

# Regulatory Impact Assessment

## Title of proposal

Policing and Justice Bill – amendments to the partnership provisions of the Crime and Disorder Act 1998 as amended by the Police Reform Act 2002 (proposals from the CDA Review).

This is a Full Regulatory Impact Assessment and builds on the analysis of the options in the Partial Regulatory Impact Assessment published with the Police Reform White Paper – ‘Building Communities, Beating Crime: A Better Police Service for the 21<sup>st</sup> Century’.

## Objective

The overall aim of the policy is to make Crime and Disorder Reduction Partnerships the most effective possible vehicle for tackling crime, anti-social behaviour and substance misuse in their communities.

Delivering safer communities requires a variety of agencies to work well together at a local level. The Bill will make changes to the role and responsibilities of Crime and Disorder Reduction Partnerships in order to maximise their effectiveness. The objectives are to:

- Reduce the bureaucratic burden on Crime and Disorder Reduction Partnerships
- Streamline delivery of partnership outcomes
- Improve inter-agency working
- Strengthen the visibility and democratic accountability of Crime and Disorder Reduction Partnerships

## Background

The Crime and Disorder Act 1998 put partnership working to reduce crime and disorder on a statutory footing for the first time. The Act placed a responsibility on the police and local authorities to work together, and with a range of other agencies, to review the levels and patterns of crime and disorder in their local area and produce a strategy for tackling these issues (sections 5 – 7 CDA 1998). It also placed a duty on a number of agencies, including local authorities, to consider the implications of crime and disorder when exercising their functions, and to do all that they can to prevent it (section 17 CDA 1998). Finally, it gave agencies the power to disclose information to other relevant agencies when exercising their functions under the Act (section 115 CDA 1998).

The Police Reform Act 2002 introduced new requirements on police authorities, fire authorities and primary care trusts (England), health authorities (Wales) to work with local authorities and the police in the exercise of their duties under sections 5 – 7 of the Act. It also introduced the requirement that the review of the level and patterns of crime in a local area and the development of the strategy should include misuse of drugs or substance abuse in Wales (sections 97 and 98 PRA 2002).

There have been many improvements in partnership working since the legislation was introduced, but the Government recognises there is a need to do more to improve the effectiveness of Crime and Disorder Reduction Partnerships, their performance and their accountability to local people. To this end it announced in November 2004<sup>1</sup> a review of sections 5-7, 17 and 115 of the Crime and Disorder Act 1998, along with sections 97 and 98 of the Police Reform Act 2002.

## **Rationale for Government intervention**

At the heart of the Government's public sector reform agenda is a commitment to enable people to take decisions about the services they want in their local area. We know from the findings of the review of partnership provision of the Crime and Disorder Act 1998, as outlined in full below, that under present arrangements partnerships are neither fully and effectively visible nor properly accountable to the communities they serve nor are they firmly embedded into the local democratic framework. Lack of clarity about roles and responsibilities and blurred lines of accountability can lead at worst to some agencies abrogating their responsibility for community safety, or simply failing to recognise the contribution they could make to this agenda. The proposal for national standards discussed in more detail below will secure a consistent approach to how CDRPs/CSPs undertake their work.

The proposals to improve partnership effectiveness are intended to address this. The Government wants clear and strong mechanisms to hold Crime and Disorder Reduction Partnerships to account so that the public is clear about who is responsible for delivering community safety locally, how they are performing and how they can be held to account. We know that many well run partnerships are already taking steps to address poor performance and processes, but lack of capacity, and in some parts lack of will on behalf of partners to change, means this is not happening everywhere. The Government therefore intends to take action outlined in the Policing and Justice Bill in order to improve the situation.

The need for such steps is reinforced by successive reports calling for action to improve partnership working to reduce and prevent crime and disorder.

For example, the HMIC joint thematic inspection of partnerships published in July 2000<sup>2</sup> identified a number of instances where the Chief Executive of the local authority had effectively abdicated his or her responsibility for crime and disorder issues to the community safety officer appointed by the partnership. The effect was to devalue the importance of community safety issues in the eyes of other local authority staff, with no apparent commitment to hold people to account for delivery. This report together with an Audit Commission report published in 2002<sup>3</sup>, identified a number of critical factors for successful partnership working including:

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<sup>1</sup> Building Communities, Beating Crime: A Better Police Service for the 21<sup>st</sup> Century

<sup>2</sup> Calling Time on Crime – A Thematic Inspection on Crime and Disorder conducted by HMIC, Home Office (July 2000)

<sup>3</sup> Community Safety Partnerships – AC Knowledge – Learning from Audit, Inspection and Research, Audit Commission (2002)

- the use of a problem-solving approach, informed by relevant and up-to-date intelligence, to support business processes such as performance, risk and financial management;
- effective community engagement in crime and anti-social behaviour prevention and reduction;
- clarity around the roles and responsibilities of partner agency chief officers in providing leadership and strategic direction for the partnership; and
- clarity around inter-agency, and local democratic governance arrangements

The Audit Commission report drew on the combined findings from audit, inspection and research and cited a 2001 Mori survey as evidence indicating the importance of community safety to local people – in response to the questions ‘thinking generally, what would you say is the most important thing in making somewhere a good place to live?’, 56% said that a low crime rate was the most important thing. The Audit Commission also called on Government to clarify its expectations of partnerships.

A National Audit Office report published in December 2004<sup>4</sup> also called for action to minimise the administrative work done by partnerships and found that the involvement of partner agencies is critical to successful partnership working. It cited examples from Crime and Disorder Reduction Partnerships that rated some agencies, typically Probation and the local Health Service, as less active than other key statutory partner agencies due to resource constraints and competing priorities. Our proposals to set out the roles and responsibilities of partner agencies, separate Crime and Disorder Reduction Partnership strategic and delivery functions and lift the audit and strategy requirement will address these issues. Specifically, our proposals will reduce the number of strategic decision making partnerships in two tier areas of local government from 238 to 34 by placing CDRP’s existing strategic (as opposed to delivery) functions with Local Strategic partnerships.

## **Consultation**

### Within Government

The proposals published in the Police Reform White Paper ‘Building Communities, Beating Crime’ were developed in consultation with a range of Government Departments. The review of the partnership provisions of the Crime and Disorder Act was announced in that White Paper. During the review and subsequently in the development of the detailed proposals to improve the effectiveness of partnerships, the Office of the Deputy Prime Minister, the Department of Health, Department for the Environment and Rural Affairs, Office for Criminal Justice Reform, Department for Constitutional Affairs and the Welsh Assembly Government have been consulted.

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<sup>4</sup> Reducing Crime, the Home Office working with Crime and Disorder Reduction Partnerships – National Audit Office (December 2004)

## Public consultation

“Building Communities, Beating Crime” was a public consultation document and the comments received in general welcomed the review of the CDA. These comments were taken on board during the review.

