

OFFICE OF POLICE AND CRIME COMMISSIONER

OFFICE OF THE CHIEF CONSTABLE

TITLE: The Future of Community Safety in Wales

DATE: 21st December 2017

TIMING: Routine

PURPOSE: Progress Update

1.	<p><u>RECOMMENDATION</u></p> <p>For members to note the current position in relation to the Office of the Police and Crime Commissioner (OPCC) and Gwent Police’s plans in response to the Wales Audit Office ‘Review of Community Safety in Wales – Gwent Police and Crime Commissioner and Chief Constable of Gwent’ which was published in November 2016, and discussed at the December 2016 Joint Audit Committee.</p>
2.	<p><u>INTRODUCTION & BACKGROUND</u></p> <p>The Crime & Disorder Act 1998 enshrined the concept of statutory partnership working to address community safety issues and created a legal duty for local authorities, police authorities, police forces and, ultimately, health, fire and probation services to work together to prevent and reduce ‘crime and disorder’ in their respective communities.</p> <p>There have been a number of significant changes since its introduction, arguably the most substantial of which was the Police Reform & Social Responsibility Act 2011 that introduced directly elected Police & Crime Commissioners to the community safety landscape.</p> <p>The 1998 Act remains in force and, with it, the legal responsibility for chief executives of local authorities and health boards, chief constables and chief fire officers and chief officers of probation services to work in partnership to prevent and reduce crime and disorder, anti-social behaviour, behaviour adversely affecting the environment, substance misuse and re-offending. The position of the responsibility for Police and Crime Commissioner’s is less well defined although they do retain a responsibility for Crime and Disorder by virtue of the Police Reform Act.</p>
3.	<p><u>ISSUES FOR CONSIDERATION</u></p> <p>In the 2016 report on <i>Community Safety in Wales</i>, the Wales Audit Office appeared to suggest that Welsh community safety partnerships, set up to deliver the partnership responsibilities of the Crime and Disorder Act, were not as effective as they could or should be and highlighted a number of areas for significant improvement. The Auditor General stated in the report that: “...complex responsibilities make it difficult for public bodies to co-ordinate a strategic approach to community safety, which weakens collective leadership and accountability and undermines the potential to help people stay safe.”</p> <p>Providing ten main conclusions (Appendix A), the Auditor General’s report, suggested that the statutory requirements of the 1998 Act were no longer being met as effectively as intended by the legislation. Furthermore, the report</p>

points to the other landmark change introduced by the UK Government in 1999 – devolution and the complexities of an agenda that straddles responsibilities for governments in both Westminster and Cardiff – as one of the main causes for the reported deterioration in community safety partnership working in Wales.

The report went on to highlight the growing divergence of both policy and practice between the UK and Welsh Governments, with community safety ‘partners’ effectively caught in the middle. It identified issues around local and regional footprints that exacerbate the complexity of partnership arrangements – particularly in terms of governance and accountability. The report underlined the significant impact of austerity measures on partnership resources as well as conflicts between UK and Welsh Government funding arrangements. It also questioned the effectiveness of present partnership arrangements in relation to the use of data and information and in terms of performance management and evidencing successful outcomes for communities.

The Auditor General put forward seven recommendations (Appendix B) that included the establishment of a national community safety strategy and governing body, supported by regional boards and comprehensive action plans, a review of funding arrangements and a new suite of key performance indicators. It was suggested that Police & Crime Commissioners and local authorities should revise monitoring and review mechanisms, based on risk, and that Wales’ Public Service Boards should lead on citizen engagement around community safety issues.

In response, the Welsh Government advised it would respond to address the Auditor General’s recommendations as part of a wider review and reform to “move the community safety agenda forward”.

As a result, the Cabinet Secretary for Communities and Children set up a Working Group for Safer Communities in March this year, the purpose of which was to ensure the delivery of a high quality evidence-based review following the Wales Audit Office report.

