



Scrutiny of Crime and Disorder

This protocol has been produced between Wrexham County Borough Council's designated scrutiny committee for crime and disorder and the Community Safety Partnership. The Crime and Disorder (Overview and Scrutiny) Regulations 2009, the Welsh Assembly Government's Guidance for the Scrutiny of Crime and Disorder Matters have shaped this protocol.

The aim of this protocol is not to reproduce the legislation and guidance but to agree how scrutiny of crime and disorder will work practically in Wrexham. This protocol may be revised by agreement between the parties in order to continually improve the scrutiny process.

Introduction

1.1 The Crime and Disorder Act 1998 requires local authorities to establish statutory partnerships to develop and implement strategies to reduce crime and disorder. In Wales, these are Community Safety Partnerships (CSP). The Act designates five 'responsible authorities' which are required to work together and jointly agree and deliver community safety priorities.

Sections 19 and 20 of the Police and Justice Act 2006 (as amended), require every County and County Borough in Wales to ensure it has an Overview & Scrutiny Committee with the power to:

- Review or scrutinise decisions made or action taken in connection with the discharge by the Responsible Authorities of their crime and disorder functions;
- Make recommendations to the local authority in connection with respect to the discharge of those functions.

'Crime and Disorder functions' means functions defined under section 6 of the Crime & Disorder Act 1998 which refers to the formulation and implementation of a strategies for the reduction of crime and disorder. These are

- (a) A strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment); and
- (b) A strategy for combatting the misuse of drugs, alcohol and other substances in the area; and
- (c) A strategy for the reduction of re-offending in the area.

Crime & Disorder Scrutiny in Wrexham

2.1 Wrexham Council's Constitution has allocated responsibility for crime and disorder scrutiny to the Safeguarding, Communities & Wellbeing Scrutiny Committee, however this is may change should the Council revise the terms of reference of its scrutiny committees.

In Wrexham, the 'responsible authorities' are:

- North Wales Police

- Wrexham County Borough Council
- Wales Probation Service (North Wales Area)
- North Wales Fire & Rescue Service
- Betsi Cadwaladr University Health Board

Co-option

2.2 The Crime & Disorder (Overview & Scrutiny) Regulations 2009 permit the Crime and Disorder Scrutiny Committee to co-opt members from responsible authorities onto the Scrutiny Committee as a means of strengthening its scrutiny capacity. The regulations make clear that co-optees may, or may not, have voting rights, at the discretion of the committee and the committee may restrict these voting rights to particular policy areas. Co-opted members will be bound by the Council's Ethical and Standards requirements. The Scrutiny Committee may review or terminate such co-options at any time.

Principles and Working Practices

General

3.1 Legislation requires that a scrutiny committee must convene at least once in a 12 month period to consider the discharge by the responsible authorities of their crime and disorder functions.

3.2 The committee, acting in its role as the Crime and Disorder Scrutiny Committee, will comply with all relevant procedure rules as set out in the Council's Constitution.

3.3 Crime and disorder scrutiny will be open and transparent. Any person involved in crime and disorder scrutiny will always declare any personal or other prejudicial interest that they have either in a scrutiny exercise or during a meeting of the scrutiny committee in accordance with relevant Codes of Conduct relating to standards of conduct and ethics applying to their organisations.

3.4 Crime and disorder scrutiny is not to be used as a complaints procedure. Case studies may however be used as part of supporting information for scrutiny exercises.

3.5 Scrutiny committee meetings are held in public in order to be as transparent as possible. But there is provision for meetings or parts of meetings to be held in private, with the press and public excluded, in order to consider exempt or confidential information (as defined by the Local Government Act 1972). Advice is available as necessary from the Council's Monitoring Officer as to whether all or some of the evidence or information to be submitted to a meeting might fall into either of these categories. Parties submitting information should contact the Scrutiny Facilitator in the first instance to discuss.

3.6 Partners will be expected to inform each other in advance should there be any press releases over matters under active consideration by the scrutiny committee; however the Head of Finance and/or the Chair of the scrutiny committee may speak to the press in advance of meeting to brief them about forthcoming scrutiny committee meetings.

3.7 The CSP Facilitator will provide the Scrutiny Facilitator with named contacts for each of the responsible authorities and other co-operating bodies or persons (Appendix 2).

Correspondence & Communications

4.1 General correspondence, and the outcome of scrutiny committee meetings and any views arising (as recorded in the minutes and recommendations of that meeting) will be directed to the CSP Chair with an expectation that this will be shared appropriately with responsible authorities and included on the agenda of the next meeting of the CSP.

4.2 Where a response is requested, there is an expectation that this will be provided within a reasonable timescale, or as specifically agreed with the Committee.

4.3 Correspondence specific to a responsible authority may be directed to that responsible authority, however in such cases a copy will also be sent to the CSP Chair.

Requests for Information and Committee Meetings

4.4 Requests for information from the scrutiny committee will clearly identify why the information is needed and what it is to be used for to enable the CSP to identify the appropriate information to be provided.

4.5 The CSP will provide the committee with the information requested as soon as reasonably practicable, and to a maximum of 30 calendar days following receipt of the request, unless a different timescale has been agreed with the Committee.