The CDA review was conducted with the full involvement of a range of internal and external stakeholders who assisted in the development of the proposals. It was conducted jointly with the Local Government Association, the Association of Chief Police Officers and the Association of Police Authorities. The review took advice from an Advisory Group and 3 thematic core groups of stakeholders and written submissions were also invited from these agencies. A full list of these participating organisations is at Annex A. In addition, 4 regional workshops were held attended by over 450 stakeholders from local agencies including Local Authorities, Police Forces and Authorities, Fire and Rescue Services, Probation, Voluntary and Community Sector, Primary Care Trusts, Drug and Alcohol Action Teams, Youth Offending Service, Regional and Welsh Government Offices and the wider Criminal Justice Agencies.

The Federation of Small Businesses was represented during the CDA Review. The proposals will not have a significant impact on small businesses.

## **Options**

The Policing and Justice Bill contains a range of measures to make partnership working at local level more effective. These are structured around 4 key themes:

- Reducing the bureaucratic burden on Crime and Disorder Reduction Partnerships
- Streamlining delivery of partnership outcomes
- Improving inter-agency working within Crime and Disorder Reduction Partnerships
- Strengthening the visibility and democratic accountability of Crime and Disorder Reduction Partnerships

## **Reducing the bureaucratic burden on Crime and Disorder Reduction Partnerships**

### Option 1

#### **Do nothing**

Continue to require Crime and Disorder Reduction Partnerships to produce and publish three yearly crime and drugs audits, produce three year strategies and report annually on the implementation of these strategies to the Secretary of State. The risks of this option are that Crime and Disorder Reduction Partnerships will as now, continue to be distracted from delivery for up to one year in every three in order to carry out stand alone assessments of crime and misuse of drugs in their area. The assessments are out of date almost immediately and are hugely resource intensive both in terms of human and financial resources, especially for smaller partnerships.

## Option 2

### **Extend the timeframe so that audits and strategies need only be produced every 5 years.**

Crime and Disorder Reduction Partnership agencies are familiar with the audit and strategy discipline and there have been three rounds since the 1998 Act was introduced. Extending the time between audits and strategies would enable partnerships to retain a system with which they are familiar, but reduce the bureaucratic and resource burden of undertaking these assessments. However, a number of the risks identified under option 1 would also apply to this option: the audit and strategy would still distract from delivery, albeit every 5 as opposed to every 3 years; there would also be a higher risk that experienced personnel within a Crime and Disorder Reduction Partnership will have moved on to other posts in the intervening period between audits with the result that new personnel would have to learn the process afresh each time. In addition, having a 5 year crime reduction strategy would conflict with the trajectory of most Crime and Disorder Reduction Partnerships who look at their priorities on at least an annual basis and would thus be seen as a regressive move. Detailed assessments would still be resource intensive to produce, out of date almost immediately and the option would not resolve the additional bureaucratic burden of reporting on the implementation of the strategy to the Secretary of State every year.

## Option 3

### **Lift the requirement on Crime and Disorder Reduction Partnerships to undertake three yearly crime and drugs audits, produce three year strategies and provide annual reports to the Secretary of State.**

The preferred option. During the consultation phase of the CDA review, stakeholders told us that partnerships were increasingly adopting mechanisms for considering real time data and intelligence in order to drive community safety activity. Whilst the audits were still seen by many as useful pieces of research, stakeholders commented that the information from the audit was very soon out of date, and in order to monitor delivery of targets and priorities in their strategies, partnerships need to routinely profile data and information collected by a range of agencies. There was general feeling amongst stakeholders that the annual report on the implementation of their strategies was also a distraction from delivery and that rather than reporting upwards to central Government, partnerships should be reporting regularly to communities on their progress.

The risk in lifting the audit and strategy and reporting requirement is that taken in isolation it may be seen as a sign that Government is no longer interested in the community safety activity of local partnerships. This is patently not the case. We intend to replace this with a much lighter-touch (but more effective) process – see option 3 under “Streamlining delivery” below. Furthermore, there is a robust performance management regime (known as PADS) in place for managing the performance of Crime and Disorder Reduction Partnerships through the Government Offices in the Regions and the Welsh Assembly Government. PADS were only launched in December 2005 following extensive development with key stakeholders and a progressive rollout during the previous 18 months previously.

The Government is committed to supporting partnerships to improve their performance. Taken together with the other measures in the Bill, this option will free up the time of local partnerships and allow them to concentrate on delivery.

### **Streamlining delivery of partnership outcomes**

The preferred option for streamlining delivery of partnership outcomes is linked to the option for lifting the audits and strategies requirement above.

#### Option 1

##### **Do nothing**

Crime and Disorder Reduction Partnerships would continue to undertake three year audit and strategies with all the bureaucratic implications and risks described above.

#### Option 2

##### **Lift audits and strategies requirement and let partnerships develop their own procedures for delivering community safety outcomes**

Crime and Disorder Reduction Partnerships would benefit, as described above, from lifting the requirement to publish audits and strategies. However, by leaving partnerships to determine their own procedures the Home Office may be perceived as uninterested in partnership working, and this option may also result in a high degree of variance in the quality of the community safety provision made by partnerships, as some procedures that are adopted are likely to be more effective than others.

#### Option 3

##### **Lift audits and strategies requirement and introduce national standards for partnership working requiring regular strategic assessments and production of annual rolling three year plans (the regularity and details of which will be determined through further consultation with stakeholders). Place CDRPs' existing strategic (as opposed to operational delivery) functions with the Local Strategic Partnership.**

This is the preferred option. Lifting the audits and strategies requirement will remove a bureaucratic burden that distracts from delivery. However, if they are to deliver community safety outcomes successfully, it is essential that partnerships have a good understanding of the problems in a local area. In order to do this, they need to consider a range of real time data and intelligence and listen to the concerns of local people. The proposal, therefore, is to introduce a national standard for partnership working that will require partnerships to use a problem solving approach, informed by relevant and up to date intelligence to support business processes such as performance, risk and financial management. We will achieve this by adapting the principles of the police National Intelligence Model to the partnership environment, and taking steps to facilitate better information sharing between partners (see *Improving Inter-agency working* below).

CDRPs currently have strategic and operational roles: they are charged both with identifying the strategic community safety priorities for their area, and then with

implementing a plan for delivering these priorities at neighbourhood level. This model has a major drawback: it risks confusion between the priority-setting role of the CDRP and the responsibility of the Local Strategic Partnership (LSP) for determining the overall priorities for an area within its Local Area Agreement (a significant component of which focuses on community safety). In order to overcome this, we intend to separate CDRPs' strategic and operational functions, placing the former with the LSP (at county level in two tier authority areas). This will mean that there is one body (the LSP) clearly charged with setting the overall strategic direction of community safety in an area, taking account of the wider LAA context and another (the CDRP) tasked with securing operational delivery of those strategic aims.

The risk of this approach is that partnerships may see it as heavy-handed interference by the Home Office in matters that could just as readily be decided at local level. **We have explained our reasoning in the CDA Review Findings paper that will be published on the [Crime Reduction Website](#). In addition, the implementation of a NIM approach and our requirement for increased community engagement/accountability (discussed below), means that we are addressing local concern more than ever before.** However, we think that this risk is far outweighed by the potential for national standards to achieve consistency in community safety provision nationwide, and by the benefits of providing a clear and direct statement of the relationship between CDRPs and LSPs (which we know has until now been a source of some confusion on the ground).

