

**EXPLANATORY MEMORANDUM TO**  
**THE CRIME AND DISORDER (FORMULATION AND IMPLEMENTATION OF**  
**STRATEGY) (WALES) REGULATIONS 2007**

**2007 No. 3076**

1. 1.1 This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.

**2. Description**

2.1 The regulations set out minimum standards for how Community Safety Partnerships (CSPs) in Wales should function as they formulate and implement strategies to tackle crime and disorder in their communities. Until now, there have been no underpinning national standards for CSPs that has led to considerable variation in their ability to reduce crime. Regulations affecting England came into force on 1 August 2007 and were the mirror of these.

**3. Matters of special interest to the Joint Committee on Statutory Instruments**

3.1 None.

**4. Legislative Background**

4.1 The Crime and Disorder Act 1998 (the '1998 Act'), as amended by the Police Reform Act 2002 and the Police and Justice Act 2006 (the '2006 Act'), established partnerships between police, local authorities, fire and rescue authorities, Primary Care Trusts in England and Local Health Boards in Wales and police authorities. The purpose of these partnerships was to ensure that all these agencies work together to tackle local crime and disorder. The 1998 Act placed a central duty on these 'responsible authorities' to, once every three years, produce audits of the area's local crime problems and implement strategies to tackle them.

4.2 The 2006 Act received Royal Assent on 8 November 2006. Paragraph 3 of Schedule 9 to the 2006 Act repealed the duty on CSPs and their counterparts, Crime and Disorder Reduction Partnerships (CDRPs) in England to produce triennial audits and strategies. In place of this duty, is contained the power to introduce regulations for the formulation and implementation of strategies for CDRPs to reduce crime and disorder and combat substance misuse. By virtue of new section 6(2) and (9) of the 1998 Act (as inserted by the 2006 Act) this power is to be exercised in England by the Secretary of State, by the Welsh Ministers for strategies to combat substance misuse in Wales and by the Secretary of State and Welsh Ministers jointly in relation to strategies to combat crime and disorder in Wales. These Regulations are the last of these. They are made jointly by the Secretary of State and Welsh Ministers and will be laid before Parliament and the National Assembly. They specify how CSPs should conduct their business in respect of identifying and addressing crime and disorder priorities, engaging with communities and sharing information. Regulations for CDRPs in England covering strategies to combat both crime and disorder and substance misuse came into force on 1st August 2007 (SI 2007/1830). Regulations for strategies to combat substance misuse in

Wales have been made in Wales by the Welsh Ministers at the same time as these Regulations.

## **5. Territorial Extent and Application**

5.1 The regulations apply to Wales only.

## **6. European Convention on Human Rights**

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

7.1 The 1998 Act introduced a new requirement for the police, local authorities and other key agencies to work together to tackle crime and disorder. The 1998 Act and its provisions have been recognised as producing a step change in the contribution of other (non police) agencies on community safety. However, the Government thought it timely to review whether the provisions needed updating and to explore how a greater degree of consistency of working could be achieved since some CDRPs/CSPs were performing evidently better than others. The findings of a review of the 1998 Act provisions were published in 2006 <http://www.crimereduction.gov.uk/partnerships60.doc>.

7.2 Flowing from this review, the Home Office has a programme of reform in train which has a number of key strands to it. These include adjusting the statutory requirements placed on CDRPs/CSPs to both relieve unnecessary burdens and to introduce some underpinning minimum standards (namely both these sets of regulations). The programme also looks to produce a revised performance framework (bringing together separate regimes for police, CDRPs/CSPs and drugs); new guidance for partnerships on how to undertake their core duties; and enhanced arrangements for supporting CDRPs/CSPs that have performance problems.

7.3 The overall objective of the review of the 1998 Act CDRP/CSP provisions and the resulting new sections in the 2006 Act was to make CDRPs/CSPs more effective, responsive and visible. In particular, the review considered how CDRPs/CSPs identified and prioritised issues important to local people; how they shared information between partners; how they planned ahead and managed performance; and how they were accountable to local communities.

