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To: Cambridgeshire Police Authority

From: Chief Executive

Date: 29th June 2009

CAMBRIDGESHIRE POLICE AUTHORITY – PARTNERSHIP POLICY

1. Purpose

- 1.1 To seek Police Authority agreement to the adoption of the attached Partnership Policy.

2. Background

- 2.1 The Authority's Internal Auditor's report on an audit of partnerships contained the following recommendation:

“Draw up a Policy / Strategy document for the Authority / Constabulary and progress to appropriate approval. Once approved this should be adequately communicated across the organisation, to ensure all staff and officers are aware of the requirements to be followed.”

- 2.2 In addition a Members'/Officers' Working Group charged with undertaking preparatory work in advance of the anticipated inspections of police authorities identified that partnership working was an area where the Authority needed to make increased efforts.

3. The Policy

- 3.1 The attached draft paper is intended to provide a firm policy base for the Authority in taking forward work to enhance its engagement with and improve the performance of partnerships across the Authority's area.

4. Recommendation

- 4.1 The Authority is requested to consider the attached paper and is invited to agree its adoption as Cambridgeshire Police Authority's policy for partnerships.

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BIBLIOGRAPHY

Source Document (s)	Contact Officer	Location
	Bob Toland (01480) 425999	Cambridgeshire Constabulary Hinchingsbrooke Park, Huntingdon, Cambs, PE29 6NP.

Originating OfficerBob Toland

Is it considered that this report contains 'exempt information' and should be considered in private? No

If the answer is "YES", please state the nature of the exempt information **and the relevant clause** in Part 1 of revised Schedule 12A to the Local Government Act 1972.

The attached report has been cleared with the undermentioned Officer:

Chief Executive, Treasurer

Submitted onMay 2009.....

A report will not be sent to the Authority unless this box has been satisfactorily completed and all necessary consultation carried out - the responsibility for which rests with the originator (except for consultation with the Chairman and this will be undertaken by the Chief Executive).

CAMBRIDGESHIRE POLICE AUTHORITY PARTNERSHIP POLICY

1. POLICY STATEMENT

It is the policy of Cambridgeshire Police Authority and the Constabulary to explore and where appropriate engage with any partnership which supports our Mission and Vision and does so in accordance with our values as set out in our Policing Plan.

2. POLICY AIM

The aim of this policy is to ensure a clear understanding of partnership issues including the opportunities and risks associated with partnership working. This policy is not intended to stifle or restrict innovative approaches to working with others, but rather to enhance partnership working by ensuring that partnerships have:

- Clear purposes and delivery mechanisms.
- Clearly defined delegations by partnership members.
- Agreed relevant priorities.
- Properly managed finances and resources.
- Effective monitoring arrangements.
- An exit strategy.

Effective partnerships will enhance the Authority's ability to meet its duty to secure an effective and efficient policing service for Cambridgeshire and Peterborough. This means that the Authority is not only engaged with partnerships in its own right, but has a duty to monitor and scrutinise the Constabulary's involvement with partnerships. In those partnerships where both the Police Authority and the Constabulary are involved, their respective roles need to be clearly understood by the bodies themselves and the other agencies within the partnership.

The Audit Commission has developed a partnership framework¹ based on three aspects of partnership work:

- Participation – openness and full involvement of community partners
- Performance – clarity of purpose and efficient delivery
- Probity – underpinning systems to ensure propriety in the use of resources

¹ Governing Partnerships – Bridging the Accountability Gap, Audit Commission, October 2005

3. PARTNERSHIPS DEFINED

In 1998 the Audit Commission² defined a partnership as a joint working arrangement where the partners:

- are otherwise independent bodies;
- agree to co-operate to achieve a common goal;
- create an organisational structure or process to achieve this goal, separate from their own organisations;
- plan and implement a jointly agreed programme, often with joint staff or resources;
- share relevant information; and
- pool risks and rewards.

