

**Decision Maker:** PUBLIC PROTECTION AND ENFORCEMENT POLICY  
DEVELOPMENT AND SCRUTINY COMMITTEE

**Date:** Wednesday 10 November 2021

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** THE DRAFT PROTOCOL FOR SCRUTINY OF THE SAFER  
BROMLEY PARTNERSHIP

**Contact Officer:** Joanne Stowell, Assistant Director of Public Protection  
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**Chief Officer:** Director of Environment and Public Protection

**Ward:** (All Wards);

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1. Reason for report

- 1.1 Crime and Disorder Reduction Partnerships (CDRPs) were created by the Crime and Disorder Act 1998 to develop and implement strategies to reduce crime and disorder. These partnerships are now generally known as Community Safety Partnerships (CSP); within Bromley, the partnership is known as the Safer Bromley Partnership (SBP). The Safer Bromley Partnership Board (SBPB) provides the governance and the Safer Bromley Partnership Strategy (SBPS) is the strategic framework document that links the partners' aims and outcomes.
- 1.2 Section 19, 20 and 21 of the Police and Justice Act 2006 (the Act) requires every local authority to have a crime and disorder committee (CDC) with the power to review or scrutinise the work of CSPs. In Bromley, the Public Protection and Enforcement Policy Development & Scrutiny Committee (PP&E PDS) has been designated as the CDC for this purpose.
- 1.3 The purpose of this report is to present an agreed protocol to determine how the PP&E PDS will formally scrutinise the SBP and its partners, in accordance with set guidance for scrutiny, and with a view to facilitating good working relationships throughout, and via the scrutiny process

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2. **RECOMMENDATION(S)**

**That the Chairman of the PP&E PDS Committee in his role as the Chairman of the relevant Crime and Disorder Committee:**

- 2.1 Agrees the draft protocol attached as Appendix B, the associated workplan and the Police data package (Appendices 1 and 2 within Appendix B).

- 2.2 Agrees that delegated authority be given to the joint Chairmen of the Safer Bromley Partnership Board, in consultation with the Portfolio Holder for Public Protection and Enforcement, to make minor amendments to the protocol if required.

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### Impact on Vulnerable Adults and Children

1. Summary of Impact: There is a statutory requirement for the council to ensure that its overview and scrutiny structures include the ability to scrutinise the work of the SBP and the associated SBP strategy. The 4 priorities within the strategy cover both high-harm crimes and high-volume crimes. A focus on safeguarding and collegiate working is embedded throughout, to protect vulnerable adults and children and to ensure that partner organisations work together, to share the skills, data, powers and resources collectively available to them to maximise beneficial outcomes.
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### Corporate Policy

1. Policy Status: Not Applicable:
  2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley
  1. Cost of proposal: Estimated Cost No Cost Not Applicable: Further Details
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Not Applicable
  4. Total current budget for this head: Not Applicable
  5. Source of funding: Not Applicable
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### Personnel

1. Number of staff (current and additional): Not Applicable
  2. If from existing staff resources, number of staff hours: Not Applicable
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### Legal

1. Legal Requirement: Statutory Requirement Non-Statutory - Government Guidance:
  2. Call-in: Not Applicable:
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### Procurement

1. Summary of Procurement Implications: Not Applicable
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Borough Wide
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

### **3. COMMENTARY**

#### **THE PP&E PDS SCRUTINY ROLES AS A CDC**

- 3.1 Every local authority must have a CDC with the power to review and scrutinise the decisions or actions taken by the SBP. This is to facilitate the discharge, by the responsible authorities, of their crime and disorder functions, however, the CDC does not have decision making powers. The PP&E PDS (in addition to its other responsibilities), is the Council's CDC designated to scrutinise the SBP, and review delivery against the agreed priorities of the Safer Bromley Partnership Strategy (SBPS).
- 3.2 The role of the CDC is to:
  - Meet annually as a minimum (statutory)
  - Act as a critical friend, providing constructive challenge at a strategic level, rather than adversarial fault-finding at an operational/tactical level
  - Focus on the entire partnership, (if issues arise that relate specifically to a particular partner agency, it is more appropriate to refer such issues to the governing body/s of that organisation)
  - Scrutinise partners only "in so far as their activities relate to the partnership itself". For the avoidance of doubt, the CDC should not extend to the separate statutory functions of the partner bodies, nor should it entail scrutiny of individual cases
  - When necessary, to make reports and/or recommendations to the Council, with respect to the SBPs discharge of its crime and disorder functions
  - Consider the Councillor Call for Actions (CCfAs), that arise through the Council's CCfAs process that relate to crime and disorder matters.
- 3.3 Guidance suggests that a protocol be developed to lay down the mutual expectations of partners and scrutiny members, to help make sure that scrutiny is both constructive and effective; currently there is no agreed protocol in place.
- 3.4 Currently, the PP&E PDS exercises its function as the CDC at every committee; Police leadership representatives from the South Borough Command Unit (BCU) attend each committee (5 times a year). In addition to this, they also attend the quarterly SBPB, and various strategic and operational Youth Offending Services (YOS) Board meetings. At each PP&E PDS the Police present a report on crime data; the format and content of this data package has flexed over time, and currently does not fully reflect the required strategic data for consideration by the committee. On occasion, the requests for crime data exceed that which the committee can legitimately scrutinise. In addition, the analysts previously available to the Police locally have again, been moved back to the centre. As a result, the extended data packages are currently provided by operational police personnel. As the data sets can exceed what is required and readily available, the preparation of the data is time consuming and results in operational resources being diverted away from their primary purpose. In comparison, the BCU is scrutinised by Croydon and Sutton once a year, and both boroughs employ their own analysts.

