

# SAFER FUTURE COMMUNITIES

Empowering local voluntary & community partnerships



## Policy Briefing No. 1 ::: 1<sup>st</sup> December 2011

### Introduction

Following the last general election in May 2010 the Coalition Government's consultation paper<sup>1</sup>, *Policing in the 21<sup>st</sup> Century: Reconnecting Police and the People*, set out its intention to address the disconnection between the police and communities and put the public 'back in the driving seat' by:

*...making sure everyone plays their full part in cutting crime in a Big Society – wider criminal justice and community safety partners, the voluntary and community sector and individuals themselves.*

The key mechanism for achieving this shift was to be the introduction of elected Police and Crime Commissioners (PCCs) across England and Wales, actively engaging with local people to identify priorities for policing and crime, and mobilising partner agencies and the wider community to deliver agreed outcomes.

With the passing of the *Police Reform and Social Responsibility Act 2011* in September 2011<sup>2</sup>, the Government's plans for the election of PCCs on 15<sup>th</sup> November 2012 are now being fully implemented.

This policy briefing is intended to provide a brief overview of the introduction of PCCs and some of the key implications of this changing landscape for Third Sector organisations in England and Wales with an interest in community safety.

### Police and Crime Commissioners: the new landscape

The police authorities that currently hold the police to account will be abolished from November 2012 and replaced by elected PCCs in 41 police force areas across Greater London, England and Wales.

In London the role of PCC for the Metropolitan Police will be carried out by the Mayor of London through the Mayor's Office for Policing and Crime, which is to be created in January 2012 when the Metropolitan Police Authority will be formally abolished. London is being allowed to make this transition earlier than the rest of England and Wales, so that the new police governance structures are embedded ahead of the Mayoral elections in May 2012. The PCCs will hold office for four years and will be responsible for:

<sup>1</sup> Home Office (2010) *Policing in the 21<sup>st</sup> Century: Reconnecting Police and the People* Available at: <http://www.homeoffice.gov.uk/publications/consultations/policing-21st-century/>

<sup>2</sup> Police Reform and Social Responsibility Act 2011. Available at: <http://www.legislation.gov.uk/ukpga/2011/13/contents/enacted/data.htm>

- Appointing the Chief Constable and holding them to account for the running of their force
- Producing a 5 year Police and Crime Plan setting out local policing priorities
- Setting the annual policing precept component of local authority Council Tax, and the annual police force budget
- Co-operating with the Criminal Justice System in their area  
Working with partners and funding community safety activity to tackle crime and disorder by making grants to organisations that support their objectives.

Each PCC will have to appoint a chief of paid staff and a chief finance officer, and will have the option of appointing a Deputy Police and Crime Commissioner. Other staff can be appointed on merit as appropriate, but the PCC will have to publish details of the role and cost of the staff supporting them. Initially existing police authority staff will be transferred to support PCCs, but thereafter it will be for the PCC to restructure and reform their team as they see fit.

### **The PCCs and Community Safety Partnerships**

PCCs will not become members or 'responsible authorities' on the existing local authority Community Safety Partnerships (CSPs), but there will be a reciprocal duty for PCCs and CSPs to co-operate to reduce crime and disorder and re-offending. Each PCC, when drawing up their Police and Crime Plan, must have regard to the priorities of the CSPs in their force area, and the CSPs will likewise have to have regard to the objectives in the Police and Crime Plan when exercising their functions.

As described in a recent guide on PCCs produced for councils by the Local Government Group and Welsh Local Government Association<sup>3</sup>, CSPs will to some extent find themselves accountable to the new commissioners. Where CSPs are looking to merge they will need the agreement of the PCC. The PCC will also be able to require a report from a CSP on their work to reduce crime and disorder, if s/he is of the view that the CSP is not carrying out its crime reduction functions in an efficient and effective manner. PCCs will also have powers to convene and chair meetings with all the CSPs in the force area to discuss strategic priorities.

### **The PCCs and funding for community safety**

The PCCs will be able to make crime and disorder reduction grants to any organisation or person in their force area. In order to provide the PCC with a budget for this purpose, the Home Office expects to consolidate and transfer some existing crime and drugs grants to PCCs from 2013/14.

A key component of this funding will come from the transfer from local authorities to the PCC of the Community Safety Fund (formerly within the Area Based Grant). The amount of Community Safety Fund available to local authorities has already been reduced by 20% in 2011/12 and will be reduced by a further 40% in 2012/13, before being transferred over to PCCs from 2013/14.