4. EFFECTIVE PARTNERSHIPS

Partnerships must comply with statutory legislation and directions, in particular:

- The Crime and Disorder Act 1998 (and revisions)
- Police and Justice Act 2006 (in particular Schedule 9)
- The Crime and Disorder (Prescribed Information) Regulations 2007
- The Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007
- Local Government and Public Involvement in Health Act 2007

Partnerships should support Strategic drivers and established good practice / guidance, in particular:

- Strategic priorities for policing in the UK, identified by the Home Secretary
- Strategic priorities for policing in Cambridgeshire, identified in the Policing Plan.
- 'Delivering Safer Communities: A guide to effective partnership working' and associated six Hallmarks which create a national standard for CDRPs (HO³ - 2007):
- National Community Safety Plan 2008/11 (HO - 2007)
- Cutting Crime – A New Partnership 2008/11 (National Crime Strategy) (HO - 2007)
- Creating Strong, Safe and Prosperous Communities: Statutory Guidance (DCLG⁴ - 2008)
- Negotiating (New) Local Area Agreements (DCLG – 2007)
- Planning Together: Local Strategic Partnerships and Spatial Planning – a practical guide (DCLG - 2007)⁵

² A Fruitful Partnership – Effective Partnership Working, Audit Commission, November 1998

³ HO: Home Office

⁴ DCLG: Department for Communities and Local Government

The present partnership structures around community safety are described in Appendix 1.

5. PARTNERSHIP OPPORTUNITIES

Partnership working is both mandated by statute and encouraged as best practice and has the potential to:

- Deliver strategic objectives;
- Improve service quality and cost effectiveness;
- Ensure the best use of resources;
- Deal with issues which cut across agency and geographic boundaries, and where single agency programmes alone cannot address the need.

6. CHALLENGES

6.1 Governance and Accountability

Working across organisational boundaries can be complex. Problems can arise when governance and accountability, particularly in respect of how public money is spent, are weak. Poorly managed partnerships could result in a financial or legal risk to the Authority. The Authority will seek compliance with the spirit of 'Delivering Safer Communities: A guide to effective partnership working' and the associated six Hallmarks which create a national standard for CDRPs in particular those under 'Leadership and Guidance' (Governance) (Home Office - 2007)

A balance needs to be struck between the need to protect public money and obtain best value for money with the innovation and flexibility that can result when partners collaborate. Governance arrangements will need to be proportionate to the risks involved and provide a structure which enables the co-ordination of activity while encouraging each partner organisation to carry its own responsibility.

It is important that when a Police Authority Member has other roles, for example a County Councillor, that when attending meetings of a partnership, it is made clear to other representative which organisation the Member is representing, and hence the governance framework under which they are operating.

6.2 Performance Management

Performance Management arrangements that identify clear objectives and SMART targets are needed to ensure that the achievements of the partnership can be demonstrated through appropriate evaluation techniques as outlined in 'Delivering Safer Communities: A guide to effective partnership working'.

6.3 High Risk Partnerships

Partnerships involving; money, allocation of resources, joint national performance targets, involvement of property or staff “owned” by the partnership, and those involving contracts are seen as High Risk partnerships. To manage and mitigate against those risks the Police Authority would seek the formation of an effective body that will be accountable and responsible for managing the partnership’s financial and accounting arrangements including, if applicable, employment of staff, pay and pensions. The Police Authority will also seek evidence of open, robust and independent Scrutiny structures around such partnerships.

7. RISK

Prior to involvement in any new partnership or renewing/extending an existing partnership, the risks should be considered. This assessment will encompass the following issues:

- Purpose of the partnership
- Objectives, Targets and Performance Management Arrangements
- Is the partnership delivering what it set out to deliver?
- Can the partnership meet the legislative equality duties?
- Do the partnership’s objectives align with Authority/Constabulary plans? Is the partnership properly constituted in accordance with appropriate legislation?
- Will the partnership share a “Citizen focussed” approach to delivery of objectives?
- Will the partnership adversely affect the impartiality of Cambridgeshire Police Authority?
- Where a grant or pooled budget is involved is it clear who will be the accountable body?
- Will the partnership affect any Police Authority contractual or procurement arrangements?
- Assets (before accepting responsibility for a member of staff employed by a partnership advice should be sought from Director of People)
- Are there clear Governance arrangements for the partnership?
- How will decisions be made and recorded?
- How will information be shared in compliance with the Management of Police Information Codes of Practice?
- Are there any aspects of the partnership which will impact adversely on the public’s perception of the Authority?
- For existing partnerships; are there barriers and constraints preventing or limiting the partnership’s objectives? How are these addressed?
- Exit strategy defining for partnership members clear indicators of what would constitute grounds for withdrawing from a partnership.