### **Improving inter-agency working**

#### **Option 1**

##### **Do nothing**

Some of the "responsible authorities" within the meaning of the 1998 Act - especially Primary Care Trusts and fire and rescue authorities - have, for a variety of reasons, not always played a full and equal part in Crime and Disorder Reduction Partnerships, whether this be lack of attendance of meetings or reluctance to contribute to aims of the partnership. Their full participation is essential to overall success, however, and doing nothing will mean that existing problems remain unresolved. Crime and Disorder Reduction Partnerships have themselves been asking for guidance on partnership working in terms of roles responsibilities, and accountability and we think it is important to respond to that. In addition, shortcomings in the understanding of the current provisions for data sharing (for example the Data Protection Act 1998 and the Freedom of Information Act 2000) between partners are often cited as a barrier to success. No partnership will realise its full potential if the partners within it do not (subject to appropriate safeguards and caveats) share information readily and quickly, and we are keen to address this problem too. The current legislation does not address the need to share information and data for the purposes of crime reduction. Those Crime and Disorder Reduction Partnerships that already struggle with this are likely to continue to do so if we do nothing.

## Option 2

**Require (through national standards) CDRPs to apply a National Intelligence Model-based approach to their work, but make no changes to existing legislation in respect of partnership data sharing.**

The application of NIM principles will be welcomed by Crime and Disorder Reduction Partnerships as many already apply these principles. It will provide a framework against which we can be much clearer (through the proposed national standards) about the part individual agencies are expected to play, and thus help to address the first of the problems identified in Option 1 above. However, NIM depends on timely sharing of depersonalised information, and leaving S115 of the 1998 Act untouched (i.e. sticking with a "power" for partners to share this data, rather than a "duty" upon them to do so) is likely to seriously compromise the effectiveness of NIM-based working in CDRPs where data sharing has traditionally been an issue..

## Option 3

**As Option 2, but place a duty rather than a power on key partner agencies to share relevant depersonalised data.**

The preferred option. This will have all the advantages of option 2 above, but imposing a duty on the CDRP responsible authorities to share data, where that data is presently held by the partner in a depersonalised and aggregate format, when necessary in the interests of preventing crime, disorder, substance misuse and anti-social behaviour will ensure that the full benefits of the National Intelligence Model are realised, with all the advantages to partnership delivery this implies. A problem solving approach relies on effective analysis and this in turn depends on the availability of good quality data. The proposed changes would mean that it would be much harder for partners to put obstacles in the way of data sharing as has happened in some parts of the country under the existing legislation, better equipping all CDRPs to carry out evidence based, targeted interventions, and evaluate their impact. This new requirement will be partly monitored through the performance management regime for CDRPs i.e. PADS and under the new role of Overview and Scrutiny Committees mentioned below.

## Miscellaneous

There are two other points to mention under the broad heading of "Improving inter-agency working". Both relate to proposals we aim to include in the Bill to simplify the way in which certain duties and responsibilities in the existing legislation can be extended to other agencies. Currently, primary legislation is required if we wish to either (i) add to the list of "responsible authorities" in CDRPs, as defined in section 5 and Section 115 of the 1998 Act, or (ii) add to the list of those agencies to which Section 17 of the Act 1998 (which places a duty on specified bodies to mainstream community safety by ensuring it is given appropriate weight in all of their internal governance and decision making processes) applies. The proposal is that the Home Secretary should instead take Order-making powers, which will allow him to extend either of these provisions to other agencies by means of the Affirmative Resolution procedure, reducing significantly the amount of Parliamentary time required to make changes, and allowing the benefits of such changes to be realise on the ground much faster.

We do not intend to do this so that we can embark upon an indiscriminate expansion of the application of the relevant provisions. The order would have to be laid before Parliament and this will act as a safeguard to ensure transparency and to reduce such perceptions. But taking these powers will mean that we can, for example, respond rapidly to structural changes in any of the key partner agencies, or react quickly to the appearance of new agencies or bodies which might have a key role to play in community safety.

### **Strengthening the visibility and democratic accountability of Crime and Disorder Reduction Partnerships**

#### Option 1

##### **Do Nothing**

Our review of the Crime and Disorder Act established that CDRPs have a pretty low profile in their communities. People generally lack awareness of what they are doing, and there are no clear links with local democratic process. In line with the Government's wider policies on localism, and with the work under way to restructure policing and local government, we are keen to address this accountability gap. Doing nothing will perpetuate the current problems. It will also leave CDRPs with their current obligation to report annually to the Secretary of State. As recorded in the section above on "Reducing the bureaucratic burden", this is a significant bureaucratic exercise for them, which is of very little value for the CDRPs themselves or for the Home Office.

#### Option 2

**Replace the requirement that CDRPs provide annual reports to the Secretary of State with an obligation upon them to report instead regularly to their local community details of this (such as frequency of reports) would be subject to consultation with stakeholders.**

This will increase people's knowledge of what is being done in their local area to reduce crime, anti-social behaviour and the misuse of drugs, increase the visibility of the Crime and Disorder Reduction Partnership and provide individuals with information with which to hold their democratically elected councillors, local authority and other public services to account on such issues. This may help to reduce fear of crime and lead to tangible benefits from increased engagement among the public, increasing social inclusion and encouraging increased volunteering among the public in roles such as Special Constables, Magistrates and sitting on voluntary boards such as Youth Justice Boards. However, this option would only go part of the way to achieving greater community engagement, as a great deal more could also be done to further involve the community in CDRPs and community safety generally.

#### Option 3

**As Option 2 above, but in addition define clearly the standard for engaging local people, and develop more formal accountability arrangements for CDRPs by empowering local authority Overview and Scrutiny Committees to consider the work of CDRPs.**

The preferred option. National Standards, as described above, will outline the responsibilities of partnerships regarding community engagement. These will further enhance the recently published guidance already provided to CDRPs and Local Criminal Justice Boards written by the Home Office in collaboration with the Office for Criminal Justice Reform. This document, entitled “CDRPs (CSPs) and LCJBs: How to work together”, outlines the CDRP responsibility for leading on community engagement regarding community safety, crime reduction and criminal justice.

Improving the accountability and visibility of CDRPs are mutually dependent exercises. Visibility highlights the need for the public to be fully aware of what is being done in their local area to tackle crime and disorder, and to feel engaged in the processes and structures. The importance of achieving Community Engagement is reflected in the Home Office’s Public Service Agreements 6 (to increase voluntary and community engagement, especially among those at risk from social exclusion). Achieving this objective is also, in turn, key to success in both PSA 2 (to reassure the public, reducing fear of crime and anti-social behaviour and building confidence in the Criminal Justice System without compromising fairness) and PSA 7 (to reduce race inequalities and build community cohesion).