The Welsh Government review team utilised four lines of inquiry to identify the barriers and enablers affecting community safety partnership working in Wales:

- What needs to change to enable public and third sector services in Wales to maximise/establish and sustain intelligence-led business processes that identify the root causes of community safety issues in order to prevent them from occurring?
- What needs to change to enable public and third sector services in Wales to establish and sustain effective and responsive delivery structures that work collaboratively to find long-term solutions to community safety issues?
- What needs to change to enable public and third sector services in Wales to better integrate community safety strategic assessments and plans into other statutory assessment and planning processes (e.g. Programme for Government, PSB single planning processes, Police & Crime Plans)?
- What needs to change to enable public and third sector services in Wales to provide visible and constructive accountability around community safety issues that engages and involves a diversity of the population in the

	<p>decisions that affect them?</p> <p>The penultimate phase of the review involved a series of four regional engagement events hosted by the Police & Crime Commissioners for Gwent, Dyfed Powys, North Wales and South Wales to test the draft findings and conclusions within a Framework for Change and to develop detailed proposals for the Cabinet Secretary to announce in December 2017.</p>
4.	<p><u>NEXT STEPS</u></p> <p>Original timescales, from the Review Board, indicated that the results and recommendations of their review would be released in December 2017 which would propose establishing a Safer Communities programme of work to take forward and implement a range of objectives which will;</p> <ul style="list-style-type: none"> • Work with the newly established Justice Commission for Wales in considering how we can do things differently in Wales and identify options to develop a distinct Welsh justice system, which improves people’s access to justice, reduces crime and promotes rehabilitation and is truly representative of Welsh needs. • Establish a dialogue with the Home Office to consider the appropriateness of refreshing the Crime & Disorder Act 1998 in a way that better reflects Welsh devolution. • Develop a different relationship and strategic approach with non-devolved community safety partners that establishes a more effective leadership role for Welsh Government in areas of devolved responsibility related to community safety partnership working. • Establish a community safety ‘partnership’ policy & practice lead for Wales within Welsh Government’s Community Safety Division, working in close partnership with the Home Office, Ministry of Justice and other relevant ‘devolved’ leads for UK Government. • Develop new Wales-specific guidance that builds on the sustainable development principle and the Hallmarks of Effective Partnership and outlines how community safety partners and partnerships can ensure they are: <ul style="list-style-type: none"> ○ Evidence-based and intelligence-led; ○ Supported by appropriate skills & knowledge; ○ Sustainably resourced and locally appropriate; ○ Engaging and involving citizens; ○ Preventative and intervening as early as possible; and ○ Focused on long-term improvements and benefits. <p>Proposed areas for the guidance to cover will include:</p> <ul style="list-style-type: none"> • Clarifying expectations around strategic assessment and intelligence-led business approaches, including partnership service planning & commissioning and the sharing of both personal and aggregated data; • Strengthening the impetus for compliance with the statutory requirements of the Crime & Disorder Act Section 17 ‘mainstreaming’ (closely linked to the sustainability requirements of the Well-being of Future Generations

Act);