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The Police Authority's representative on a partnership should be at an appropriate level to contribute and make decisions on behalf of the Authority according to agreed and written delegations by the Authority. A more detailed checklist for the risk assessment process is set out at Appendix 2.

There is a degree of risk in all partnerships but it is accepted that the work to be undertaken in respect of each risk assessment is proportionate to those risks. Accordingly, whilst the checklist at Appendix A must be completed for all high risk partnerships (i.e. partnerships involving money, allocation of resources, joint performance targets, involvement of property or staff "owned" by the partnership, and those involving contracts), in other cases involving less formalised and temporary partnership initiatives discretion should be applied when assessing risks.

8. INFORMATION SHARING

Following the risk assessment described in paragraph 7 for those partnerships where police data is shared, it will be necessary to adopt an Information Sharing Agreement (ISA) which complies with the requirements of the Data Protection Act, the Human Rights Act and Management of Police Information (MoPI) Codes of Practice. Exchange of such data must also comply with the principles of the Government Protective Marking Scheme (GPMS). Partnership data will be held and accessed in accordance with Cambridgeshire Constabulary's policy and procedures relating to information security, systems security, systems access, records management and the Data Protection Act principles, particularly in respect of relevance and accuracy.

9. CURRENT AND FUTURE PARTNERSHIPS

9.1 As stated earlier, partnership working for the Authority can be either a statutory requirement or a voluntary arrangement entered into by the Authority. This section covers current statutory partnerships and other significant partnership arrangements.

9.2 Crime and Disorder Partnerships.

In 1998 legislation⁵ was enacted which placed a statutory duty on police authorities, chief police officers and local authorities to work together to develop and implement a strategy for reducing crime and disorder, and imposed the need to exercise their various functions with due regard to the likely effect of those functions on and the need to do all that it reasonably can do, to prevent crime and disorder in its area. These "responsible authorities" also included fire authorities and primary care trusts.

A review of the partnership provisions of the Crime and Disorder Act was undertaken between November 2004 and January 2005. The Home Office

⁵ Crime and Disorder Act 1998

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published the findings of the review and introduced measures to implement the recommendations in the Police and Justice Act 2006. The recommendations included; the adoption of the National Intelligence Model by Crime and Disorder Reduction Partnerships (CDRPs), an extension to the number of “responsible authorities” and a set of national standards for partnership working.

The National Community Safety Plan 2008-2011 encourages partnership working in several areas including prolific and other priority offenders, domestic violence, the night time economy and violent crime. These priority areas set by central Government will change from time to time reflecting the Government’s assessment of policing priorities. Cambridgeshire and Peterborough’s LAAs, LSPs, CDRPs and county Community Safety Strategic Board are all crucial to addressing these issues and other areas of crime and disorder as it is recognised that no single agency can take responsibility.

The Authority will be represented on each of the CDRPs in its area by an appointed member. Ideally, members will have links (e.g. living, working or having a representative role) with the areas covered by the CDRP to which they are appointed. Appointments to CDRPs will be made at the Authority’s Annual General Meeting.

9.3 Local Strategic Partnerships

Local Strategic Partnerships (LSPs) are non-statutory bodies whose purpose is to provide an overarching framework within which partner organisations will work together to develop and implement Community Strategies and Local Area Agreements (LAAs). Within the Police Authority’s area, Cambridgeshire has five LSPs based on District Councils and in Peterborough the LSP is based on the Unitary Authority. Both the Police Authority and the Constabulary should be engaged with LSPs. Constabulary representation on each LSP comes from within the relevant Basic Command Unit. The Authority should seek to have representation on each LSP and ideally these representatives should be those members appointed to each of the local CDRPs which are one of the constituent partnerships within each LSP.