But accountability is an equally important part of engaging the community. Placing a duty on local authority Overview and Scrutiny Committees to scrutinise the work of the Crime and Disorder Reduction Partnership in co-operation with Police Authorities, Fire Authorities and Primary Care Trusts will go a long way towards achieving this. There is nothing to indicate that local authority Overview and Scrutiny Committees will not undertake this work but in the event that they omit to do so, as public bodies their activities are ultimately open to Judicial Review. It will in fact build on informal arrangements which have already been developed in many parts of the country - over 60% of top tier local authorities currently engage in scrutinising community safety activity, with the agreement of local partners. A form of ‘scrutiny plus’ involving other members of the CDRP is being considered. A precedent for this already exists in relation to the health service under the Health and Social Care Act 2001. Being able to involve other members of the CDRP would better reflect the multi-agency nature of community safety work. The relevant community safety partners would have a duty to consider the recommendations and report back to the scrutiny committee on action that has been taken.

## **Costs and benefits**

### **1. The Sectors and Groups Affected**

Crime and Disorder Reduction Partnerships are partnerships comprising membership from a range of (largely) public sector institutions. All of those organisations listed as ‘responsible authorities’ are public sector bodies, and although the private and voluntary sectors are included among those listed as ‘cooperating bodies’ or ‘invitees to participate’, in reality, partially as a result of pressures on size of CDRP membership, these private and voluntary sectors groups are more likely to be involved in the CDRP’s Action Groups (arranged both thematically and geographically) than in the Responsible Authorities Group (RAG). The responsible authorities tend in these circumstances to fulfil a more

strategic function, covering all partnership activities in overview, the specific details of these strategic decisions and the associated actions are carried out by the respective thematic or geographical action teams, who in reality are often tasked with running the crime reduction initiatives in areas of crime or areas of the district or borough. Responsible Authorities Group (RAG) cover the strategic and financial issues and set targets etc. The CDRP's Action Groups are concerned with specific crime reduction projects like tackling anti- social behaviour or domestic violence.

Changes to CDRPs will have an impact on the private and voluntary sector organisations involved in local community safety. Such organisations will include Registered Social Landlords (often playing an important role in action groups covering issues such as Domestic Violence and Anti-Social Behaviour), Local Businesses/ Chamber of Commerce (often involved in groups tackling Business Crime, Acquisitive Crime or the Night-time Economy/Town Centre Violence) and Charitable Organisations providing services to Victims, Witnesses and Offenders. However, as the changes to CDRPs (detailed above) are in the main structural, and tend to leave the Action groups unchanged, this impact to those outside the public sector will be minimal, and is unlikely to carry any significant monetary burden. Action Groups will still be working within the objectives of their CDRPs, and reporting to CDRPs, therefore any change in accountability or decision-making outside of this chain is unlikely to impact on the Action groups directly.

There will be staff time resource implications for those responsible for the administration of Overview and Scrutiny Committees at a local level. Given the subject matters covered by Committees at present, a new subject area could add up to approximately a 1/6<sup>th</sup> of a council officials post at PO3 grade. The costs and benefits are dealt with in more detail below, including how we estimate these costs to be offset by increased efficiency and public confidence.

## 2. Analysis of Costs and Benefits

### Reducing the bureaucratic burden on CDRPs

#### **Benefits**

##### Option 1

There are few benefits to this option as it would leave the issues that we are trying to address unresolved. Some CDRPs might feel that by doing nothing we are allowing them to continue to focus on their local delivery without being deterred by the review. CDRPs are now on their third round of audits and strategies and have therefore built up a pool of expertise in this field. CDRPs have met the costs of doing audits and strategies in the past and they now factor this in to their business planning.

##### Option 2

The audit and strategy would still distract from delivery but it would be over a 5 year period rather than 3 years. This would also mean that the costs involved would be spread over a longer period and hence CDRPs would be spending approximately £0.5-1m per annum, which is based on taking the average time taken by specific CDRPs and extrapolating across the country] This would also allow CDRPs to retain a system they are familiar with.

### Option 3

The key benefit, of course, is that this Option, if implemented alongside our preferred Option for Streamlining local delivery, would compel CDRPs across the country to apply a structured, problem solving approach to their work. The application of NIM will give a structure to ensure improved leadership can facilitate and enable CDRPs/CSPs to be effective] This will significantly improve their ability to tackle local problems quickly and effectively by using available local intelligence and information received through community engagement to best target crime reduction strategies and actions. Although some of the savings arising from removing existing bureaucratic burdens will be offset by the cost of producing regular strategic assessments and the production of annual rolling three year plans, overall CDRPs are already doing a lot of this work. For example, the majority of CDRPs monitor delivery of targets and therefore routinely profile data and information from a range of partners. Many of them already produce yearly action plans for their priority areas and review these plans routinely. The proposed changes reflect where resources and staff time are currently targeted at a CDRP level and any remaining changes will be mainstreamed into work practices as good practice measures.

The benefits of CDRPs/CSPs strategic functions resting at LSP level (i.e. unitary and county council level) will reflect the Local Area Agreement process as set down by ODPM in agreement with other key Government Departments.

Removing the requirement for CDRPs to report annually to Secretary of State on performance against crime reduction strategies will save CDRPs £400k – 500k per annum (this cost is based on an inner city CDRP and a small rural CDRP multiplied by total number of CDRPs).

### **Costs**

#### Option 1

A disproportionate amount of resource goes into meeting the current statutory requirement to undertake a crime and drugs audit and develop three year strategies. The audit referred to here is a statutory process that we are repealing. Currently we estimate that £2m is spent in England and Wales per annum on meeting this statutory duty (this cost is based on an inner city CDRP and a small rural CDRP multiplied by total number of CDRPs). This cost is of particular significance when you consider that the audit is out of date almost immediately it is produced and the strategy is often of little use after a year. Feedback from the Crime and Disorder Act review highlighted that this was a real problem for the vast majority of CDRPs and practitioners will feel let down if no action is taken. The key is that £2m per annum is being spent on tools that are of limited use and do not reflect the way Partnerships work or the way Government would encourage them to work.

#### Option 2

Any financial gains that would come about as a result of spreading the costs over 5 years would be lost when set against the diminishing usefulness of a document that is already of limited use over a 3 year period. Any crime patterns or priorities identified in the audit would be of very limited use towards the end of the 5 year period. There is also a considerable risk of resources being misallocated because of out of date crime data and changing priorities. In addition, most

CDRPs look at their priorities on at least an annual basis and moving to 5 years would be going against the good practice being set by CDRPs.

### Option 3

Some of the savings that would be made by lifting the requirement on CDRPs to produce three year audits and strategies will be offset by the cost of producing regular strategic assessments and the production of annual rolling three year plans (see below, *Streamlining delivery of partnership outcomes*). The details of regular strategic assessments will be achieved through the contents of national standards regulations. Therefore, at this time the details of the alternative assessments are subject to much consultation and discussion with stakeholders. We anticipate that there will be some aggregate savings as a result of repealing the requirement to produce an audit and strategy, however, the details of this saving are, at present difficult to populate. Another cost of these measures may result in CDRPs viewing the move to lift these statutory requirements as a sign that the Government is no longer interested in CDRPs and the progress that they are making. However, these steps instead reflect the view that CDRPs are a valuable asset in the reducing crime and that central government are repealing this need to produce a yearly report to enable them to best serve their local communities.