7.4 The review found that the triennial audits and strategies were seen by many CDRPs/CSPs as no longer relevant to how they conducted their work. Instead of relying on information that was up to three years old, many well-performing CDRPs/CSPs were identifying their priorities and re-organising their business through the analysis of information more frequently throughout the year. The review also identified that it was more important that partnerships were accountable to their local communities than to central government.

7.5 As a result of these findings, we repealed the duty to produce triennial audits and strategies and an annual report to the Home Secretary. Instead, the strategy regulations outline the minimum elements for effective partnerships. They require that each CSP

shall have an agreed process for sharing information held by partners; produce an annual assessment (using that information) of the issues affecting the local area; make some decisions about what the priorities ought to be based on this assessment; produce a plan which explains how those priorities will be delivered; and have a dialogue with communities to both inform these processes and explain the outcomes.

7.7 In terms of consultation following the review, the Home Office arranged twelve stakeholder consultation events in England and Wales involving over 1000 stakeholders from all the different contributing agencies (for example police forces, local authorities, fire and rescue authorities). These events were intended to seek views on what should be included in minimum standards for CDRPs and to ascertain thoughts from as wide a range of participants as possible on how these standards should be framed and to be clear on any pitfalls to be avoided. The briefing papers and the findings and recommendations are available at: <http://www.crimereduction.gov.uk/regions/regions00.htm> for information. The Home Office was commended for the very inclusive approach which these events embodied and for the investment of time to listen to stakeholders from every part of England and Wales. The formal feedback from these events formed the basis of the development of the regulations affecting England and Wales and is discussed in the attached Regulatory Impact Assessment.

7.8 This inclusive approach has been continued during the production of both sets of regulations. We have consulted with a broad range of stakeholders from the very earliest stage of the formal development of the regulations, not only showing them early drafts of both sets of regulations but also inviting their comments on the instructions which policy officials were sending to Home Office legal advisers. Drafts of both sets of regulations were discussed regularly at the meetings of a stakeholder steering group, attended by Welsh Assembly Government Officials and the Home Office held bilaterals with all the main interested parties to elicit any particular concerns.

7.9 As the National Assembly for Wales has devolved responsibility for both local government and health, we had a duty to work jointly on the regulations for CSPs in Wales. Officials in the Welsh Assembly Government carried out a further consultation on the contents of the regulations over September 2007. This statutory instrument covers regulations on non-devolved matters. It will be laid before Parliament and the National Assembly simultaneously and in Wales, will be laid alongside a similar statutory instrument covering substance misuse, a devolved matter. The regulations in Wales mirror those in England and so CSPs and CDRPs are subject to the same statutory requirements, ensuring consistency across policing and community safety issues.

7.10 Twenty two written responses were returned on the initial instructions to lawyers and most of these expressed broad agreement with the approach adopted in the regulations. The regulations were drafted to reflect comments and provide more clarity where necessary. Some examples are given below:

- In response to eight questions about how a partnership business process would fit with the existing police business processes, we have ensured that there is enough flexibility in the timing for alignment between these processes.
- In response to five doubts about a requirement for the CDRP to be chaired by one of the responsible authorities, we included in regulations that the CDRP could nominate any of its members to be chair.

- In response to four concerns that a formalised audit of skills and knowledge would be too burdensome, we removed this requirement.

7.11 These regulations will be of limited interest to those not involved in community safety and indeed for many partnerships, they reflect current good practice. For a minority, there will be some concern about how these standards will be met. However, the good practice in many CDRPs/CSPs demonstrates how resources can be brigaded to meet these standards.

7.12 In order to ensure that the widest number of those who would be affected by the regulations were aware of their development (above and beyond consulting their representative organisations), the Home Office and Welsh Assembly Government wrote to every CSP in March 2007 and then again in June 2007 detailing what would be contained in the new regulations. We have published guidance for all CDRPs and CSPs reflecting both the statutory and non-statutory elements of the reform programme, emphasising the national standards as hallmarks of effective partnerships and including examples of good practice. We have highlighted differences between England and Wales in the text to ensure that we reflect devolved matters appropriately. We are translating the guidance into Welsh and this will be sent to all CSPs.

