

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:-	Cabinet Member for Safe & Attractive Neighbourhoods
2.	Date:-	5 th September 2011
3.	Title:-	Accreditation and Shared Powers – Update
4.	Directorate:-	Neighbourhood & Adult Services

5. Summary

Following Cabinet Member for Safe & Attractive Neighbourhoods' support in principle and agreement to develop an Accredited Person Scheme for Rotherham (minute J9 of 20th June 2011 refers) this report, following consideration at the Safer Rotherham Partnership Executive Group and the Integrated Services - South Yorkshire Strategic Group, provides an update with associated recommendations.

6. Recommendations

It is recommended that the Cabinet Member for Safe and Attractive Neighbourhoods;

6.1 Confirms that the following 5 powers be prioritised in the development of the Accredited Powers Scheme for Rotherham;

- Power to require giving of name and address
- Power to require name and address for anti-social behaviour
- Power to require persons aged under 18 to surrender alcohol
- Power to issue Penalty Notices for causing harassment, alarm or distress
- Power to issue Penalty Notices for throwing fireworks

6.2 Welcomes the appraisal of the service delivery model for the development of enhancing integration of safer neighbourhood services with Rotherham and confirms Option 2 presented in the report as the model on which the scheme should be based.

6.3 Requests that the decisions with respect to 6.1 and 6.2 above be advised to the Safer Rotherham Partnership's Executive Group

7. Proposals and Details

Cabinet Member for Safe and Attractive Neighbourhoods in considering the development of Accreditation and the sharing of powers between the Council and SYP made a number of recommendations including that of receiving update reports as the scheme progresses. This is the first of such updates.

Taking forward the Council's support in principle of the accreditation of certain Council employees to discharge Police powers granted by the Chief Constable, the Safer Rotherham Partnership Executive Group received a presentation on the 22nd June 2011. This presentation detailed the development of the Project Plan designed to develop a more integrated community safety delivery service within all of the South Yorkshire Council local authority districts.

The presentation overview of the project emphasised that the key aim in developing the scheme is to have the right people, with the right powers, in the right area in order to deliver a better service to local communities. To bring accreditation into reality a strategic group (Integrated Services - South Yorkshire Strategic Group) was to be established to ensure all interested partner agencies together for cross county understanding, learning and development. Importantly the critical issue was to have a localised approach where district staff addressed local delivery and local needs.

It was recognised that within South Yorkshire there were different issues to be addressed and that the speed of implementation (some by pilot schemes) would vary therefore, for Rotherham, it was necessary to make sure that the scheme considered local solutions and a full understanding of the impact of the introduction of the approach.

The SRP Executive requested that two immediate issues be considered and reported back. These issues being;

1. Which of the possible powers being available by the Chief Constable would Rotherham wish to prioritise for adoption? and
2. What localised service design to Integrated Working would we wish to consider?

Local Powers

The Chief Constable could grant accreditation for up to 43 powers but for South Yorkshire this has been limited that to 21 powers. The 21 powers are shown in Appendix 1 and are in the main quick "discharge" powers eg Fixed Penalty Notices for a range of anti-social issues. Of these 21 powers each local authority has been requested to identify 5 powers by which prioritisation can be focused for initial implementation.

Following joint assessment including local community safety priorities (ASB & alcohol) , impact of the powers, health & safety of employees, with both Rotherham SYP and other Council Departments it is proposed that the following 5 powers be prioritised for early accreditation focus;

- Power to require giving of name and address
- Power to require name and address for anti-social behaviour
- Power to require persons aged under 18 to surrender alcohol
- Power to issue Penalty Notices for causing harassment, alarm or distress
- Power to issue Penalty Notices for throwing fireworks

SYP have also been requested to consider the release of further powers outside the overall 21 being made available to strengthen the control of alcohol sale and use.