9.4 Local Area Agreements

After trials in 2004/2006, the Local Government and Public Involvement in Health Act 2007 put LAAs on a formal footing. A LAA is a three year agreement between Central Government, represented by the Regional Government Office for the East (GOEast) and local areas represented by the “lead” local authority; in the Police Authority area these are Cambridgeshire County Council and Peterborough Unitary Authority. These two “responsible” local authorities are required to act with other “partner authorities” (which includes the Police Authority and the Chief Constable) to identify and address local issues that can make a difference to the quality of life of the community.

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These Local Area Agreements are the primary vehicle for delivering improvements in the provision of public services. The Government has developed a list of 198 National Indicators (NIs) grouped under outcomes relating to:

- Stronger Communities
- Safer Communities
- Children and Young People
- Adult Health and Wellbeing
- Tackling Exclusion and Promoting Equality
- Local Economy
- Environmental Sustainability

Each LAA is required to identify its own priority outcomes using selected NIs to measure progress.

The Authority will seek to appoint a representative on each of the two LAAs in its area; i.e. Cambridgeshire Together and the Greater Peterborough Partnership. These members would ideally have links, (e.g. living, working or with a representative role) with the areas covered by the LAAs.

The performance of LAAs in securing improvements in the outcomes listed above will be assessed under a new (from 2009) system, the Comprehensive Area Assessment (CAA).

9.4 Collaboration

The Police Act 1996 (S.23) makes provision for Chief Constables, with the approval of the Police Authority, to collaborate with other forces to more efficiently and effectively discharge police functions. The Home Secretary issued an Order (Statutory Instrument 82/2008) extending this duty to allow a police authority to take account of the interests of policing in wider geographic terms (whereas previously its statutory sphere of interest had been restricted to its own force area), and it was anticipated that police authorities would consider joint working arrangements as part of their strategic planning.

Collaboration can be achieved by way of various delivery mechanisms; such as a memorandum of understanding, a collaboration agreement, a joint committee or a joint venture company. A Joint Statutory Committee (JSC) has been established under the provisions of the Local Government Act 1972 (S. 101 and 102), on which all six authorities in the Eastern Region are represented by two members from each authority. The role of the JSC is the governance of the collaborative initiatives ("specified" functions) involving three or more Authorities/ Constabularies within the Region. Individual authorities, in conjunction with Chief Constables, will determine which collaborative initiatives they wish to be part of.

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Chief Constables, Chief Executives and others as necessary will attend meetings of the JSC.

Cambridgeshire Police Authority's representatives on the JSC will be the Chairman and one of the two Vice Chairmen.

10. EQUALITY IMPACT ASSESSMENT

An equality impact assessment of this policy is at Appendix 3.