## **8. Impact**

8.1 A Regulatory Impact Assessment is attached to this memorandum.

## **9. Contact**

Linda-Claire Smith at the Home Office, telephone: 0207 035 3226 or e-mail: linda.claire.smith@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.

## Regulatory Impact Assessment

**1. Crime Reduction: Establishing minimum standards for the statutory partnerships in England charged with reducing crime and disorder; and strengthening information sharing provisions between relevant agencies involved in crime and disorder reduction in both England and Wales.**

### **2. Purpose and intended effect / Background**

2.1 Crime and Disorder Reduction Partnerships (CDRPs) (Community Safety Partnerships – CSPs – in Wales) were first established after the passage of the Crime and Disorder Act 1998, which placed a duty on local authorities and police (the ‘responsible authorities’) to work together to combat crime and disorder. Subsequent legislation has extended the list of responsible authorities to include Primary Care Trusts, Fire and Rescue Authorities and Police Authorities. The Government announced in its 2004 Police Reform White Paper – *Building Communities, Beating Crime* – the intention to review the working of these provisions to establish the lessons learned and to examine whether any changes to the 1998 Act were required.

2.2 Currently there 22 CSPs in Wales. CSPs have a similar remit as their English counterparts in relation to crime. As Welsh Ministers have devolved responsibility for both local government and health, we had a duty to work jointly with the Welsh Assembly Government on the minimum standards for CSPs in Wales. The regulations in Wales mirror those in England and so CSPs and CDRPs are subject to the same statutory requirements, ensuring consistency across policing and community safety issues. This RIA covers Wales and is similar to that produced for the regulations that came into force in England on 1<sup>st</sup> August 2007.

2.3 The review of the Crime and Disorder Act (the CDA review) was published in January 2006. It pointed to the major contributions to crime reduction and community safety that the new partnerships had made. However, it also highlighted a pronounced variation in the capability and effectiveness of CSPs across the country. The review proposed a number of changes to partnership provisions as set out in statute. In particular, it recommended the repeal of certain obligations on /CSPs that were considered unnecessary and proposed instead to address the variations by proposing new statutory minimum standards which would apply to all CSPs.

2.4 Some of these changes were included as primary legislation in the Police and Justice Act 2006 and a separate RIA was prepared for these provisions at the time of the Act’s introduction. The Act repealed the requirement on CSPs to produce audits of local crime and disorder issues and subsequent strategies every three years and repealed the requirement to report annually to the Home Secretary. These had been considered unproductive bureaucratic requirements for CSPs that were not helping to drive delivery.

2.5 In place of these requirements, the Police and Justice Act 2006 provided for the introduction of regulations that would establish a framework of minimum standards for CSPs, framed around an obligation on the CSP to formulate and implement a strategy to address the crime, disorder and substance misuse issues in their area. The aim of these minimum standards is to make CSPs into the most effective possible vehicles for tackling crime, disorder and substance misuse in their communities. They are based on the findings of the review and consequent consultation with stakeholders

2.6 The regulations set out a number of obligations on the responsible authorities in CSPs:

- to convene a strategy group comprising all the responsible authorities in the CSP and others as they choose,
- to prepare a strategic assessment (a document identifying the crime and community safety priorities in the area through the analysis of information provided by partner agencies and the community)
- to produce a partnership plan (which lays out their approach for addressing those priorities)
- to meet minimum standards of community consultation and engagement on issues of crime and disorder and substance misuse
- to ensure that each CSP has an information sharing protocol in place and that each responsible authority has a designated information sharing liaison officer to promote and facilitate information sharing.

2.7 The Police and Justice Act 2006 strengthens the provisions for information sharing amongst partners. Section 115 of the Crime and Disorder Act 1998 gave partners the power to share information to reduce of crime and disorder. The CDA review highlighted that agencies did not always share information. Sharing depersonalised information is of critical importance to local partnerships, as it enables them to carry out evidence-based targeted community safety interventions and to evaluate their impact. Routine profiling of key data sets is also vital for

performance and risk management purposes. The provisions in the Police and Justice Act 2006 enable this by making information sharing of certain depersonalised datasets a 'duty' (requirement) rather than a power. Responsible authorities will be under a requirement to share depersonalised information, where this is already collected, and of a nature described by the Secretary of State. The national standards will also support effective data sharing processes by including requirements for each CSP to produce an information sharing protocol to facilitate the sharing of all information between the responsible authorities.