## Streamlining delivery of partnership outcomes

### **Benefits**

#### Option 1

The benefits of continuing to require CDRPs to develop three year audits and strategies are very limited as this will not deal with the bureaucratic burden that they are currently faced with. However, limiting Government intervention in this area will allow Partnerships to continue to target resources using the audits and strategies they have developed in 2005 and get best value from the resources recently invested in this work.

#### Option 2

Lifting audit and strategy requirements and letting partnerships develop their own procedures for delivering community safety outcomes would remove the bureaucratic burden in CDRPs and avoid incurring any further financial costs. We estimate that producing a triennial audit costs a CDRP between £10,000 and £70,000 (the large variance reflects the wide breath of CDRP size, location and crime levels). From this we estimate that repealing the audits and strategies will save a minimum of £6.8m nationwide, however some of this saving will be offset by the introduction of alternative system of strategic assessments. It could be argued by CDRPs that this money could be better spent on delivering community safety initiatives.

#### Option 3

National Standards requiring regular strategic assessments and annual rolling three year plans will ensure that CDRPs are accurately identifying local priorities and targeting their resources in the most cost-effective manner.

The reality on the ground is that CDRPs are becoming increasingly performance focussed and intelligence led. There is a desire to be informed by real time data and community intelligence. A regular strategic assessment every 6 months would promote a problem solving approach to be taken and inform the rolling

three year community safety plans. Costs would be minimal given that the CDRP analysts currently undertaking the audits and providing analytical tools to the partnership would undertake this work.

Many CDRPs already review their 3 year strategies on a yearly basis to accurately reflect the CDRPs work and shifting crime patterns. Rolling three year plans, as implemented through the national standards framework, would simply cement this good practice and enable the good practice of some CDRPs to be reflected by all partnerships. Rolling plans will be incorporated in to the CDRPs core mainstream work. Most CDRPs already develop partnership action plans for their priority work strands and therefore nationally the cost of producing rolling plans will be minimal. The main cost incurred will be for publication.

Splitting the strategic and operational decision making of CDRPs will allow CDRPs to clearly distinguish between its two key roles, and focus energy on the operational aspects. In particular, the strategic decision making of CDRPs will be aligned, through the national standards, to Local Strategic Partnerships who will be coordinating the Local Area Agreements and the Safer and Stronger Communities Fund. County-wide strategic decision making is already happening around the country with very positive results. The separation of strategic and operational decision making is also something that is already common in unitary areas.

## **Costs**

### **Option 1**

The costs are the same as those listed above under *Reducing the bureaucratic burden on CDRPs* where it was estimated that the cost of producing audits and strategies was £2m per annum across England and Wales. The key is that £2m per annum is being spent on tools that are of limited use and do not reflect the way Partnerships work.

### **Option 2**

There is a considerable risk that by allowing CDRPs to develop their own procedures for delivering community safety that the quality of outcomes will vary considerably across England and Wales. There will be no opportunity to ensure that good practice is rolled out in a coherent manner or that communities receive a minimum level of service from their CDRP. CDRPs are an important partner in delivering the Government's Public Service Agreement targets and these might be at risk if there is little or no way of ensuring CDRPs effectiveness.

### **Option 3**

CDRPs that are well developed will already be taking an intelligence led approach to partnership working and following the National Intelligence Model. The information used here will be almost entirely the same type of information used for the audits. The Regulatory Impact Assessment accompanying the national standards will have to cost any requirement to collect or analyse new information/data. For these partnerships the costs of producing regular strategic assessments will be minimal. However, for those CDRPs that do not use data and intelligence in this way, as well as for smaller CDRPs, there will be cost implications around their analytical capability. They might not be able to readily produce the data analysis products needed to follow NIM because of knowledge gaps and/or available resources. The costs here will focus on training costs and

are expected to be minimal, especially as our consultation during the CDA review highlighted that most CDRPs already use real-time data through systems such as I-Quanta and many also employ specialist analysts.

Producing annual rolling three year plans will have a staff time cost implication. It would amount to approximately one member of staff working part time; this would amount to approximately £4.5m per annum (PO3 grade(p/t) multiplied by 374 CDRPs) across England and Wales. However, it is estimated that this staff cost is already being met to a certain degree by the majority of CDRPs when they develop action plans for their priority areas and update their three year strategies. The publication costs will be approximately £1.5m per annum (£5k multiplied by 374 CDRPs). In addition, the publication costs will also be offset by current practice where information and documents are published by CDRPs every year.

Splitting the strategic and operational roles of CDRPs will have little or no financial impact.

### Improving inter-agency working

#### **Benefits**

##### Option 1

Inter-agency working at CDRP level has been steadily improving since the Crime and Disorder Act came into force and some CDRPs have worked tirelessly to ensure all partners play an active part. Doing nothing would allow CDRPs to continue this work.

CDRPs might welcome the freedom to develop their own framework for producing strategic assessments and rolling programs, and would view this as part of the Government's public sector reform agenda and commitment to enable people to take local decisions.

Not all partners play a full part in the CDRP, creating a duty to share depersonalised information might act as a disincentive to further participation.

##### Option 2

There are limited benefits to introducing a national framework for delivering strategic assessments and rolling programs when both these tools require good information sharing provisions to work effectively at CDRP level.

##### Option 3

The National Intelligence Model has long been considered good practice by all community safety practitioners and has been rolled out successfully by the police across England and Wales. As part of the CDA review consultation process it appears that approximately half of CDRPs are considering real time data and intelligence and following a problem solving approach mean that NIM practices are already being used by a number CDRPs in all but name. The Police have been using NIM for a few years now and CDRPs are taking part in this framework. The review found that CDRPs are likely to welcome a good practice framework like NIM to work to. [It will provide a consistent approach across England and Wales.

In some CDRPs, partners have at times put obstacles in the way of data sharing. This may be due to professional mistrust, unwillingness to share information, or misunderstanding of current legislation. Effective information sharing is at the heart of any intelligence led approach. If partners are not sharing information NIM will be of limited use. Ensuring that depersonalised information is shared will allow a problem solving approach to be followed and thereby minimising the risk of inaccurately defining the problem. As a consequence resources will be targeted effectively.

Being able to extend the provisions of responsible authorities under S5 of the CDA1998 and add to the list of agencies subject to S17 of the CDA 1998 through Order-making powers given to the Secretary of State, will allow the Government to respond to structural changes in key partner agencies without resorting to primary legislation. This will reduce bureaucracy and delay while facilitating delivery at CDRP level.

## **Costs**

### **Option 1**

Allowing CDRPs to produce their own intelligence frameworks for delivering strategic assessments and rolling programs will make it very difficult to ensure effective delivery of these measures across England and Wales. By not providing a framework the Government cannot ensure best value is being met in producing strategic assessments and rolling programs.

CDRPs hampered by a lack of willingness to share information amongst partners will continue to feel frustrated and underachieve. The full potential of CDRPs will not be realised. There will be a real risk that resources will not be targeted at the root of the problem as missing data will provide the partnership with an inaccurate picture of the problem. Partners will continue to use this power as an excuse not to share information.

