

Draft

Crime and Disorder Committee Protocol

1. Introduction	
1.1	It is a requirement of the Police and Justice Act 2006, as amended by the Local Government and Public Involvement in Health Act 2007, that all local authorities should have a Crime and Disorder Committee which has the power to scrutinise the local Crime and Disorder Reduction Partnership (CDRP). For local authorities in England this requirement is supplemented by the Crime and Disorder (Overview and Scrutiny) Regulations 2009.
1.2	Derby City Council's Scrutiny Management Overview and Scrutiny Commission currently acts as the Council's Crime and Disorder Committee. Derby's CDRP is currently the Derby Community Safety Partnership.
1.3	This protocol has been written in response to a request made by the Crime and Disorder Committee at its meeting on 28 September 2009.
1.4	The purpose of the protocol is to define the manner in which the Crime and Disorder Committee may scrutinise the Derby CDRP and the partners. The aim of the protocol is to ensure that a good working relationship is maintained between the CDRP and the Crime and Disorder Committee throughout the scrutiny process.
1.5	To enable the continued improvement of the scrutiny process this protocol may be revised from time to time. Any revisions of the protocol must be agreed by all the interested parties.
2. Function and Terms of Reference of the Crime and Disorder Committee	
2.1	<p>The function of the Crime and Disorder Committee is to drive the delivery of crime and disorder service improvements. It will do this by:</p> <ol style="list-style-type: none"> 1. Scrutinising and where appropriate challenging the way in which services in respect of crime and disorder issues are delivered and decisions about them are made 2. Responding to and where appropriate conducting a scrutiny review to investigate concerns raised with the Committee by Derby people
2.2	In summary the terms of reference of the Crime and Disorder Committee are to:

	<ol style="list-style-type: none"> 1. Consider Councillor Calls for Action (CCfA) that arise through the Council's CCfA process and which relate to Crime and Disorder matters. 2. Consider any actions undertaken by the responsible authorities that form part of the Derby Crime and Disorder Reduction Partnership. 3. Make reports or recommendations with regard to the above functions. In practice the nature of the Committee and its work may mean that some recommendations will be made directly to the CDRP and the partners whilst others will be to relevant bodies within the City Council.
2.3	<p>The responsible authorities affected by this protocol are:</p> <ul style="list-style-type: none"> • Derby City Council • Derbyshire Fire and Rescue Authority • Derbyshire Constabulary • Derbyshire Police Authority • Derby City Primary Care Trust • Derbyshire Probation Service
3. The Scrutiny of Crime and Disorder matters	
3.1	<p>Objectives</p> <p>The primary goal of Crime and Disorder scrutiny is to improve community safety for all Derby people</p>
3.2	<p>Crime and disorder scrutiny in Derby will involve scrutiny members and CDRP partners working closely together in a positive, objective and constructive manner. The following sections of this protocol are intended to define what the CDRP partners and the scrutiny members may expect from each other.</p>
3.3	<p>Standards</p> <p>Crime and Disorder scrutiny must be, and must be seen to be, open and transparent. To this end any person involved in crime and disorder scrutiny must declare any personal and/or pecuniary interest that they have either:</p> <ol style="list-style-type: none"> a) in the subject of any scrutiny review, or; b) in the matters to be considered at any meeting of the Crime and Disorder Committee.
3.4	<p>Derby City Council's Members' Code of Conduct will apply to all members of the Crime and Disorder Committee as well as to co-opted members and appointed members of that Committee.</p>

3.5	<p>Limitations on the use of Crime and Disorder Scrutiny</p> <p>The crime and disorder scrutiny process will not be used as a process of raising complaints about a partner's action or inaction in respect of specific incidents or cases.</p>
3.6	<p>Cases studies may however be used as part of the supporting information for scrutiny reviews</p>
<p>4. Undertakings by the Crime and Disorder Committee</p>	
4.1	<p>The dates and times of Committee meetings, together with copies of agendas, minutes and reports will be made available to the CDRP</p>
4.2	<p>At least once per year the Committee will consult the CDRP and through it, the partners on the annual work plan of the Committee</p>
4.3	<p>The Committee will notify the CDRP in advance of the scope of any crime and disorder scrutiny that it is proposing to undertake. Notification of scrutiny may take the form of a statement at a meeting of the Committee.</p>
4.4	<p>Attendance at Crime and Disorder Committee meetings</p> <p>The Committee may request the attendance of a representative of the CDRP or its partners to give evidence to a scrutiny review or to attend a meeting of the Committee. Unless the matter can be shown to be urgent, a minimum of 15 working days notice will be given to the partners of requests to attend a meeting of the Committee. Unless they have not received the requisite notice the CDRP and the partners are obliged to send a representative to the Committee meeting.</p>
4.5	<p>Requests for information from the CDRP and its partners must be made in writing and the CDRP and its partners will be allowed at least 15 working days in which to respond.</p>
4.6	<p>Reports and Recommendations</p> <p>The following actions will be taken by the Crime and Disorder Committee when it produces a report or recommendations which will impact, or have the potential to impact, on community safety issues or upon the CDRP or its partners:</p> <ul style="list-style-type: none"> a) The draft report will be sent to the CDRP and any relevant partners to be checked for factual accuracy. Any suggested amendments should be forwarded to the Crime and Disorder Committee within 10 working days. b) Copies of the final report or recommendations will be sent for comment to the CDRP and those community safety partners that are affected by the report or recommendations. c) The CDRP and relevant relevant community safety partners will be asked to provide a written response to the report or

	<p>recommendations. The response should be provided within 15 working days of the date. If this is not possible the response should, with the agreement of the Committee, be provided soon as is reasonably practicable.</p> <p>d) The CDRP and the relevant partners will be given as much notice as practicable prior to any recommendations or the reports of the Committee being made public.</p>
4.7	The CDRP and the partners will not be asked to provide information that might reasonably be expected to prejudice legal proceedings or current or future operations of the Partnership or the partners
5. Undertakings by the Crime and Reduction Partnership and the Partners	
5.1	The CDRP and the partners will co-operate closely with the Council's Crime and Disorder Committee to enable effective scrutiny of crime and disorder issues in Derby
5.4	<p>Where requested in writing to do so and where the agreed notice has been given the CDRP and the partners will:</p> <p>a) attend meetings of the Crime and Disorder Committee</p> <p>b) provide any information requested by the Committee</p>
5.3	The CDRP and the partners will respond to the Committee's request for information within 15 working days of receipt of the request. If this timescale cannot be met or the request cannot be complied with, the CDRP will, within the 15 working day deadline, give its reasons for not complying and will if possible suggest some alternative options.
5.4	The CDRP will provide comments on any draft reports and recommendations of the Committee within 20 working days of the date of receipt. If this timescale cannot be met the CDRP will, within the 20 working day deadline, give its reasons for not complying and will if possible suggest some alternative options.

DRR 13 October 2009.