2.8 In addition to these regulations, the Home Office published guidance for all CDRPs and CSPs on 18 September 2007 that set out both the statutory and non-statutory elements of the reform programme, emphasising the national standards as hallmarks of effective partnerships and including examples of good practice. This highlighted differences between England and Wales in the text to ensure that devolved matters were reflected appropriately. This will be translated into Welsh and sent to all Welsh CSPs.

### **3. Rationale for Government Intervention**

3.1 A great deal has been learned about CSP effectiveness since the introduction of partnerships following the 1998 Act. Across the partnerships in Wales, there will be many for whom these new standards will merely embody the normal pattern of how they conduct their business at present. However, we know from the work conducted with poorly performing CDRPs and CSPs that a number have fewer tangible processes in place for identifying and addressing their community safety issues. There have also been problems around the consistency of information sharing where different agencies have taken different approaches.

3.2 The purpose of the regulations is to address this variation by ensuring that every CSP has a minimum set of processes in train by which information is shared and intelligence-led decisions can take place..

### **4. Consultation**

4.1 Stakeholders were engaged throughout the review of the CSP provisions in the 1998 Act and have continued to be consulted in the development of regulations thereafter. This included supporting the setting of the CDA remit and final draft reviewing process.

4.2 The Home Office, the Local Government Association, the Association of Chief Police Officers and the Association of Police Authorities worked together on the review between November 2004 and January 2005. Over 450 key stakeholders and practitioners were consulted through four regional seminars and many contributed through e-questionnaires and submissions. The CDA benefited from this stakeholder centred approach as many of the recommendation that underpinned the review came from those on the front line of service provision.

4.3 Since the review findings were published, we have continued to engage stakeholders in the development of these regulations. The Home Office and Government Offices for the Regions jointly undertook a large-scale consultation exercise on the prospect of minimum standards over the summer of 2006. In addition to written consultation, over 1,000 stakeholders in 12 locations attended workshops to help the Home Office to decide what the legislation should contain. Two workshops were held in Wales to reflect their different policy issues. These events and the resulting work by stakeholder representatives in project groups drove the development of the national standards. On the basis of this consultation, the regulations depart at some points from the original review findings. Some examples are given below, but the findings and recommendations papers are available at

<http://www.crimereduction.gov.uk/regions/regions00.htm>.

The Welsh Assembly undertook their own consultation on the regulations, but no amendments were proposed during this process, as partnerships in Wales had been fully informed throughout the process.

4.4 The review recommended that partnerships perform a strategic assessment on a six monthly basis. However, at six of the regional events, concern was expressed about the resources required to produce a strategic assessment every six months and whether this timeframe was most suited from a strategic perspective. For this reason the regulations now require a strategic assessment at least yearly. The recommendation was made at five of the events that strategic assessments should include information gathered from the local community. This is reflected in the draft instrument.

4.5 The regulations have been framed to ensure that they describe a level of performance that many CSPs already attain (and mostly exceed) so that the standards address (and target) those CSPs whose arrangements are

sub-optimal. We have also taken every effort to ensure the regulations have been drafted to ensure that areas can implement the minimum standards as they see fit according to their local circumstances rather than central government laying down set of procedures. For example, stating that every CSP shall appoint a chair and have a process for their selection and removal without stating what this should be.

4.6 The governance structure established to progress the development and implementation of the minimum standards for CSPs comprises key stakeholders. Members of the governance structure groups reviewed the national standards regulations and guidance at the earliest opportunity and were encouraged to share drafts with those groups they represent. The composition of the governance structure groups brings together representative members of partnership responsible authorities, co-operating bodies and those agencies that have been invited to participate along with representatives from various government departments who support partnership delivery, including Communities and Local Government and the Department of Health to ensure both strategic and practitioner oversight of the process of developing national standards and information sharing regulations. There was also representation from the Welsh Assembly Government and the Welsh Local Government Association.