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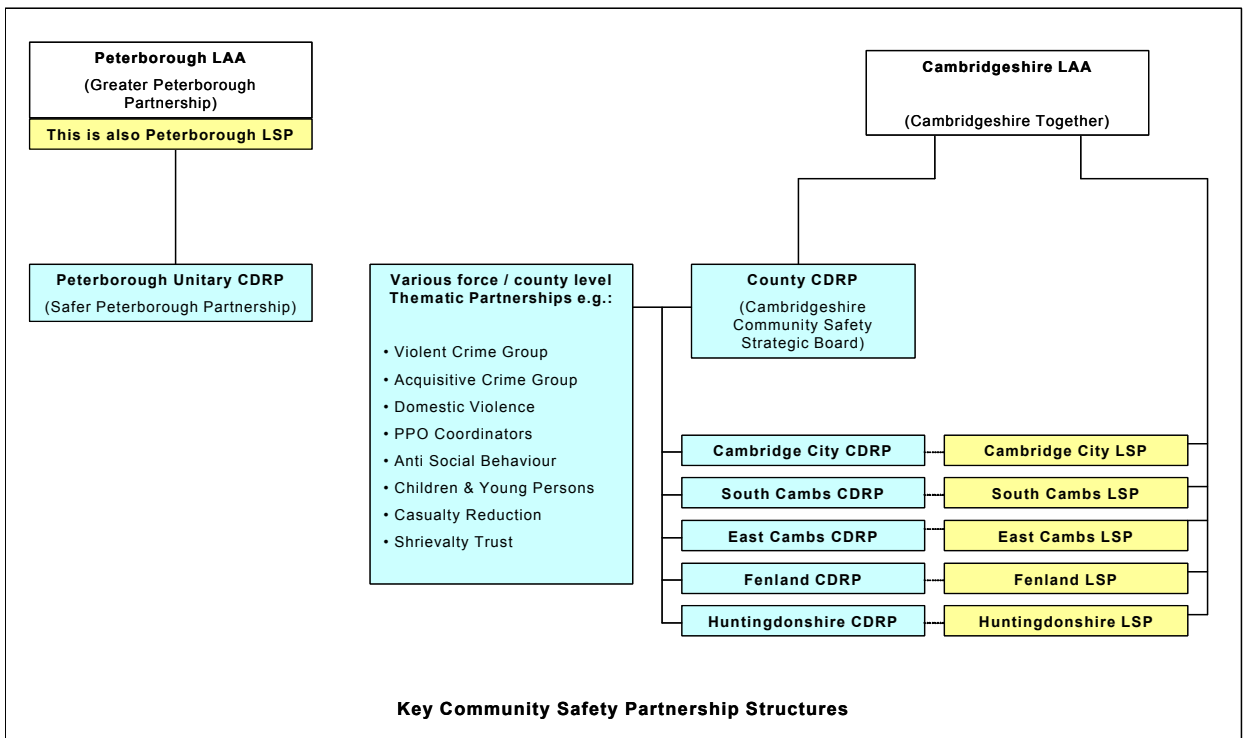
COMMUNITY SAFETY PARTNERSHIPS STRUCTURE

The wider community safety world has undergone significant change over the last two years. In simple terms there is now a distinct hierarchy where priorities, with support and funding behind them, are agreed at all levels. This interlinked partnership structure is now the only operating theatre to ensure progress for Cambridgeshire and Peterborough.

Key to that structure are the two Local Area Agreements (LAAs), the County Community Safety Strategic Board (CCSSB), six district based statutory Crime and Disorder Reduction Partnerships (CDRPs), six district Local Strategic Partnerships (LSPs), together with several thematic county groups many of which link to regional collaborations.

Those partnerships involving statutory partners and the voluntary ‘third’ sector in particular key charities which support victims of crime, the elderly and other vulnerable members of our communities, are important in order to ensure the needs of all citizens of Cambridgeshire and Peterborough are understood and responded to.

The community safety partnership landscape in the Authority’s area is shown in the diagram below.



PARTNERSHIP – RISK ASSESSMENT CHECK LIST

PARTNERSHIP NAME -	
Area of Partnership Business	Assessment
GOVERNANCE, COMMUNICATION AND INFORMATION	
1. Is there a Partnership Agreement between the members of the Partnership? (1)	
2. Does the Partnership Agreement cover the following issues: a. Purpose of the Partnership? b. Who the Partners are? c. Which Partner will fill which role? d. Information sharing agreements (MoPI compliant)? e. Objectives.	
3. Which agency is the accountable body? (2)	
4. Does the Agreement clearly identify partners' responsibilities for: a. Data sharing. b. FOI requests. c. Compliance with Equality legislation.	
5. Which agency is responsible for document retention?	
6. Does the Agreement contain a dispute resolution procedure?	
7. Are there mechanisms in the Agreement to vary partnership agreements?	
8. Are there procedures for terminating the partnership?	
9. Has the Partnership a sound approach to risk management?	
FINANCE	
10. Who is responsible for the Partnership's budget and maintaining financial records.	
11. What are the potential costs to the Authority arising from participation in the Partnership?	
12. Are arrangements in place for auditing accounts?	
13. Is there a clear and equitable costs and benefits sharing agreement?	
HUMAN RESOURCES	
14. What arrangements are in place to provide dedicated staff to support the Partnership?	
15. What line management arrangements have been put in place?	