Service Design

The introduction of accreditation and possible reciprocal delegation of Police officers provides the opportunity to consider wider integration and ways of joint working and aligning front line services across our Safer Neighbourhood Teams by the brigading of powers and/or a single uniformed presence. Two options for service delivery models have been suggested and, across South Yorkshire, each district is drawing its bespoke model together (again utilising pilots to test out their model). The two options are;

Delivery Model 1 - To create a new uniformed team of individuals with as many warranted powers as is practicable from all partner agencies. The team will be aligned to a geographical area within the district and will tackle any and all local issues in relation to public confidence and Anti-Social Behaviour (ASB)

Delivery Model 2 - To allocate warranted powers to the right people, in the right uniform, in the right place at the right time. To ensure staffing is aligned to demand management and the requirements of the local areas in order to target public confidence and ASB issues. For example a place-based analysis would be undertaken for each area to develop a rich picture that would help to prioritise joint local service delivery, issuing of the right warranted powers to the appropriate uniformed staff. To also encourage local integrated services, through Fixed Penalty Notices, to spend any income generated on improving the local geographical area.

It is considered for Rotherham that the second of these two options is pursued and, in doing so, it provides a realistic model that readily takes on the improvements in shared working without the need of structure, governance and tasking change. It builds on the pragmatic response model that has established identifiable services and does not over complicate branding requirements within communities whilst saving on new uniform design and procurement costs.

In utilising a scheme that evolves allows for the development of the joining together of internal Council ways of working and potential testing of the scheme within a particular locality e.g. Rotherham Town Centre where local partnership Town Team has a strong working structure and linked/shared communication routes. The breadth of this more integrated working model may start with core uniformed services e.g. Neighbourhood Wardens, Civil Enforcement Officers, and possibly Countryside & Park Rangers which then develop further to include other enforcement type services in the future.

It has always been the case that one of the objectives of our working has been to ensure effective uniformed presence on the streets and thereby further enhance community confidence. Delivery model 1 at this time is seen as an aspirational model which can be developed into the future. What is key is that there should be a local service that fits to the needs of the local area.

It is proposed that the SRP Executive be advised of the Council's position these two matters at their meeting on the 7th September 2011.

Details progressing the South Yorkshire Police project plan (reported on the 20th June) is being carried out by the Integrated Services - South Yorkshire Strategic Group Meeting where Rotherham is represented by Mark Ford, Safer Neighbourhoods Manager (deputised by Matt Finn, Community Protection Manager).

It is very apparent that the current use of existing powers (both within the Councils and SYP) are discharged differently across the sub region and potential barriers are being thought through to find solutions. Rotherham is leading a Task & Finish Group addressing the use of Fixed Penalty Notices for littering with an outcome being the shared use of available powers being consistently used when required without compromising current local policy and effective processes. This group could also consider the reciprocal transfer of some local authority powers (e.g. under the Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005) to the Police.

This approach of using Task & Finish Groups is expected to be used for other areas requiring development e.g. communications, training, understanding of other legal and process details, vetting arrangements, compliant uniforms and health & safety implications. A stakeholder workshop addressing each of these themes is being arranged for September.

8. Finance

The proposal to accredit designated Council staff has to date not highlighted any costs outside that contained within current revenue budgets. Any variation to this position will be addressed in further Cabinet Member updates.

9. Risks and Uncertainties

A range of risks were highlighted in the previous report to Cabinet Member on the 20th June 2011 and these are being addressed as part of both internal officer working and the wider shared approach by the South Yorkshire Group. Topics being assessed include;

- Competency framework for accredited personnel
- Training requirements
- Vetting checks
- Supervision, performance management and review arrangements
- Potential grading and HR related issues
- Health & safety of accredited personnel
- Communication
- Information & data sharing
- Staff inclusion in the schemes development
- Shared understanding of legislative framework, policies and processes

SYP have a strategy for the improvement of Neighbourhood Policing, this being indicated in their Local Service Delivery Framework. Whilst the detail of this document isn't known there are changes to local delivery arrangements which impact on safer neighbourhood partnership working. This, together with other SYP strategic reviews, is a key driver for enhancing the integration of services.