### **Option 2**

Resources would be allocated to producing strategic assessments and rolling plans but their overall value would be at risk of being compromised by a gap in information and intelligence. NIM would be followed in the short term but its overall value would begin to be questioned by CDRPs in the medium to long term when an inaccurate picture of crime and community safety prevailed as a result of a partner unwilling to share depersonalised information. On its own this would not be considered to be an effective use of resources. This relates to work to be undertaken through national standards and as a result will be covered by a further Regulatory Impact Assessment as mentioned above.

### **Option 3**

The financial costs of introducing a National Intelligence Model will not be significant given that the NIM simply provides a framework for using intelligence. CDRPs should see an efficiency saving in the medium term by following a nationally recognised intelligence led framework as all partners will become accustomed to one way of working. The data analytical tools needed to deliver a NIM approach through the strategic assessments are captured above in *Streamlining delivery of partnership outcomes*. Again this relates to work to be undertaken through national standards and as a result will be covered by a further Regulatory Impact Assessment.

Extending Section 115 so as to place a duty on authorities to share depersonalised information will have a staff time resource implication. However, the duty will be to share depersonalised information that is already held in a depersonalised format and therefore this information is already readily accessible and no legal cost implications will exist.

Any possible costs incurred by those agencies designated “responsible authorities” under the Home Secretary’s new Order making powers will be offset by the savings in reducing crime and increasing the quality of life of the public. Crime against individuals and households costs the community £36.2 billion per year<sup>5</sup>.

### Strengthening the visibility and democratic accountability of CDRPs

#### **Benefits**

##### Option 1

There are few benefits to this option as it would leave the issue that we are trying to address unresolved. Currently CDRPs might see the lack of accountability and scrutiny as a welcome reduction of bureaucracy that allows them to focus on local delivery. The same might apply to Community Engagement.

##### Option 2

This will give CDRPs the benefit of engaging with the community but not the added burden of having to be held to account by scrutiny. Partners could argue that the priority is to make CDRPs more visible and providing a regular report to the public is sufficient and less resource intensive.

##### Option 3

Clearly defining the standard for engaging local people and developing more formal accountability for CDRPs, through the framework of national standards and scrutiny, will ensure that the CDRPs are playing a key role in encouraging Community Engagement (PSA 6), reducing fear of crime and ASB (PSA2) and building confidence in the Criminal Justice System (PSA7).

There is a crucial role for local authority back bench scrutiny committees to co-opt people who are not councillors, summon members of the council executive and officers of the authority as well as other CDRP members to answer questions, and invite other people to attend meetings to give their views or submit evidence. This, along with the opportunity for the public to be directly involved, puts them in a strong position to tackle complex and cross cutting issues and support partnership working.

This is a necessary and proportionate measure when one takes into consideration the crucial role that CDRPs play in delivering PSA targets and their enhanced role with relation to Local Area Agreements and delivering one of the four blocks - Safer and Stronger Communities Fund.

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<sup>5</sup> ‘Brand, S and Price, R, (2000) ‘The economic and social costs of crime’ Home Office Research Study 217.

## Costs

### Option 1

CDRPs currently have a low profile in their communities and this option will not help the situation. CDRPs are a key to delivering the Government's PSA targets and at a local level will be responsible for delivering one of the four LAA pillars. This enhanced role for CDRPs and their existing functions in delivering Government PSAs is not counterbalanced by any public accountability at present. As well as not helping to achieve Community Engagement this does not promote public confidence in the Criminal Justice System and/or local government. CDRPs can be a very useful tool in achieving both these objectives at a local level but doing nothing will not assist this process.

### Option 2

This will mean that standards of reporting to the local community may vary across England and Wales. As a result, the effectiveness of CDRPs to contribute significantly to the Government's PSA targets will vary across CDRPs. It will be very difficult to establish consistency. CDRPs will play an enhanced role and the community will find out about it but will be left without the power to engage in this work or hold it to account. The gap between a key delivery agent and the public will continue to grow and become very obvious without any democratic accountability. In the worst case scenario this could further damage public confidence in the CJS and portray the CDRP as yet another intervention being done to them rather than working with them.

### Option 3

The majority of CDRPs currently allocate resources to community consultation that they undertake throughout the year as well as consulting on the crime audit every three years. Any guidance on community engagement contained within the national standards will simply redirect these resources to a specific method of consultation.

Developing more formal accountability for CDRPs through Overview and Scrutiny Committees will have a staff time resource implication. However, given that 60% of top tier local authorities already engage in scrutinising community safety the costs are already being met to a large degree. In those areas where this is not common practice, the internal cost efficiency savings that scrutiny will bring to CDRPs will outweigh any staff resource implications of preparing scrutiny reports and attending hearings. There will be staff time resource implications for those responsible for the administration of Overview and Scrutiny Committees at a local level. Given the subject matters covered by Committees at present, a new subject area could add up to approximately a 1/6<sup>th</sup> of a council officials post at PO3 grade. The benefit of increasing public confidence in the Criminal Justice System through these Overview and Scrutiny Committees will further offset any costs.

The police reform agenda will mean that the creation of larger forces will require police authorities to take a more strategic view when discharging their functions. Concerns have been expressed that this may lead to strategic forces and authorities being remote from communities at a neighbourhood and district level. The extended powers of these Committees will ensure that a cost-saving is made by not having to create a further body to address a possible police accountability gap at BCU level. The BCU Commanders, alongside other

responsible authorities, would be answerable to the Overview and Scrutiny Committee for their contribution to the delivery of local community safety priorities. The Police Authority would be co-opted to sit on the committee to ensure that they play a role in ensuring local policing priorities are reflected at a more strategic level and vice-versa.

### 3. Summary of Costs and Benefits

#### Reducing the bureaucratic burden on CDRPs

Summary costs and benefits table		
Option	Total benefit per annum: economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
1	<ul style="list-style-type: none"> <li>No interference by Central Government welcomed by CDRPs.</li> <li>CDRPs have built up expertise in this area and therefore easier to produce.</li> <li>CDRPs already meeting the costs of this work.</li> </ul>	<ul style="list-style-type: none"> <li>£2m per year continues to be spent on a statutory duty that is not cost-effective.</li> </ul>
2	<ul style="list-style-type: none"> <li>Costs and burden would be spread over a longer period.</li> <li>CDRPs would retain a system they are familiar with.</li> </ul>	<ul style="list-style-type: none"> <li>Financial gains would be cosmetic as costs would simply be spread over 5 years.</li> <li>The statutory duty would continue to be lacking cost-effectiveness.</li> <li>Going against good practice to review priorities annually.</li> </ul>
3	<ul style="list-style-type: none"> <li>Removal of a statutory requirement that is of very limited benefit to CDRPs.</li> <li>The first steps towards a consistent application of a common problem solving approach across all CDRPs.</li> <li>Practitioners are already undertaking a lot of this work and it is deemed good practice.</li> <li>A saving of £400-500k per year. See above.</li> </ul>	<ul style="list-style-type: none"> <li>Some of the savings would be offset by the new requirements mentioned below.</li> <li>CDRPs might see the move as a sign of Government's lack of interest in this area.</li> </ul>

