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To: Communities Policy Overview and Scrutiny Committee (meeting  
as the Crime and Disorder Committee)  
6 April 2010

Subject: Countywide arrangements for overview and scrutiny of Crime  
and Disorder Reduction Partnerships (CDRP's).

Classification: Unrestricted

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Summary: At the request of the Police Authority this report sets out the  
current countywide arrangements for the overview and scrutiny of CDRP's.

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## **Introduction**

1. (1) This item was put forward by the Police Authority to give the Committee the opportunity to assess what arrangements are in place across the geographical county of Kent for Crime and Disorder Scrutiny.

(2) It is a requirement under Section 19 of the Police and Justice Act 2006 that all Local Authorities set up a Committee to:-

“Review and scrutinise decisions made, or other action taken, in connection the discharge by the authorities responsible for Crime and Disorder strategies of their Crime and Disorder functions and to make reports or recommendations to the local authority on the discharge of those functions.”

This Committee must meet at least once a year.

## **District Council Crime and Disorder Committees**

2. (1) Each District Council has established its own Crime and Disorder Committee or will have placed this function under the remit of one of its existing Overview and Scrutiny Committees.

(2) There is an assumption that each local authority will consider matters relating to its own CDRP and any issues which specifically relate to its own area. The County Council will be focusing on the work of the County Strategy Group (the County Councils CDRP).

## **Councillor Call for Action**

3. (1) The Local Government and Public Involvement in Health Act 2007 established the “Councillor Call for Action” (CCfA). The CCfA provides Members with the opportunity to ask for a discussion at an Overview or Scrutiny Committee meeting on issues where local problems have arisen and where other methods of

resolution have been exhausted without success. This provision applies all local authorities. As part of the process to establish whether all other methods of resolution have been exhausted, the role of other local authorities in the process would be considered.

(2) In the case of the County Council, if a valid CCfA was received that related to a matter within the remit of the Crime and Disorder Committee it would be referred to that Committee, either at one of its two programmed meetings or a special meeting would be called.

### **Protocol for inter authority co-operation on Overview and Scrutiny**

3. (1) There is currently an agreed protocol for inter-authority co-operation on Overview and Scrutiny which all Kent Authorities signed up to in 2001 (copy attached). It is acknowledged that this protocol is due to be updated to specifically take account of changes in the remit of overview and scrutiny including the statutory requirement to have a Crime and Disorder Committee and also the Councillor Call for Action. Initial discussions at officer level are due to start shortly with a view to producing a draft protocol for discussion and agreement at Member level countywide.

(2) One of the key aims of this revised agreement will be to ensure that the most effective use is made of limited resources, both for local authorities and for partner organisations. A key element of this is the need to avoid duplication though an awareness of Overview and Scrutiny work programmes across the county. This is something that is being co-ordinated at officer level via the Kent and Medway Overview and Scrutiny Officers network.

4. **Recommendation** that the report and the work being undertaken to update the Protocol on inter authority co-operation on Overview and Scrutiny to ensure that the most effective use is made of public sector resources be noted.

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Background Information: *None*

## **Annex A: Protocol for Overview and Scrutiny Inter-Authority Co-Operation**

### Aim of the Protocol

5A.1 To ensure the Overview and Scrutiny Committees of all Kent local authorities can review issues of community interest effectively and with efficient use of all local authority staff resources.

### Principles

5A.2 All authorities should be supported in considering issues of community well being wider than the responsibilities of their councils.

5A.3 Authorities should work together to maximise the exchange of information and views, minimise bureaucracy and make best use of the time of Members and officers of local and other authorities.

### Procedures

5A.4 Authorities should seek to exchange information on programmes and results of reviews.

5A.5 If an Overview and Scrutiny Committee wishes to review an issue in which another authority has a statutory role or in which evidence from the officers of another authority would be helpful, it should consult with that authority about:

- the purpose of the review
- the areas of interest to the other authority
- the input that can be given by Members or officers of the other authority.

5A.6 Consideration should be given to whether the issue is more appropriately discussed in another forum, for example a joint committee, or whether there is scope for joint action including the co-opting of Members of the other Authority onto the Overview and Scrutiny Committee for the purpose of the review.

5A.7 Where a proposal is subject to a public consultation process, scrutiny is most helpful if conducted as part of that process e.g. allowing any findings and recommendations to be available in time to influence the final decision.

5A.8 Subject to such prior consultation, Authorities will seek to respond positively to requests for information or for a Member or officer to attend meetings of Overview and Scrutiny Committees or for information.

5A.9 While it is ultimately for each Authority to decide who it considers the most appropriate person(s) to speak on its behalf to an Overview and Scrutiny Committee, consideration will be given to meeting specific requests.

5A.10 Dates and times of Member and officer attendance at Overview and Scrutiny meetings should be agreed with them.

5A.11 Each Authority will nominate a contact officer for the operation of these procedures.

(Extract from Kent County Council's Constitution – revised 10 December 2009)