

Update on the role of Overview & Scrutiny in relation to the Police Reform and Social Responsibility Act 2011, and other Regional Responsibilities

Summary

1. This report provides information on the expected changes to the role of overview and scrutiny as a result of the Police Reform and Social Responsibility Act 2011, and an update on the work of the Yorkshire & Humber (LGYH) Members Regional Scrutiny Network. Members are encouraged to attend the forthcoming Members Regional Scrutiny Network event to be held here in York on 2 December 2011.

Police Reform and Social Responsibility Act 2011

2. In October 2011 a Stakeholder Event hosted by the North Yorkshire Police Authority (NYPA) was held in Northallerton, to raise awareness of the government's forthcoming introduction of legislation which will allow the appointment of publicly elected Police and Crime Commissioners by May 2012, replacing Police Authorities. The election of North Yorkshire's Commissioner is to be managed by City of York Council's Electoral Services team, and the public voting arrangements will be based on the existing framework for Local Government and Parliamentary elections.
3. The role of a Police and Crime Commissioner will be to:
 - Ensure representation and engagement of all those who live and work in the communities in the force area and identify their policing needs;
 - Agree a local strategic plan;
 - Holding the Chief Constable to account;
 - Set the force budget and setting the precept;
 - Appointment and removal where necessary of the force Chief Constable.
4. In addition, the government intend to establish a new 'Police and Crime Panel' who will act as a advisory body to the Commissioner in

developing policing plans and setting budgets and consider annual performance through a 'state of the force report'. The panel will consist of local elected councillors from constituent wards along with independent and lay members. At the event, stakeholders received a presentation on the changes this will bring to the role of Overview and Scrutiny and how it will fit into the new landscape – see Annex A.

5. The government's aspiration is that the reforms underlying the proposed new approach will enable and encourage greater public cooperation with the police and increased involvement tackling neighbourhood crime. As part of the changes, the Government expects to revoke a number of the current regulations for Community Safety Partnerships while maintaining the central statutory duty on key partners to work together.
6. Further information on the recent Stakeholder Event and the other presentations provided, can be accessed via the NYPA website at: <http://www.nypa.gov.uk/index.aspx?articleid=7665>

Yorkshire & Humber (LGYH) Members Regional Scrutiny Network

7. In December 2009, the Yorkshire & Humber (LGYH) Members Regional Scrutiny Network was established, and terms of reference and a protocol for undertaking joint working were agreed. The legal basis for regional scrutiny lies in the Local Democracy, Economic Development and Construction Act (2009) whereby part 2 deals with governance in local authorities in relation to their overview and scrutiny arrangements. In summary, the purpose of the Network is to provide:
 - a forum for elected members who have a role within the scrutiny function to meet, make useful contacts with other members and officers, and to share 'experiences'.
 - a mechanism to share information, for example: scrutiny best practice; outcomes of scrutiny investigations; benchmarking; service planning; performance indicators; conference feedback and funding streams.
 - a mechanism to facilitate personal and professional development.
 - two way communications between Members of the Yorkshire & Humber authorities and public regional bodies; e.g. the Local Enterprise Partnerships;
 - opportunities to:

- work jointly with City Regions where appropriate;
- share ideas for improving scrutiny processes and enhancing effectiveness.
- share up to date information with the Centre for Public Scrutiny.

8. Development of the network was put on hold during the run up to the elections in May 2010. In light of the resulting fundamental shifts in national policy, it was agreed that a Regional Member Network Event would be held in September 2010, with the objective of establishing Members' consensus for continuing the work. A number of sub-regional meetings were held in the lead up to the event to fine tune the agenda and ensure that the outcomes of the event met expectations. Meetings were held at Grimsby, Bradford & North Yorkshire Councils with representation across from the sub regions at each meeting.

9. The Network event held in September 2010 was a well attended and as part of the event a number of workshops were held to update Members on the following key issues affecting the work of Overview & Scrutiny, as detailed in Annex B:

- The Future Role of Scrutiny
- Local Enterprise Partnerships
- The Health Service
- Climate Change
- Policing, Community Safety & Accountability

10. More recently, scrutiny officers have been meeting across the region to prepare for the next Members regional scrutiny network event which is due to be held here in York on 2 December 2011. The event will focus on the Localism Bill and the Health and Social Care Bill which are currently completing their final legislative stages through Parliament. There is an expectation that Royal Assent is imminent in respect of the Localism Bill. The legislation, coupled with major policy changes including those associated with tourism and other government initiatives to restructure public service provision (including the Open Public Services White Paper) present both challenges and opportunities for Overview and Scrutiny.

11. The event will provide the opportunity for Members to consider the rapidly changing political and institutional landscape for local authorities and public service providers and the potential impact on the work of Overview and Scrutiny committees. The event will consider:

- The changes associated with tourism across the region.

- The impact of the government's programme, including the most recent developments in the localism and health legislation.
 - The challenges that this poses for Overview and Scrutiny.
 - What activities scrutiny members might most usefully focus on in addressing these challenges?
12. The trainer Catherine Saltis, is a former Head of Scrutiny & Member Services at Rotherham Borough Council. She has supported members in their scrutiny and other roles through research, member development and delivery of programmes. Catherine is the Regional Advocate for Yorkshire and the Humber and the North East. She works as a trainer and consultant with local authorities and is an Associate of LGYH and the Centre for Public Scrutiny. The full programme for this regional event is attached at Annex C and all Members are encouraged to attend.

Council Plan 2011-2015

13. In an effort to embed truly effective overview and scrutiny within the Council and to show their collective commitment to the function, all parties i.e. Scrutiny Members, Cabinet Members and Chief Officers came together in July this year to identify some key joint priorities for scrutiny work for this municipal year. A number of topics were identified for each of the Overview & Scrutiny Committees that would support the Council's overall priorities as identified within the new Council Plan for 2011-15, and work is currently ongoing on a number of those reviews. In doing so, it was agreed that this would not preclude the review of other scrutiny topics identified by Members as and when appropriate, regardless of whether they fall outside of the priorities identified with the Council Plan.

Implications

14. There are no other known implications associated with the recommendations in this report.

Risk Management

15. There are no known risks associated with the recommendations in this report.

Recommendations

16. To ensure Scrutiny Members are fully informed of legislative changes affecting the role of Overview & Scrutiny and of regional scrutiny activity, Members are recommended to:

- i. Note the information within this report;
- ii. Attend the forthcoming Members Regional Scrutiny Network Event on 2 December 2011, and encourage other Members to do so

Reason: To ensure the future work of Overview & Scrutiny in York reflects fully the forthcoming changes and remains robust and fit for purpose.

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Specialist Implications Officer(s) - None

Wards Affected:

All



For further information please contact the author of the report

Background Papers: None

Annexes:

- Annex A – Presentation on the changing role of Overview & Scrutiny as a result of the Police Reform and Social Responsibility Act 2011
- Annex B – Summary of Workshops held at Members Regional Scrutiny Network Event held in September 2010
- Annex C – Agenda for Forthcoming Members Regional Scrutiny Network Event to be held in York in December 2012