## Streamlining delivery of partnership outcomes

Summary costs and benefits table		
Option	Total benefit per annum: economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
1	<ul style="list-style-type: none"> <li>CDRPs will continue to be able to use their recently developed audits and strategies.</li> </ul>	<ul style="list-style-type: none"> <li>£2m per year continues to be spent on a statutory duty that is not cost-effective.</li> </ul>
2	<ul style="list-style-type: none"> <li>Removes bureaucratic burden and does not replace it with any other measure.</li> <li>No financial implications and therefore net savings are made.(see above)</li> <li>Money spent on front line delivery.</li> </ul>	<ul style="list-style-type: none"> <li>Quality of outcomes will vary across England and Wales.</li> <li>Very little to ensure that good practice is rolled out in a coherent manner or that communities at the very least receive a basic level of service.</li> <li>Risk to Government's PSA targets as CDRP effectiveness cannot be guaranteed.</li> </ul>
3	<ul style="list-style-type: none"> <li>All CDRPs across England and Wales following good practice by taking a problem solving approach</li> <li>Resources targeted in a cost-effective way by being intelligence led through regular strategic assessments and rolling three year plans</li> <li>Increasingly top-tier CDRPs are already doing this work:               <ol style="list-style-type: none"> <li>analysts are already undertaking performance assessments and three year audits as well as providing analytical tools to the CDRP</li> <li>three year strategies are reviewed every year to better reflect emerging crime trends and changing priorities</li> </ol> </li> <li>Strategic decision making will be aligned to LSPs and therefore directly linking CDRPs to the coordination of LAAs and more specifically the administration of the Safer and Stronger Communities Fund pillar.</li> </ul>	<ul style="list-style-type: none"> <li>Training cost implications for those CDRPs that currently do not use data and intelligence in this way.</li> <li>Estimated £4.5m (see above) staff time cost implication per year of developing annual rolling plans. To be met by changing working practices.</li> <li>Publication costs of £1.5m per year. To be met by changing work practices and incorporating into yearly publicity costs.</li> </ul>

## Improving inter-agency working

Summary costs and benefits table		
Option	Total benefit per annum: economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
1	<ul style="list-style-type: none"> <li>• CDRPs have worked tirelessly to ensure partners play an active part and this work would continue.</li> <li>• CDRPs might welcome freedom to develop their own frameworks.</li> <li>• Duty to share depersonalised information might act as a disincentive to further participation.</li> </ul>	<ul style="list-style-type: none"> <li>• Effective delivery of strategic assessments and rolling plans across all CDRPs will be very difficult to ensure without a common framework.</li> <li>• Government cannot ensure best value is being met.</li> <li>• Lack of information sharing will mean CDRPs will continue to underachieve and feel increasingly frustrated.</li> <li>• Risk that resources are not targeted at the root causes.</li> <li>• Partners will continue to hide behind a <u>power</u> to share depersonalised information.</li> </ul>
2	<ul style="list-style-type: none"> <li>• It goes some way to providing a solution and there is no risk of partners seeing the duty to sharing depersonalised information as a disincentive.</li> </ul>	<ul style="list-style-type: none"> <li>• Overall value of following NIM is compromised by a gap in information and intelligence.</li> <li>• CDRPs begin to question the benefit of NIM as inaccurate and incomplete pictures of the problem arise.</li> </ul>
3	<ul style="list-style-type: none"> <li>• NIM has been rolled out nationally in the police and is considered good practice.</li> <li>• Top tier CDRPs is already undertaking a NIM-like approach.</li> <li>• CDRPs are likely to welcome a good practice framework like NIM.</li> <li>• Consistent approach to partnership working across England and Wales that promotes a problem solving approach.</li> <li>• Duty to share depersonalised information will ensure effectiveness of NIM, reduce the risk of inaccurately</li> </ul>	<ul style="list-style-type: none"> <li>• Minimal cost implication as it is simply a framework that at most will change working practices.</li> <li>• Staff time resource implication only as this duty will only extend to depersonalised information that is already held in depersonalised format and will not extend to new information. No collection or data cleansing will be involved. (see above)</li> <li>• Cost of Secretary of State using new Order making powers to designate an agency a “responsible authority” will be offset by the potential saving made to the £36.2billion cost of crime against individuals and households every year.</li> </ul>

Summary costs and benefits table		
Option	Total benefit per annum: economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
	<p>defining the problem and misallocating resources.</p> <ul style="list-style-type: none"> <li>• Obstacles to information sharing are removed.</li> <li>• There are no legal cost implications as this concerns depersonalised information.</li> <li>• Order-making powers will allow Government to respond to structural changes in partner organisations without unnecessary delay and bureaucracy.</li> </ul>	

## Strengthening the visibility and democratic accountability of CDRPs

Summary costs and benefits table		
Option	Total benefit per annum: economic, environmental, social	Total cost per annum: - economic, environmental, social - policy and administrative
1	<ul style="list-style-type: none"> <li>CDRPs might see the lack of accountability and scrutiny as a welcome reduction of bureaucracy.</li> <li>CDRPs can focus on local delivery.</li> </ul>	<ul style="list-style-type: none"> <li>CDRPs currently have a low profile in their communities and inaction will not help address this issue.</li> <li>The enhanced role of CDRPs to deliver crime reduction and community safety at a local level is not counterbalanced by any public accountability and doing nothing will risk further loss of public confidence in the CJS and/or local government.</li> </ul>
2	<ul style="list-style-type: none"> <li>CDRPs will be given the benefit of engaging with the community but not the burden of being held to account.</li> <li>CDRPs could argue that the only priority is to make CDRPs more visible and this can simply be achieved through a regular report to the public.</li> </ul>	<ul style="list-style-type: none"> <li>Standards of reporting to the local community may vary across England and Wales.</li> <li>CDRP's role will be enhanced in the community's eyes but they will not be empowered to engage in this work or hold it to account.</li> <li>CDRPs are seen as an intervention done to the community rather than working with it.</li> </ul>
3	<ul style="list-style-type: none"> <li>Clearly defining the standards for engaging with local people will help achieve consistency across England and Wales.</li> <li>Standards will help ensure that key PSA targets are delivered at a local level. In particular, community engagement, reducing fear of crime and increasing public confidence in the CJS.</li> <li>Scrutiny and accountability is necessary when considering the importance of CDRPs in delivering PSA targets at a local level and their enhanced role with relation to LAAs.</li> </ul>	<ul style="list-style-type: none"> <li>All CDRPs allocate resources to community consultation and this work will simply redirect these resources and target them at specific methods of consultation.</li> <li>Developing more formal accountability for CDRPs through Overview and Scrutiny Committees will have staff time resource implications. However, 60% of top tier local authorities already engage in scrutinising community safety. (see above)</li> </ul>

As demonstrated in the above tables, the preferred options outlined within this paper appear, on balance, to present additional financial burden that are not significant to CDRPs, their responsible authorities or other members..

The development of National Standards will be subject to further consultation and therefore a further Regulatory Impact Assessment will be required regarding this framework alone. Therefore, any costs resulting from the implementation, or otherwise, of national standards, will be subject to cost allocations outlined within the aforementioned additional RIA. Cost implications of national standards will form part of the consultation when devising the framework.