#### **TASK AND FINISH GROUP**

- 3.5 On the 21st September 21 the PP&E PDS Chairman required that a cross party Task and Finish group be convened, to be chaired by the Vice Chairman Cllr Colin Hutchins. The aims of the group were to:

- Produce a draft protocol, for approval, that sets out how the SBP will be scrutinised
- Produce a suggested workplan that invites statutory partners to present their work for scrutiny throughout the year
- Agree a 'fit for purpose' data package, that replicates the performance report that MOPAC presents for monitoring progress against the Police and Crime Plan, and that reduces the use of Police resources.

3.6 In discussion, the members of the Task and Finish Group recognised that the golden thread between the SBPB, the SBPS, the Safer Neighbourhood Boards (SNB) and Ward Panels was not always clearly understood. This has led to operational ward issues being discussed at the PP&E PDS committee, whereas the appropriate forum would have been the SNB. As a result, Appendix A has been produced to provide context as to the links and differences between the SBPB (and the associated strategy) and the SNB. An education piece will be developed and delivered to Members by March 2022 by the Chairman of the SNB, with periodic refreshers provided moving forwards.

### **DRAFT PROTOCOL**

3.7 Following consideration of the formal scrutiny role of the PP&E PDS in relation to the SBP, the Task and Finish group agreed upon the draft protocol presented as Appendix B, together with a commitment to develop a workplan to scrutinise partners as a whole (Appendix 1 within Appendix B), and a police data package (Appendix 2 within Appendix B). This draft protocol sets out the arrangements sought to formalise and strengthen the scrutiny process. The draft protocol presents the following:

- The scrutiny arrangements
- The work programme
- Attendance from partners
- The South BCU data package

### **DIFFERENCES BETWEEN PRPSED AND CURRENT ARRANGEMENTS**

3.8 Should the draft protocol be approved, the CDC would still effectively convene 5 times a year at each committee, however, the future scrutiny arrangements will differ from those currently in place in the following ways:

- A workplan will be developed for partners, that seeks to scrutinise the whole partnership (see Appendix 1 within Appendix B)
- A fit for purpose data package commensurate with the MOPAC High Harm London Wide Priorities (HHLWP), and High-Volume Local Priorities (HVLP), will be produced as a stand-alone document at each committee (see Appendix 2 within Appendix B)
- The Police will reduce their attendance to the beginning/end of the year, where they will report on their aims and objectives, achievements and performance, and progress on identified areas for improvement.

3.9 Notwithstanding the above, and although not a formal requirement of the scrutiny process, the PP&E PDS will continue to receive the draft minutes from each SBPB, as well as an end of year report, all of which will contain Police crime data along with partner actions, updates and outcomes.

#### 4. IMPACT ON VULNERABLE ADULTS AND CHILDREN

4.1 Summary of Impact: There is a statutory requirement for the council to ensure that its overview and scrutiny structures include the ability to scrutinise the work of the Safer Bromley Partnership and the associated SBP strategy. The 4 priorities within the strategy cover both high-harm crimes and high-volume crimes. A focus on safeguarding and collegiate working is embedded throughout, to protect vulnerable adults and children and to ensure that partner organisations work together, to share the skills, data, powers and resources collectively available to maximise beneficial outcomes.

#### 5. LEGAL IMPLICATIONS

5.1 Section 19, 20 and 21 of the Police and Justice Act 2006 (the Act) requires every local authority to have a Crime and Disorder Committee (CDC) with the power to review and scrutinise the work of CSPs. In Bromley, the Public Protection and Enforcement PDS Scrutiny Committee has been designated as the CDC for this purpose.

5.2 Good practice requires a Protocol for the discharge of the Committee's functions, which in turn clarifies which information is required to be shared, all of which must be compliant with the Data Protection Act 2018 and any data Sharing Protocols.

<b>Non-Applicable Sections:</b>	Policy Implications, Financial Implications, Personnel Implications, Procurement Implications
Background Documents: (Access via Contact Officer)	