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ASSETS/PROPERTY	
16. Will accommodation be required and if so which agency will be responsible for obtaining the property?	
17. Is there clarity around the disposal of assets at the end of the Partnership agreement?	
18. Who will buy and account for equipment and material purchased?	
19. Will intellectual property rights be created?	
<p>Notes:</p> <ul style="list-style-type: none"> (1) Legal advice taken where appropriate (2) Risks associated with Accountable Body status: <ul style="list-style-type: none"> INFORMATION, COMMUNICATION AND GOVERNANCE Any infringement of Data Protection Act, Information Sharing etc Inappropriate storage and handling of information. PERSONNEL Pensions arising from early retirement Unfair dismissal claims Redundancy Claims Equality legislation, Disability Claims Accident Damages PROPERTY Upkeep, services and insurance Occupier's liability claims Health and Safety claims Public Liability claims Building/Maintenance costs Statutory requirements – e.g. DDA FINANCE Insurance Payments when external funding ceases Unforeseen costs Theft of funds (fraud) Inappropriate use of funds Claw back of any grants due to: Failure of the project. Loss of Documentation. 	

EQUALITY IMPACT ASSESSMENT

Title of Policy Guidance/ Procedure	CAMBRIDGESHIRE POLICE AUTHORITY PARTNERSHIP POLICY		
Name of Author	R.E. Toland		
Date of creation/review	17 March 2009	Version No.	2
PLEASE OUTLINE THE RESULTS OF YOUR IMPACT ASSESSMENT BELOW			
B1	What are the aims and proposed outcomes of your policy guidance/procedure?		
	<ul style="list-style-type: none"> • To ensure a clear understanding of partnership issues including opportunities and risks • To enhance partnership working. • To enable the Police Authority to meet its duty to secure an effective and efficient policing service for Cambridgeshire and Peterborough. • To monitor and scrutinise the Constabulary's involvement with partnerships. • To follow the Audit Commission's partnership framework. 		
B2	What research has been undertaken?		
	<p>In order to form this policy, the following areas have been researched: Governance, performance management, high risk partnerships, information sharing, current and future partnerships, and risk assessments.</p>		
B3	What consultation has taken place? <i>(who has been consulted, and by what method?)</i>		
(a)	Internally within the Authority/Constabulary		
	Police Authority Members asked to endorse the policy.		
(b)	Externally		
	Once agreed by the Authority, the policy will be offered to the Constabulary for their consideration as to whether they wish to adopt and adapt the policy as a joint policy.		
B4	What feedback was received?		

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(TO BE COMPLETED)	
B5	What amendments, if any, have been incorporated into the policy guidance/procedure to reflect that feedback?
(TO BE COMPLETED)	
B6	If changes were recommended but <i>not</i> incorporated, what justification is there for this?
(TO BE COMPLETED)	
B7	What monitoring arrangements are to be put in place (or already exist) to monitor the <i>actual</i> impact of this policy guidance/procedure?
The Partnership policy will be subject to annual review by the Police Authority Scrutiny and Audit Committee.	
B8	How will this guidance eliminate unlawful discrimination ? <i>Consider and comment on operational, community impact and institutional perspectives</i>
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	
B9	How will this guidance promote equality of opportunity ? <i>Consider and comment on professional, individual, organisational and community perspectives</i>
The risk assessment associated with each individual partnership asks whether the partnership can meet the legislative equality duties. As part of the Local Area Agreements, the Government has developed a list of 198 National Indicators, some being grouped under tackling exclusion and promoting equality. The Police Authority has a duty to cooperate with these targets.	
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	
B10	How will this guidance promote good relations between people from different groups ? <i>Consider and comment on individual practice, team operation, and organisational functioning perspectives</i>
The Police Authority abides by its own Equality Scheme in promoting unlawful discrimination and promoting good relations between people from different groups. It also monitors and scrutinises the relations between the Constabulary and people from different groups including recruitment of staff from ethnic groups representative of the community within the Force area.	
In relation to this duty, do you consider its potential impact to be HIGH <input type="checkbox"/> MEDIUM <input type="checkbox"/> LOW <input checked="" type="checkbox"/>	