### **Small Firms Impact Assessment**

The impacts of the recommended changes, as outlined in this document, are deemed unlikely to have a significant effect, whether detrimental or otherwise, on the private sector. Private sector involvement in CDRPs is minimal as there are no private sector organisations listed amongst the co-operating bodies. Whilst private sector organisations do have a role to play in the CDRP as co-operating bodies (namely proprietors of independent schools) or invitees to participate (such as bodies providing school transport, local businesses and bodies established to promote retail business) the changes outlined here are unlikely to have a large effect on such groups. The impact on small firms is therefore negligible, with the exception that they, as a constituent part of the wider community should find their local CDRP increasingly accountable and visible. Trade organisations will represent small businesses as they currently do at CDRPs and derive the extra benefits that this brings such as access to specific funding to tackle business crime where this is considered a priority locally.

### **Competition Assessment**

As highlighted above, the involvement of the private sector in Crime and Disorder Reduction Partnerships is small, with no specific markets taking prominence, and therefore the changes outlined herein are unlikely to have any significant impact on either markets or private sector competition.

### **Enforcement, sanctions and monitoring**

Each preferred option will be enforced through a number of enabling powers in primary legislation National standards will then be developed to deliver these Options. These in turn will be enforced and monitored by Government Offices/Welsh Assembly Government and coordinated by the Home Office Regional Director. This work will be incorporated into the current performance management work being undertaken by Government Offices.

### **Post-implementation review**

A research project is being developed with RDS colleagues to monitor the effectiveness of these measures and contribute to the further development of national standards. This programme is being developed currently and will be in place from financial year commencing 2006/2007.

### **Implementation and delivery plan**

We will inform partnerships of these changes through a CDA Review proposals document to be published in January 2006. This document will also be publicly available on the Crime Reduction Website.

The implementation of proposals stemming from the preferred options outlined herein will be initially delivered through primary legislation and this RIA is primarily concerned with the following:

- amend the existing requirement on Crime and Disorder Reduction Partnerships to undertake three yearly audits and develop three year strategies and introduce annual rolling three year plans and six monthly strategic assessments;
- repeal the requirement on CDRPs/CSPs to provide an annual report to the Home Secretary;
- extend section 115 of the 1998 Act so as to place a duty on named agencies to share aggregate, depersonalised data, when doing so is in the interests of preventing crime, disorder and substance misuse and the information is already held in a depersonalised format;
- extend the list of named agencies under section 115 to encompass all CDRP “responsible authorities”. In practice, this means adding Fire and Rescue Authorities to the list;
- broaden the definition of section 17 & section 6 of the 1998 Act to require agencies to mainstream consideration of anti-social behaviour, behaviour adversely affecting the environment and substance misuse, as well as crime and disorder (of which they are already obliged to take account);
- amend section 17 to introduce an order making power to vary the list of agencies to which this section applies;
- amend section 5 to introduce an order making power to allow the alteration of the list of CDRP/CSP “responsible authorities”;
- amend section 115 to introduce an order making power to allow the alteration of the list of CDRP/CSP “responsible authorities”;
- take a new power to define national standards for partnership working with which CDRPs/CSPs will be required to comply;
- amend section Section 21 of the Local Government Act 2000 to extend the powers of local authority scrutiny committees to include scrutiny of CDRPs;

A power will be taken within this legislation allowing the Secretary of State to implement regulations regarding: a. the extension of the powers of local authority scrutiny committees; and b. the amendment to S.115 to create a duty to share depersonalised information. We will work with stakeholders to develop these and ensure that those responsible for implementing and delivering the legislation do not incur any further financial burdens.

The remaining proposals to come out of the CDA Review as listed in the CDA Review proposals document to be published in January 2006 will be delivered through National Standards. The power, taken within this legislation, allowing the Secretary of State to implement regulations regarding the working of partnerships (through a framework to be referred to as national standards) will be developed through consultation with stakeholders and other government departments and implemented subsequently. A RIA will be produced to accompany these national standards when they are developed.

### **Summary and recommendation**

The four objectives outlined within this document each held three respective options. Option 3 is our recommended option. In each of the four objectives (reducing the bureaucratic burden, streamlining delivery, improving inter-agency working and strengthening the visibility and democratic accountability) option 3 addresses the issues involved and reflects the stakeholder views collected by our review team during their research. This outlines how the objectives might be achieved without incurring any unnecessary costs.

Option 2 in each case outlines one possible route to achieve some of the objectives. However, the respective impact of these proposals would likely be limited in scope and insufficient in impact.

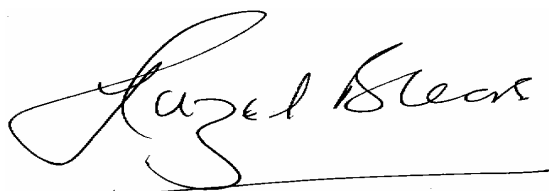
Option 1 in all four objectives suggested that we should do nothing. This is not an acceptable avenue to take as it became clear from the work undertaken by our review team that some changes in partnerships are essential to future partnership working. The changes have been on the horizon for some time and it is likely that stakeholders would demonstrate significant disappointment if Option 1 was taken.

We would like to thank colleagues in the Cabinet Office, Better Regulation Executive, and those in other Government Departments for their contribution.

### **Declaration and publication**

*I have read the regulatory impact assessment and I am satisfied that the benefits justify the costs*

### **Signed**

A handwritten signature in black ink, reading "Hazel Blears". The signature is written in a cursive style and is positioned above a horizontal line.

**Date 24 January 2006**

Rt. Hon. Hazel Blears MP, Minister of State for Crime Reduction, Policing, Community Safety and Counter Terrorism.

### **The contact point for this RIA is:**

Oscar Ramudo  
Community Safety and Local Government Unit

Home Office  
4<sup>th</sup> Floor Peel Building  
2 Marsham Street  
London  
SW1P 4DF

**List of organisations represented on the CDA Review Advisory Group and Thematic Core Groups**

Association of Chief Police Officers  
Association of Police Authorities  
Audit Commission  
Barnsley Metropolitan Borough Council  
Birmingham City Council  
Chichester District Council  
Chief Fire Officers' Association  
Crawley District Council  
Department of Health  
Durham Constabulary  
Federation of Small Businesses  
Grimsby Drug Intervention Programme  
High Five Consultants  
Her Majesty's Inspector of Constabulary  
Home Office  
International Centre for Comparative Criminological Research, Open University  
Jill Dando Institute  
Local Government Association  
London Borough of Bexley  
National Association of Local Councils  
National Community Safety Network  
Newham Youth Offending Team  
North East Lincolnshire PCT  
Northumberland County Council  
Office of the Deputy Prime Minister  
Office of Criminal Justice Reform  
Police Superintendents' Association  
Prime Ministers Delivery Unit  
Solihull Council  
South Yorkshire Probation  
Stockton-on-Tees Borough Council  
Teignbridge District Council  
University of Leeds  
Welsh Local Government Association  
West Sussex County Council  
Youth Justice Board