

Local Government North Yorkshire and York

28 September 2012

Developing a collaborative relationship between local authorities and the police and crime commissioner

Purpose of report

- 1 To support a discussion regarding the development of a collaborative relationship between local authorities and the police and crime commissioner.

Background

- 2 On 15 November 2012 the public across England and Wales will elect police and crime commissioners who will be accountable for how crime is tackled in their police force area. Commissioners will also have to hold their chief constable to account for the performance of their police force.
- 3 Commissioners will receive all the funding relating to policing and reducing crime, including the Home Office community safety funding that is currently managed by local authorities, the Home Office portion of the budget for the Drug Intervention Programme, and the Home Office funding for local victim support services.
- 4 Commissioners will set the strategic direction for their work, and that of their police force, through the Police and Crime Plan. Commissioners will also set the local police precept (council tax charge). They will appoint the chief constable and remove them from office when necessary (as long as the relevant legal requirements are met).
- 5 Commissioners will have wider responsibilities, including responsibility for delivering community safety and reducing crime, the ability to make crime and disorder reduction grants within their force area, and a duty to deliver better value for money or improve the effectiveness of policing.
- 6 The Police Reform and Social Responsibility Act 2011 puts in place a flexible framework for working in partnership. This includes two related duties to cooperate, which will support partnership working across community safety and criminal justice. Though the two duties are worded slightly differently, their aim is the same - to make sure that local leaders work together to achieve the most effective outcomes.
- 7 The community safety duty says that a commissioner must, in exercising its functions, have regard to the relevant priorities of each responsible authority¹, and that the responsible authorities must act in cooperation with each other in carrying out their functions.

¹ The responsible authorities are the police, local authorities, fire and rescue authorities, primary care trusts (clinical commissioning groups from April 2013) and probation.

- 8 The criminal justice duty states that the commissioner and criminal justice organisations² must work together, so far as is appropriate, in the exercise of functions so as to provide an efficient and effective criminal justice system for the police area.
- 9 Commissioners will also have some specific powers in relation to community safety, which previously resided with the Home Secretary. They will be able to require a report from the responsible authorities on an issue of concern and, on application from the responsible authorities, have the power to approve mergers of community safety partnerships. They will also have the power to call the responsible authorities from the various community safety partnerships together to discuss issues affecting the whole police area.
- 10 Commissioners will be free to pool funding with local partners and will have the flexibility to decide how to use their resources to deliver against the priorities set out in their Police and Crime Plan

Discussion

- 11 The commissioner will be a new entrant to a complex local leadership landscape and, it is expected, will want and need to work collaboratively.
- 12 Local authorities will need to be able to influence the development of the Police and Crime Plan and the utilisation of the commissioner's resources.
- 13 Collective local leadership on crime, justice and community safety will be the key to cutting crime and to improving a much broader range of outcomes for local people.
- 14 Local authorities and the commissioner will share an interest in improving many areas including anti-social behaviour, domestic abuse, youth justice, public health, troubled families, and the safeguarding of children and vulnerable adults.
- 15 Although local authorities have a focused role in scrutinising the work of the commissioner through the police and crime panel, local authorities will also want and need to work closely with the commissioner as partners. This work will need to be undertaken outside the panel arrangements, as the Act forbids a panel from exercising any functions other than those specifically conferred by the Act. Consideration needs to be given as to how collaborative working between the commissioner and local authorities (and other partners) can best be facilitated.
- 16 Discussions are taking place at chief executive level about the options for moving towards one strategic partnership for community safety and criminal justice, with a hub and spoke arrangement for local delivery, to replace the existing and separate arrangements. The impetus for this includes the diminishing resources available, the need for a more coordinated approach, and the overlapping membership in the existing separate partnerships. There is general agreement with the principle of rationalisation but concerns have been expressed about the risk of losing the good locally focussed work which is currently carried out. A paper will be brought to the November meeting of the Chief Executives Group

² The criminal justice organisations include the Crown Prosecution Service, HM Courts & Tribunals Service, police, prisons, probation, and youth offending teams.

and a blueprint will be produced for the commissioner, presenting a number of options.

- 17 Consideration should also be given to whether the commissioner should be invited to attend LGNYY meetings, either on a one-off or regular basis, to facilitate a strategic discussion regarding shared priorities and work between the commissioner and the Leaders of the local authorities.

Recommendation

- 18 It is recommended that members consider what steps should be taken to promote a collaborative relationship between local authorities and the police and crime commissioner.

Neil Irving
Assistant Director (Policy and Partnerships)
North Yorkshire County Council

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