A key factor for the Third Sector and other sectors is that this funding will not be ring fenced and PCCs will have the discretion to use it for a range of activities they see as supporting

<sup>3</sup> Local Government Group and Welsh Local Government Association (August 2011) *Police and crime commissioners: a guide for councils* Available at: [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=ba6fa290-eea0-4d60-bbc6-fce81540392b&groupId=10161](http://www.local.gov.uk/c/document_library/get_file?uuid=ba6fa290-eea0-4d60-bbc6-fce81540392b&groupId=10161)

their wider community safety objectives and commissioning role. The Welsh Government has however indicated that any funding they currently give to Welsh CSPs will continue to be paid to CSPs rather than being diverted to PCCs.

In England, PCCs will also receive the proportion of Drug Interventions Programme Funding not going to the new Health and Wellbeing Boards, as well as funding for services to address violence against women and girls.

Historically, local Third Sector organisations working in community safety have looked to their CSPs for some funding support. However, it is clear that, from 2013, CSPs will not automatically be the recipients of PCC funding. In the absence of such funding, there are doubts about the ability of CSPs to sustain existing services from their own resources. At the same time, concerns are being voiced that PCCs may decide to re-allocate all of their community safety budget to fund local policing activity, or may commission and procure community safety services through a competitive process in which CSPs will be bidding for funding alongside Third Sector and private providers. At present precisely which model will be adopted by individual PCCs is unclear and it is likely to be different between areas.

Over time, the PCCs' funding and commissioning role is expected to go well beyond this CSP remit. The Government is now emphasising that it expects PCCs to play a much wider and more significant local commissioning role within the Criminal Justice System:

*The clue is in the name. These will be Police AND CRIME Commissioners. Their role will be greater than that of the police authorities they replace. We have always made it clear that the government would keep under review the role Police and Crime Commissioners can play in the wider criminal justice system...*

*Their broader remit to ensure crime reduction involves powers, not available to Police Authorities, to use their budgets to commission services from public, private and voluntary sector partners. This is an important new role that brings significance to the word 'commissioner'. The directly elected mandate of the PCC will mean that their arrival will galvanise local partners. Now is the time for local authorities and the voluntary, private and public sectors to begin considering how they can play their part as a critical partner to the PCC in cutting crime.*

[Nick Herbert, Minister for Policing and Criminal Justice, 21<sup>st</sup> November 2011<sup>4</sup>]

As part of this expanded role, Nick Herbert announced new proposals on 21<sup>st</sup> November to enable PCCs to act as commissioners for all local victim support services. In December 2011, the government intends to publish a consultation setting out its vision for improved support for victims and witnesses and plans for victim support services to be locally funded and locally determined.

### **Police and Crime Panels: an opportunity for influence?**

In order to ensure some local accountability for the PCCs, a Police and Crime Panel (PCP) will be established in every police force area to scrutinise the work of the PCC (but not the performance of the force). The Panel will have powers to make reports and recommendations about any actions and decisions taken by the PCC and have a specific role in scrutinising the draft Police and Crime Plan, Council Tax policing precept, Chief Constable appointments, and the Annual Report. The Panel will however have only limited

---

<sup>4</sup> Nick Herbert's speech to the Institute for Government, 21<sup>st</sup> November 2011, may be viewed at: <http://www.homeoffice.gov.uk/media-centre/speeches/a-new-era-for-policing>

veto powers – over the PCC's proposals for the precept, and the appointment of the Chief Constable. All reports and recommendations made by the Panel will be published and sent to the local authorities in the force area, and equally the PCC must publish all their responses.

The local authorities covered by each force will have to come together to form a Panel, as a joint committee of the relevant Councils. Each panel will have a minimum of 10 elected councillors (at least one from each of the local authorities covered by the force), plus two co-opted members appointed by the councillors. With the agreement of the Home Secretary, a Panel may co-opt additional members, including extra councillors, provided the panel does not exceed 20 members.

In London the role of the PCP will be undertaken by a committee of the Greater London Assembly, but operate in a slightly different manner. In Wales, following the decision of the National Assembly for Wales not to allow the creation of PCPs as local government committees (which is a devolved matter), the Home Secretary will appoint and support the Panels as freestanding bodies.

The Home Office is already inviting local authorities to consider how they will establish the PCP for their force area, and encouraging the identification of a Lead Authority to take responsibility for the day to day running of the Panel. The Lead Authority will receive Home Office funding to support this new responsibility.

### **Some implications for the Third Sector**

It will clearly be essential for Third Sector organisations to be well prepared for the arrival of PCCs and the establishment of the Police and Crime Panels if they are to position themselves to have voice and influence in the setting of the PCC's local community safety priorities, and to access any service delivery / partnership opportunities that arise in the new commissioning landscape.