4.6 The committee has the power to require the attendance before it of a representative of any of the responsible authorities. In Wrexham, the CSP Chair and the named representative of the relevant responsible authority will be consulted on the scheduling of meetings and requests for information. This will generally be an informal process undertaken via the CSP and Scrutiny Facilitators.

4.7 Approximately two weeks prior to a formal scrutiny committee meeting, the CSP Chair and/or representatives of the responsible authorities will be invited to attend an informal meeting with the Committee Chair, Vice Chair and Scrutiny Facilitator to discuss the upcoming meeting and any necessary preparations.

4.8 Agendas for scrutiny committee meetings will be circulated to the CSP Chair and named representatives of the responsible authorities in accordance with statutory requirements (3 working days notice).

Reviews (Task & Finish Groups)

5.1 On occasion, the scrutiny committee may undertake a more detailed review of an area within its remit. This work may be undertaken by a smaller working group, known as a Task & Finish Group, which would then report its recommendations back to the scrutiny committee. The CSP Chair and named representatives of the responsible authorities will be consulted on any such specific reviews that the scrutiny committee is intending to undertake. They will be informed of the final scope of the reviews and will be given adequate notice of invitations to attend meetings of the scrutiny committee and any required information.

Scrutiny Committee Reports and Recommendations

6.1 In Wrexham, it is expected that by working in partnership, any general concerns, views and comments of the scrutiny committee will be dealt with as outlined in section 4 above.

Should the scrutiny committee wish to make a formal report or recommendations using powers granted to it by legislation, the committee will specify that it wishes to invoke these powers and the following procedure will be followed:

- The CSP (via the CSP Chair) and relevant responsible authority will be consulted on any draft or final reports, or recommendations.
- The scrutiny committee will report to the Local Authority (Executive Board) and a copy of the report and recommendations and to whom they apply will be provided to the relevant responsible authority and CSP Chair. This report will advise the responsible authority to whom the recommendations apply that it must (i) consider the report or recommendations; (ii) respond to the committee indicating what (if any) action it proposes to take; (iii) have regard to the report or recommendations in exercising its functions. (By virtue of the report being a report to the Local Authority, it will be a publicly available report unless it is considered exempt – see para 3.5 above)
- The CSP Chair or the relevant responsible authority will submit a response within 28 days from the date of receipt or within a timescale agreed with the scrutiny committee.

6.2 Following receipt of the response the scrutiny committee will agree with the CSP Chair and/or the relevant responsible authority how progress in implementing the recommendations will be monitored.

Councillor Call for Action

7 Legislation also gives Councillors the right to raise matters concerned with a local crime and disorder matter with the crime and disorder scrutiny committee. A separate protocol is in place for this purpose.

APPENDIX 1 – Background Documents

Guidance for the Scrutiny of Crime & Disorder Matters – Wales (Implementing Sections 19 and 20 of the Police and Justice Act 2006) Welsh Assembly Government Guidance Circular No: 001/2010

Crime and Disorder (Overview and Scrutiny) Regulations 2009

Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009

Sections 19 and 20 of the Police and Justice Act 2006 (as amended)

Crime and Disorder Act 1998 (as amended)

Wrexham County Borough Council Constitution

http://www.wrexham.gov.uk/assets/pdfs/key_docs/constitution_2014.pdf

Scrutiny Committee Work Programmes

Scrutiny committees meet each month and publish work programmes which list their work commitments for the coming months. Any organisation or member of the public can request that a scrutiny committee schedule an issue for consideration on its work programme. The decision as to whether to scrutinise an issue rests with the scrutiny committee and items will be scheduled according to relative priority.

These work programmes are available on the Council's website, at:-

http://www.wrexham.gov.uk/english/council/forward_work_programme/scrutiny.htm

Agendas and papers for meetings are available to the public 3 working days in advance of the meeting. Electronic copies can be accessed via the Council's online search facility

<http://moderngov.wrexham.gov.uk/mgListCommittees.aspx?bcr=1>

APPENDIX 2 – Contact Details (this Appendix will be updated as required without the need for formal review)

Organisation	Named Contact	Contact Details
Safeguarding Communities & Wellbeing Scrutiny Committee / Crime & Disorder Scrutiny Committee	Chair Councillor Derek Wright	
	Vice Chair Councillor Beverley Parry-Jones	
	Facilitator Suzanne Price	
Community Safety Partnership	Chair Lee Robinson, Executive Director, WCBC	
	Facilitator Alison Watkin	
Responsible Authorities		
Wrexham County Borough Council *		
North Wales Police *		
National Probation Service*		
Community Rehabilitation Company (Wales)*		
North Wales Fire & Rescue *		
Betsi Cadwaladr University Health Board *		
Other Co-operating Bodies & Persons*		

* Responsible Authority / co-operating persons or bodies as given in section 5 (1) of the Crime & Disorder Act 1998

** Co-operating persons and bodies as defined in section 5 (2) of the Crime and Disorder Act 1998 and prescribed in the 'Crime and Disorder Strategies (Prescribed Descriptions) (Wales) Order 2009