- Streamlining national, regional and local partnership structures to ensure more effective governance & accountability and clarification of the link to/role of Public Service Boards while still meeting the statutory requirements around CONTEST (the national counter-terrorism strategy), Reducing Reoffending, Violence Against Women, Domestic Abuse & Sexual Violence, Substance Misuse, Modern Slavery etc;
- Ensuring every local authority in Wales has a recognised community safety 'chief whip' professional (in addition to an elected portfolio holder) responsible for driving the community safety agenda within the partnership context;
- Strengthening the role and status of third sector organisations within community safety partnerships and developing and promoting more effective public sector procurement approaches that minimise the impact of 'marketization' on third sector providers;
- Clarifying the role of elected politicians (including Police & Crime Commissioners and local councillors) in scrutinising the activities and effectiveness of community safety partnerships;
- Clarifying expectations around citizen engagement and involvement in community safety partnership working and service planning & commissioning.
- Seek to establish a new and inclusive national community safety network for Wales, drawing on the Scottish model and building on the foundations established over many years by the Wales Association for Community Safety Officers (WACSO), that will support future Welsh community safety policy and practice development and to help to build the 'appropriate skills and knowledge' required to implement the new vision.
- Seek to establish an online community safety library and resources database for Wales hosting guidance, toolkits, online learning, effective practice, case studies, research & evaluation, together with re-establishing a specific Welsh programme of community safety learning & development incorporating the various themes identified throughout this document (partnership problem-solving, intelligence-led business process, analysis, project management & evaluation, commissioning, community engagement, etc.).
- Explore the opportunities for piloting joint thematic inspection arrangements for Community Safety Partnerships (and their respective partners) around the 'reducing reoffending' theme with relevant devolved and non devolved audit and inspection regimes.
- Seek improvements to community safety funding programmes to secure longer term and more flexible 'outcomes focused' funding that supports more holistic, collaborative partnership service planning & commissioning arrangements, including co-production models and participatory budgeting elements.

- Recommend a cross-governmental review of regional ‘footprints’ to ensure they are fit-for-purpose.
- Recommend an assessment of the Wales Accord for Sharing of Personal Information (WASPI) arrangements to ensure it remains effective and appropriately applied at a local level.

The mainstay of Community Safety work is now forming a key priority in the work of Public Service Boards across Gwent, who, having undertaken a significant amount of work are now finalising their priorities and action plans for the delivery of programmes to meet the requirements of the Wellbeing and Future Generations Act (WBFGA). Safer and secure communities has featured highly in all the consultative activity carried out by each PSB. This has ensured that, via the OPCC, Community Safety has remained a key discussion point for all partners.

PSBs are also called upon to deliver against one of the National Wellbeing Goals to ‘create safe, confident communities and promote community cohesion’. Reassuringly this has been reflected in each of the five Gwent Local Authorities draft Well Being Plans.

We are well positioned in Gwent to progress this activity jointly; having in place, a partnership arrangement, Safer Gwent, evidenced as good practice in the Wales Audit Report.

Safer Gwent was agreed by the G7 Group and established in 2015 and is made up of representatives from community partners including the OPCC, Gwent Police, local authorities, the local health board, registered social landlords, voluntary sector, South Wales Fire and Rescue Service, youth offending services and the probation and rehabilitation services. The partnership works to develop a collective community engagement approach to enhance partnership working with a view to coordinating joint initiatives and activities throughout the region.

The role and purpose of the partnership is to provide collaborative opportunities to inform and redesign the community safety landscape, where applicable, on a regional basis in support of local delivery.

Currently Safer Gwent is an advisory body to the partner organisations that constitute its membership and has been identified as a delivery mechanism within PSBs for the future Community Safety agenda including the recommendations from both the Wales Audit Office report and the Welsh Government recommendations. As such it is already aligned to progress the recommendations that are applicable to our local delivery.

To offer this partnership further resilience, it is currently approaching each PSB to seek their support and permission to place the partnership on a statutory footing to take forward PSB community safety priorities and to ensure that PSBs are best placed to respond to issues identified within the community safety arena.

If agreed, Safer Gwent would be authorised to discharge the statutory responsibilities under the C&DA 1988 in line with the requirements of the WBFGA by coordinating and translating strategic priorities and supporting local