However, Third Sector organisations working to support community safety at a local level are already experiencing considerable turbulence arising from funding cuts and a high degree of uncertainty in the commissioning landscape as the market opens up to greater competition, the introduction of Payment by Results contracts, and new systems and structures such as the Health and Wellbeing Boards in England. The election of PCCs will therefore add a further layer of complexity in what is already a challenging landscape.

In recent years local Third Sector organisations involved in community safety activities have been urged to build relationships with their Community Safety Partnerships, and some have done so with considerable success, most notably perhaps those organisations concerned with victim support, drug misuse, domestic violence and youth crime.

By contrast, the opportunities for Third Sector organisations working with offenders to engage with Community Safety Partnership agendas only came into focus from April 2010, when CSPs took on broader accountability for reducing reoffending in their local areas and Probation Trusts became 'responsible authorities' on the CSPs. Prior to that, individual Third Sector organisations working with offenders were encouraged to build relationships with Probation Areas, regional commissioners within the National Offender Management Service (NOMS), or individual prison establishments. Commissioners within the Criminal Justice System (CJS) such as Probation likewise did not have a particularly local focus and had little reason to identify or forge close working links with all their potential local Third Sector providers.

Many of the Third Sector organisations concerned with community safety and crime reduction have consequently had relatively little time or opportunity to develop working links with the Police or other local CJS partners, and little awareness of or access to local strategic structures such as CSPs that might support the broader, more holistic partnership approaches to community safety that are viewed as essential in the Government's policy agenda. A recent Clinks survey (responses from 196 Third Sector organisations) thus revealed 48% working with their CSPs but 52% not.

The starting point for effective Third Sector engagement with PCCs in force areas is therefore highly variable, and in many areas there will be a need to build basic Third Sector capacity for engagement with community safety commissioners at local authority / CSP level, before engagement with PCCs can be fully developed.

### **Supporting Third Sector engagement: the role of national networks and local brokers**

In this environment, there is a significant need to strengthen the voice and work of the Third Sector and those it works with in the field of crime and community safety. At national level, umbrella / network organisations will have a key role to play in informing their members of these changes and supporting their engagement with the new policy agenda.

At police force level, many Local Support and Development Organisations (LSDOs)<sup>5</sup> already have well established links with their local authorities and CSPs and are therefore ideally placed to develop and strengthen local networks of Third Sector organisations working to reduce crime and deliver community safety, and to broker effective strategic and operational engagement with PCCs and other local commissioners.

Both LSDOs and the many Third Sector organisations working within local areas already have considerable experience of reaching out to involve diverse communities in the decisions that affect them. They are therefore extremely well placed to advise the new PCCs on wider community engagement and have an important opportunity to develop effective local networks and partnerships of Third Sector organisations, in order to influence the PCCs' emergent commissioning agendas on crime and community safety.

### **Supporting frontline Third Sector engagement: a new national partnership project**

Through its Support and Modernisation Fund, The Home Office has awarded a total of £1.1 million over the current and next financial years to the *Safer Future Communities* project, to support frontline Third Sector organisations in preparation for the arrival of PCCs in November 2012.

The *Safer Future Communities* project will be delivered through a strategic partnership led by Clinks, the infrastructure charity supporting organisations working with offenders. The other partners are the Women's Resource Centre, Drugscope, National Council for Voluntary Youth Services (NCVYS), working with their partner Council for Wales of Voluntary Youth Services (CWWVYS), National Association for Voluntary and Community Action (NACVA) and Wales Council for Voluntary Action (WCVA). The strategic partnership will also link with a wider group of Third Sector stakeholders.

---

<sup>5</sup> LSDO: Local Support and Development Organisation – a charitable body such as a Council for Voluntary Service that typically provides a range of support services for all the Voluntary, Community and Social Enterprise Organisations within its area. Many LSDOs have Volunteer Centres attached to their organisations or work very closely with them.

Working through national networks, LSDOs and other key Third Sector partners, the project will prepare the Sector at a local level to engage with their PCCs and provide them with support and advice to establish local Third Sector networks. These networks will support the Sector to identify the skills and tools to develop and communicate a convincing case about local needs on community safety issues, and how the Sector can play a full part in addressing them.

The aim is to secure more effective working between the Sector, Community Safety Partnerships, PCCs and other statutory agencies that impact upon community safety. By engaging with a diverse range of partners, this project aims to ensure that the breadth of Home Office community safety issues (crime, anti-social behaviour, re-offending, substance misuse, violence against women and girls, youth crime) are properly represented in the new local commissioning landscape.

For further information about *Safer Future Communities*, please see <http://www.clinks.org/services/sfc> or contact [Linda Pizani Williams](#), the Project Manager.

---

### **Further information**

Further information about the transition to Police and Crime Commissioners may be found on the Home Office website at: <http://www.homeoffice.gov.uk/police/police-crime-commissioners/>