10. Policy and Performance Agenda Implications

Tackling Anti Social Behaviour is a key priority for the coming year as set out in the RMBC Corporate Plan

- ***helping to create safe and healthy communities, and***
- ***ensuring people feel safe where they live, particularly that Anti-Social behaviour and crime is reduced and people from different backgrounds get on well together.***

In particular the proposal contributes in ensuring that;

- People feel safe where they live
- ASB and crime is reduced
- People enjoy parks, green spaces, sports, leisure and cultural activities
- Our streets are cleaner

And fits totally within the business methodology of the Council by;

- Getting it right 1st time, reducing bureaucracy and getting better value for money,
- working with partners, and
- having the right people, with the right skills in the right place at the right time

Accordingly ensuring that anti-social behaviour is reduced and that people feel safe where they live is a key objective of the 2010/11 Neighbourhood & Adult Service plan

The approach has clear linkages to the seven outcomes of the Outcomes Framework for Social Care, and importantly contributes to ***Improving the Quality of Life***, and support to ensure ***Freedom from Discrimination or Harassment***.

The strategy takes close account of the developing Government policy drivers regarding crime, disorder, antisocial behaviour and localism, but locally is built from the statutory analysis undertaken by the partnership Community Information Unit and reported in the latest Joint Strategic Intelligence Assessment which identified Anti-Social Behaviour as a priority for the Safer Rotherham Partnership.

11. Background Papers and Consultation

- Crime and Disorder Act 1998
- Police Reform Act 2002
- The Criminal Justice and Police Act 2001
- The Anti Social Behaviour Act 2003
- South Yorkshire Police Community Accreditation Scheme; Information & Application Pack

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Appendix 1

Powers Available

In South Yorkshire SYP will grant 21 powers to accredited persons. These 21 are shown in bold with an asterisk and from these it is proposed that 5 of the powers be prioritised for implementation in Rotherham. These 5 are highlighted ++ & yellow in colour print.

1. Power to issue penalty notices for disorder
Power to issue fixed penalty notices
2. **for truancy ***
3. in respect of an excluded pupil in a public place
4. **for cycling on a footpath ***
5. **for dog fouling ***
6. **for graffiti and fly-posting ***
7. **for littering ***
8. in respect of offences under dog control orders
9. **++ Power to require giving of name and address ++**
10. Power to deal with begging
11. **++ Power to require name and address for anti-social behaviour ++**
12. Power to require name and address for road traffic offences
13. **Power to require persons drinking in designated places to surrender alcohol ***
14. **++ Power to require persons aged under 18 to surrender alcohol ++**
15. **Power to seize tobacco from a person aged under 18 ***
16. **Power to remove abandoned vehicles ***
17. **Power to stop vehicles for testing ***
18. Power to stop cycles
19. Power to control traffic for purposes other than escorting a load of exceptional dimensions
20. **Power to direct traffic for the purposes of escorting abnormal loads ***
21. Power to photograph persons away from a police station.

Power to issue Penalty Notices for Disorder under Chapter 1 Part 1 of the Criminal Justice and Police Act

22. Possession of cannabis etc
23. Sale of alcohol to children
24. Purchase of alcohol by or on behalf of children.
25. Delivery of alcohol to children or allowing such delivery.
26. **Buying or attempting to buy alcohol for consumption on licensed premises etc by a child ***
27. Breach of fireworks curfew
28. Possession of a category 4 firework
29. Possession by a person under 18 of an adult firework.
30. Supply of excessively loud fireworks
31. **Wasting police time, giving false report ***
32. **Using public electronic communications network in order to cause annoyance, inconvenience or needless anxiety ***
33. **Knowingly giving false alarm of fire ***
34. **++ Causing harassment, alarm or distress ++**
35. **++ Throwing fireworks ++**
36. Supply of adult fireworks without a licence
37. Failure to state/maintain required information when supplying adult fireworks
38. Failure to comply with requirements regarding import of fireworks
39. Consumption of alcohol by children or allowing such consumption
40. Sale of alcohol to a person who is drunk
41. **Trespassing on a railway ***
42. Throwing stones at a train or other things on railways
43. **Drinking in a designated public area ***