	<p>delivery on behalf of each PSB. This process will be completed by March 2018 following the next round of PSB meetings.</p>
5.	<p><u>FINANCIAL CONSIDERATIONS</u></p> <p>The current OPCC funding, provided to core services across the community safety arena in Gwent, evolved from an historical matrix of funding provided via the Home Office.</p> <p>Via Safer Gwent the PCC has supported a number of key programmes across Gwent such as; ASB Coordinators post, the Independent Domestic Violence Advisors and regional coordination provision, Positive Futures Youth Diversionary and Development Programme, Youth Offending Service key staff and other central Community Safety staff provision across the Local Authorities in Gwent. To further support these well received partnership initiatives; the Commissioner has also provided funding to support the work of Safer Gwent to an amount currently of circa £624,545.00.</p> <p>These services deliver a number of collective statutory responsibilities and therefore the funding and resourcing requirements will need to be negotiated with partners if they are to jointly provide services to meet current and future requirements.</p>
6.	<p><u>PERSONNEL CONSIDERATIONS</u></p> <p>One key consideration, in relation to continuing to support community safety local activity, which would be informed from a regional and strategic position, would be a need for collective consideration of how resources, including personnel, are utilised to support 'local' action, particularly where there are competing demands and limited resources.</p> <p>This is a consideration that is exercising PSB members presently who will make collective decisions on this in due course when they solidify their delivery arrangements for each of their collective priorities.</p>
7.	<p><u>LEGAL IMPLICATIONS</u></p> <p>There is no specific legal advice applicable to the focus of this report however, elements of the requirements for the recommendations and local delivery will warrant separate legal advice in due course.</p>
8.	<p><u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u></p> <p>This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group.</p> <p>Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in preparing this report.</p>
9.	<p><u>RISK</u></p> <p>Related to resource implications to delivery.</p>

10.	<u>PUBLIC INTEREST</u> Yes
11.	<u>CONTACT OFFICER</u> Neil Taylor, Head of Performance, Planning and Partnerships, Office of the Police and Crime Commissioner for Gwent.
12.	<u>ANNEXES</u> Auditor General's Report, Main Conclusions Listing. Auditor General Recommendations Listing.

Annex A

Auditor General's Report, Main Conclusions Listing.

Based on the findings of this audit, the Auditor General has concluded that complex responsibilities make it difficult for public bodies to co-ordinate a strategic approach to community safety, which weakens collective leadership and accountability and undermines the potential to help people stay safe.

Policy responsibilities across the range of community safety activities are split between the UK Government – which is accountable for policing matters, youth justice and counter extremism among other policy areas – and the Welsh Government which is answerable for the bulk of local authority services in Wales, as well as the Fire and Rescue authorities and Health Boards. As a result of devolution the Welsh and UK Government's policy approach to the various elements of community safety are however developing in different ways and may therefore diverge in practice and approach.

Local policing in Wales is not devolved and is delivered via four police forces and four Police and Crime Commissioners. They take their lead from the Home Office. To be truly effective the Police need to work with local authorities because local government is responsible for managing the local community safety partnerships. However, community safety partnerships operate at a local authority, not police force, level. The guidance for partnerships is produced by the Home Office to whom they are accountable. However the bulk of public funding to local authorities comes from Welsh Government.

The complexities of the lines of accountability means that no single body either leads on or takes responsibility for all aspects of community safety within Wales. Some new regional partnership approaches are being established but these are in their early stages of development. The suspension of the all-Wales community safety advisory board and the diminishing role of the WACSO are seen by some partners as having reduced opportunities for joint working on community safety. The complexities of delivery and accountability arrangements are reflected in the findings of our citizens' survey where many respondents are not clear on who is responsible for community safety in Wales.

The Welsh Government has no single strategy for community safety and has focussed its activity on delivering the Programme for Government⁶. Whilst all local authorities and the four Police and Crime Commissioners have plans, these are not consistently aligned to ensure the best use of resources and maximise impact and there are no areas where national, regional and local bodies have the same priority. Disjointed planning and poor co-ordination can create a risk of organisations either duplicating activity or no one focussing on the most important issues. ⁶ The Programme for Government is the Welsh Government's plan for action setting out the key priorities to be delivered during the National Assembly Term 2011-2016.

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Some community-safety plans are not underpinned by good-quality information and have not been updated to reflect changing patterns and trends in community safety, whilst others remain too ambitious and undeliverable. Only 23 per cent of citizens who responded to our public survey stated that they know where to access plans for community safety in their area and only 18 per cent felt that the plans focussed on addressing the most important community-safety issues in their area.

