

# BRIEFING NOTE

**TO:** Neighbourhoods Scrutiny & Performance Panel  
**DATE:** 19 July 2007

**RE: Community Call for Action**

## Purpose

To provide a brief of the Community Call for Action (CCfA) and its implications for Scrutiny.

## Background

The Police and Justice Act 2006 (Home Office) and the Local Government and Public Involvement in Health Bill (Department for Communities and Local Government (DCLG)) have both introduced a Community Call for Action (CCfA). The Home Office version is exclusively reserved for crime and disorder issues and the DCLG version covers wider issues covering all local government areas (excluding crime and disorder). This is expected to receive Royal Ascent in Autumn 2007.

The CCfA for the Home Office needs to be implemented by April 2008. Whilst no timescale is yet confirmed for the DCLG version, it would make sense to implement this version at the same time. The IDeA have suggested that further detailed guidance will be made available for the DCLG version in late summer 2007.

## Process

The Home Office version is further developed at this stage and has clearly defined actions within the Police and Justice Act (published in January 2006). This puts a requirement that every local authority shall ensure that it has a committee (the "crime and disorder committee") with the power to:

- a) review or scrutinise decisions made, or other action taken, by the Crime and Reduction Partnership (CDRP) and other responsible authorities
- b) to make reports or recommendations to the local authority with respect to the discharge of those functions.

Should the crime and disorder committee produce a report or make a recommendation, it needs to provide a copy to:

- a) to each of the responsible authorities, and
- b) to each of the persons and bodies with which the responsible authorities have a duty to co-operate under the Crime and Disorder Act

The Home Office version empowers individuals or groups of individuals to raise issues of community safety that require a response from the ward Councillor – a CCfA. Assuming the CCfA is accepted; the Ward Councillor should explore all means available to them to resolve this matter prior to taking the matter to Overview and Scrutiny, including but not exclusively, undertaking dialogue with Officers, partner agencies, Neighbourhood Policing Team other Councillors and involved stakeholders. It must be clear that the CCfA does not

replace the normal complaints procedure. The process as laid down in the act is as follows:

- a) the councillor shall consider the matter and respond to the person who asked them to consider it, indicating what (if any) action they propose to take
- b) the councillor undertakes to resolve the issue at the earliest possible stage and only persistent or borough wide issues should reach overview and scrutiny
- c) the councillor may refer the matter to the crime and disorder committee
- d) where a councillor declines to refer a matter to the crime and disorder committee the person who asked him to consider it may refer the matter to the executive
- e) the executive should consider the matter and respond to the person who referred the matter to it, indicating what (if any) action it proposes to take
- f) the executive may refer the matter to the crime and disorder committee
- g) The crime and disorder committee shall consider any local crime and disorder matter referred to it by a ward councillor following a request from a resident or by the executive

Where the crime and disorder committee makes a report or recommendations, it shall provide a copy to each of the responsible partners and to the co-operating persons and bodies as it thinks appropriate. These bodies shall:

- a) consider the report or recommendations;
- b) respond to the crime and disorder committee indicating what (if any) action it proposes to take;
- c) have regard to\* the report or recommendations in carrying out its duties.

\* As yet there is no formal definition as to what “have regard to” means in practice.

A flow diagram is attached which demonstrates how the CCfA worked at Durham Council who trialled the process.

The Police and Justice Act 2006 introduces stronger roles for scrutiny of the Crime and Disorder Reduction Partnerships, (CDRP) in Walsall this is Safer Walsall Borough Partnership (SWBP). An effective way this could be achieved is for the committee to monitor the performance of the CDRP against the National standards for CDRPs that have been introduced. Under the Act the CDRP is required to consider and respond to the work/recommendations of overview and scrutiny in relation to crime and disorder issues, provide information and attend meetings as requested.

The DCLG version is much less advanced at this stage and we are awaiting further guidelines before more detail is known how this approach will work. The key differences are:

- a) councillors are required to consider any such issue that is not regarded as crime and disorder related
- b) councillors will, from their correspondence and knowledge of their area and its people, identify issues which are of significant concern to the communities they represent
- c) only councillors are able to refer issues to scrutiny panels
- d) scrutiny panels may choose to make recommendations to the executive and relevant service providers after, if necessary, conducting an investigation of their own
- e) relevant public bodies will be required to respond to the panel's recommendations

## **Other Considerations**

The primary consideration with CCfA is that there are two proposed versions which will undoubtedly cause confusion for members, officers and residents alike.

There will also be a need to establish guidelines for the CCfA process for Councillors to follow. This could potentially include establishing a checklist which they can use to ensure all avenues have been explored prior to a referral to Scrutiny.

Internal processes will need to be developed in order to effectively, receive, monitor, action and follow up any CCfA.

The council need to establish a crime and disorder committee or consider how such issues could be considered within existing scrutiny panels.

The scrutiny function needs to consider how it will respond to the requirements laid down in the Police and Justice Act relating the scrutiny of the CDRP.

## **Recommendations**

That the neighbourhoods scrutiny and performance panel establish a work group to consider the implications of the CCfA and to make recommendations as to how best this could be implemented.

That the work group consider the comments within this briefing note and invite appropriate stakeholders onto the work group to work in partnership with this programme.

To provide training for all members and appropriate officers on the implications of the CCfA and the processes that will be put in place.

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## Home Office Community Call for Action: Interpretation of process by Durham County Council

### POSSIBLE STAGES IN THE COMMUNITY CALL FOR ACTION PROCESS

