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To: Kent Community Safety Partnership – 1st November 2012

Classification: For Decision

Subject: Police and Crime Commissioners – Future Engagement with the Kent Community Safety Partnership and role of the KCSP.

Summary: This report considers the relationship between the Police and Crime Commissioner (PCC) with community safety arrangements in Kent, suggests that the PCC should attend meetings of the Kent CSP when appropriate agenda items require and that the KCSP should consider the potential for adjusting its remit in future if necessary.

1.0 BACKGROUND

- 1.1 As well as their main policing role, Police and Crime Commissioners (PCCs) will be responsible for setting policy for cutting crime and therefore, by association, will have considerable influence on the direction of travel for community safety. PCCs will be supported in this work by existing legislation along with the new legislation in the Police Reform and Social Responsibility Act 2011.
- 1.2 It has long been recognised that the police cannot cut crime on their own and that effective, outcome focused collaborative working is an essential ingredient in preventing and reducing crime. As central partners, PCCs will want to work with local leaders to improve outcomes for communities and make sure that local resources are used efficiently and effectively.
- 1.3 As we are aware, there are legal requirements that apply to community safety working. In Kent this is taken forward through community safety partnerships (CSPs) working at district or unitary authority level, with strategic issues being considered at the county and unitary level.
- 1.4 There are many examples of how CSPs and other community safety / justice focused partnerships in Kent & Medway have performed well particularly in establishing common standards, preventing duplication of activity, reducing costs and tackling issues through joined-up problem-solving approaches. Evidence shows that the best community safety partnerships draw significantly on the resources of the Responsible Authorities involved utilising a collaborative approach.

2.0 Police and Crime Commissioner (PCC) Powers

- 2.1 The Police Reform and Social Responsibility Act 2011 establishes a locally determined, flexible framework for partnership working. This includes two inter-related duties to co-operate which set out a clear aim for partnership working across partners involved in community safety and criminal justice. The community

safety duty specifies that a PCC and the Responsible Authorities on a CSP must co-operate and take account of one another's priorities.

- 2.2 Therefore PCCs will be under a duty to work with their community safety partners. CSPs have a duty to assess local community safety issues and draw up a cohesive action plan setting out their priorities and planned responses. PCCs and CSPs will have a reciprocal duty to take each other's priorities into account.
- 2.3 These duties are deliberately broad and flexible, to allow working arrangements to develop in a way that is most meaningful locally, and to leave room for new ideas. They are aimed at helping PCCs and their partners to make decisions on priorities and funding with a full understanding of the implications for partners.
- 2.4 In England, PCCs will be able to approve applications for combination (merger) agreements between CSPs from the Responsible Authorities. They will also have the power to ask for a report from a CSP on issues of concern.
- 2.5 Regulations will also give the PCC a power to call together representatives from CSPs across the police force area to discuss issues which are of a concern across the force area. (Please refer to Appendix A attached).
- 2.6 Currently Police Authorities are one of the six responsible authorities that make up a CSP. The legislation does not include the PCC taking over the role of police authorities on CSPs. It will be for each PCC and CSP to decide the best way to work together.

3.0 Resourcing Community Safety

- 3.1 PCCs will, from April 2013, be responsible for directing central funding (and other related funding) to CSPs. This could include allocating grants or adopting some form of internal or external commissioning approach.
- 3.2 At its last meeting on 3rd July, the KCSP agreed in principle that it should be seen as a body which would provide expert advice and support rather than taking on a specific commissioning function.
- 3.3 It is useful to note however that there are several commissioning models currently in practise across Kent and Medway (e.g. KDAAT, Supporting People etc) that could be easily applied to the KCSP and KCC have offered their expertise in assisting the KCSP to establish itself as a commissioning body if that becomes a viable option to pursue.
- 3.4 Adoption of one these commissioning models suggest that revision of the terms of reference of the KCSP would be required and perhaps some adjustment to its structure and membership in order to ensure probity and negate conflict of interest.
- 3.5 However, discussions with numerous public agencies across Kent & Medway and with the executive of the current Police Authority suggest that it would be wiser to wait until the PCC is elected (following which their resource allocation approach will be announced along with the publication of their business plan) before any firm decision is made by the KCSP in adopting a commissioning function.

4.0 Way forward

- 4.1 Given that the incoming Police and Crime Commissioner will need a close working relationship with the statutory community safety arrangements in Kent, and that both CSP's and PCC's will share a number of priority areas. It is also likely the future funding streams between the PCC and community safety will be linked to working towards shared priorities. Therefore it's considered vital that there are clear communication channels between community safety and the work of the PCC.
- 4.2 Because the partnership landscape across community safety and criminal justice is complex with a number of strategic groups and themed delivery group, it is thought unlikely that the PCC will be able to engage directly with all individual partnership groups. It is therefore suggested that in terms of community safety the Kent CSP may wish to consider offering the PCC a position on the partnership, so that, when appropriate, the PCC can attend meetings to consider and discuss items of shared responsibility or priority.

5.0 Recommendation

- 5.1 That the Kent CSP considers offering the Police and Crime Commissioner a position on the KCSP so that, as and when appropriate, the PCC can attend meetings to discuss and agree items of shared responsibility or priority.
- 5.2 That the KCSP agree to wait until the elected PCC indicates their resource allocation approach before any decision is made regarding establishing KCSP as a commissioning body.

Attachments:

Appendix A - Police and Crime Commissioners - Community Safety

For Further Information:

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