4.7 The Local Government Association initially raised some concerns about the costs of certain requirements. However, on closer examination, it appeared that the concerns that local authorities were expressing pertained to arrangements that were not required by the regulations themselves, for example around information technology solutions. Another example related to the additional costs associated with community engagement. However, it should be noted that the regulations require partnerships to have regard to the community engagement already undertaken by the responsible authorities, particularly in fulfilment of their Best Value obligations. In addition, we anticipate that requirements such as the ‘face the people’ sessions will already be met by most partnerships. Guidance will give examples of the ways in which many partnerships currently meet the new requirements, for example through joint working and pooling resources across CSPs.

**5. Options for the introduction of minimum standards for CSPs**

The four options listed below set out the different ways in which we can approach the introduction of the powers contained in the Police and Justice Act 2006 and the introduction of minimum standards for CSPs .

<b>Option 1. Legislate to introduce minimum standards for CSPs supported by guidance that helps partners to achieve standards</b>		
<b>Objective</b>	<b>Risks</b>	<b>Mitigate Risk</b>
1.1a. Reduce bureaucratic burden on CSPs by introducing minimum standards and guidance by clarifying expectations of performance	1.1b. Some CSPs may only aim to meet minimum standard and not seek to exceed expectations	1.1c. Produce guidance outlining standards but include examples of good practice and use ongoing monitoring and review to drive up performance.
1.2a. Improve partnership delivery by introduction of standards	1.2b. Could consume additional resources to support implementation of the minimum standards for some CSPs	1.2c. Stakeholder consultation showed that most CSPs are functioning in manner outlined by standards and so many will not need to change their practices. Where changes are necessary, they will lead to more effective practices to drive delivery. This work also takes into account other changes introduced through the Local Government and Involvement in Public Health Bill
1.3a To ensure a common approach to delivery of community safety across England and Wales	1.3b Welsh delivery landscape differs from England due to devolved matters	1.3c Work in consultation with Welsh Assembly to develop separate regulations and support appropriate implementation
1.4a. Improve information sharing to support effective work in reducing crime and	1.4b. Could consume additional	1.4c. Guidance on how to achieve standard. Represents what many CSPs are doing already. List only minimal sets in regulations which CSPs can choose to supplement locally.

anti-social behaviour.  1.5a Improve community consultation and engagement undertaken by CSPs	resources to support the implementation of the standard for some CSPs  1.5b CSPs may regard this as increased burden	1.5c. Standards build on existing work undertaken by responsible authorities and so no additional burdens. Builds on existing good practice work and wider government commitment to increased community involvement
<b>Option 2. Retain provisions outlined in the Crime and Disorder Act 1998 and not commence provisions in Police and Justice Act 2006</b>		
<b>Objective</b>	<b>Risks</b>	<b>Mitigate Risk</b>
2.1a. To avoid changing requirements on CSPs regarding the production of strategies and three-year audits	2.1b. Primary legislation exists and there is a legitimate stakeholder expectation that this will be used to improve delivery amongst CSPs. CSP effectiveness reduces due to lack of improved practice Having identified that the 3 year audits no longer serve a useful purpose, we would be persisting with a flawed approach	2.1c. Utilise good practice groups/knowledge management tools to encourage all CSPs to address the challenges identified in CDA Review
<b>Option 3. Repeal previous duties and do not introduce regulations for CSPs</b>		
<b>Objective</b>	<b>Risks</b>	<b>Mitigate Risk</b>
3.1a. To provide no framework for CSPs in terms of how they discharge their delivery of crime and disorder issues	3.1b. Home Office cannot ensure consistency and equality of service provision and CSPs effectively do not exist	3.1c. Issue guidance to current responsible authorities encouraging them to act jointly to tackle local issues
<b>Option 4. No minimum standards but non statutory guidance on improving performance</b>		
<b>Objective</b>	<b>Risks</b>	<b>Mitigate Risk</b>
4.1a. Introduce light touch approach to avoid adding burdens to CSPs. Advise partners on how to improve performance without clear expectation of minimum levels of performance	4.1b. Introduces lack of consistency at local level, creating greater burdens for CSPs as they respond to national and local expectations. Does not support value for money principles	4.1c. Introduce a more robust central performance management of local delivery, thus increasing burdens on CSPs and going against wider government policy.

