating to the planning and operation of crime and disorder reduction activities and strategies that are required by the Scrutiny Committee so that it can undertake its required scrutiny reviews. This will not however, include confidential information that might impinge upon actual police operations or individuals
- f) Provide information in response to issues raised by Elected Members via the Councillor Call for Action (CCfA) where reasonable.
- g) Submit items, when requested, for the Scrutiny Committee to review when it's annual work programme is compiled.
- h) Representatives will attend meetings of the Scrutiny Committee when appropriate to answer questions and provide information on crime and disorder matters.