Funding of community safety has changed significantly in the last six years. Authorities used to receive grants from the Home Office but these are now part of the Police Main Grant. Whilst funding for Police and Crime Commissioners and police forces in Wales has remained stable, in real terms their spending on policing and community safety has fallen. Decisions on where to fund community-safety partnership activity have mostly followed historical patterns of investment and have not been consistently challenged to ensure grants are used to address the most important issues. The amount of grant monies provided by the Welsh Government to support public bodies in tackling community safety is growing. The complexities of the overall funding regime for community safety, and its short-term nature, are reducing opportunities to improve value for money. Spreading money widely reduces the benefits that can be realised from pooling and targeting funding.

Cuts to local-authority budgets have resulted in a real terms funding reduction of 32.7 per cent for the management and co-ordination of community safety. Community-safety partnerships recognise that they need to secure alternative sources of funding to sustain their existence but to date little work has been undertaken to access new finance streams. With resources continuing to fall, it is questionable if the current structures for community safety are sustainable or able to deliver what is needed.

Judging how organisations are improving community safety is difficult. There are no statutory indicators or measures for community safety and no single agency has overall responsibility. Performance is primarily based on Police records and survey findings. Whilst these suggest that crime is now starting to rise after a long period of reported crime falling, historically, crime data has not been reliable. Citizens who responded to our survey feel less safe in their area than they did last year and only 10 per cent are confident that those responsible for community safety are doing a good job.

Processes for overseeing and challenging performance are not aligned and wide variations in the quality and range of measures, targets and actions make it difficult to demonstrate impact. These conclusions on the effectiveness of performance management arrangements is consistent with the findings of our most recent reviews, and highlights the continuing difficulty public bodies face in collating and evaluating data. Improving data analytics needs addressing if public bodies are to make the right choices on where to invest scarce resources and focus their activity to make the biggest impact.

Annex B

Auditor General Recommendations Listing.

R1 Improve strategic planning to better co-ordinate activity for community safety by replacing the existing planning framework with a national strategy supported by regional and local plans that are focused on delivering the agreed national community-safety priorities.

Welsh Government,
Home Office Wales,
Team, Police and Crime Commissioners
and local authorities

R2 Improve strategic partnership working by formally creating effective community-safety boards that replace existing community-safety structures that formalise and draw together the work of Welsh Government, police forces, local authorities, health boards, fire and rescue authorities, WACSO and other key stakeholders.

Welsh Government,
Police and Crime Commissioners
And local authorities

R3 Improve planning through the creation of comprehensive action plans that cover the work of all partners and clearly identify the regional and local contribution in meeting the national priorities for community safety.

Welsh Government,
Police and Crime Commissioners
And local authorities

R4 Review current grant-funding arrangements and move to pooled budgets with longer-term funding commitments to support delivery bodies to improve project and workforce planning that focusses on delivering the priorities of the national community-safety strategy.

Welsh Government,
Police and Crime Commissioners
And local authorities

R5 Ensure effective management of performance of community safety by:

- setting appropriate measures at each level to enable members, officers and the public to judge progress in delivering actions for community-safety services;
- ensuring performance information covers the work of all relevant agencies; and
- establishing measures to judge inputs, outputs and impact to be able to understand the effect of investment decisions and support oversight and scrutiny.

Welsh Government,

Police and Crime Commissioners
And local authorities

R6 Revise the systems for managing community-safety risks and introduce monitoring and review arrangements that focus on assuring the public that money spent on community safety is resulting in better outcomes for people in Wales.

Police and Crime Commissioners
And local authorities

R7 Improve engagement and communication with citizens through Public Service Boards in:

- developing plans and priorities for community safety;
- agreeing priorities for action; and
- reporting performance and evaluating impact.

Public Service Boards