## **6. Benefits: Social, Environmental and Economic**

6.1 The work that many CSPs do on a daily basis has been a major contributing factor in reducing crime over the last ten years. Crime has reduced by 35% from 1997, as measured by the British Crime Survey. During this time, partnerships have developed and improved their contribution towards the reduction in crime. By clarifying the expectations of the role of CSPs and improving the support offered to them, partnerships have been able to deliver on both local and national expectations concerning community safety. The introduction of minimum standards for CSPs will support the continued development of partnership working as they face new challenges and produce lasting economic, social and environmental benefits.

6.2 The Home Office and Home Office Crime Team based at the Welsh Assembly Government have worked with underperforming partnerships over the past two years, building on the existing work undertaken with police forces. This programme of work has shown that many of the issues addressed in national standards are the issues facing underperforming partnerships. By introducing these national standards, those areas with poorer performance can be brought up to an acceptable level of performance. This process will make CSPs more responsive to local



needs and in a better position to deliver services that are more effective.

6.3 More transparent and visible accountability mechanisms will encourage communities to work together with CSPs. Local communities that understand the role of CSPs in supporting reducing crime, disorder and substance misuses are more likely to engage with them and as such support improved social and environmental conditions.

## **7. Costs**

7.1 Costs for the entirety of the provisions in the Police and Justice Act 2006 – including those for CSPs - were covered in a previous RIA for that Bill. However, a specific undertaking was given to produce a further RIA for the introduction of these regulations. In introducing these regulations, the intention is not to increase bureaucracy or to be overly prescriptive about how CSPs should exercise their duties. Rather, we are recognising and formalising the good work that many partnerships are already doing and placing a duty on those CSPs who do not meet the standards to re-engineer their processes to drive delivery.

7.2 Furthermore, because the national standards define the minimum expectations of partnerships, compliance with them should be a straightforward process for the majority of CSPs. Where CSPs are not approaching the delivery of their business in such a way, then it is questionable if they are operating effectively or using their resources in a cost effective manner. The repeal of previous requirements on CSPs should also offset any concern amongst CSPs that the new provisions add to their work.

7.3 However, it is difficult to make assertions of actual costs of implementation of these new requirements. CSPs are not corporate entities or funded organisations as such. They receive funding from the Home Office through the Safer and Stronger Communities Fund (SSCF) to tackle crime and anti-social behaviour, with further funding for specific issues, such as criminal damage or further funding from the Welsh Assembly Government. Clearly they also help to brigade resources from partner organisations (such as the police) to conduct their work. These minimum standards put CSPs in a better position to work effectively within an evolving delivery landscape.

7.4 To ascertain whether our assumptions that the new minimum standards would not involve additional cost, we sought information on the costs of introducing these changes in a CSP (which had been performing consistently over a 12 month period and performing in line with its most similar partnerships). A similar process was used for CDRPs in England. The results are shown below.

**Table 2** CSP responses regarding the costs of implementing the new requirements:

	<b>Strategy Group</b>	<b>Partnership plan</b>	<b>Intelligence led processes</b>	<b>Information sharing protocol and new duty to share certain datasets</b>	<b>Community Engagement</b>
	<b>No impact on costs.</b>	<b>None</b> as although some of the requirements are new it is something that can be absorbed into current work.	<b>None</b> as needs will be met through current funding.	<b>No cost</b> expected - The nomination of a DLO was not expected to incur additional costs and would be subsumed within existing posts. <b>No New Costs</b> for provisions to strengthen information sharing as already have access to the majority of dataset.	<b>No significant additional costs</b> as anything new will mainly incur a time resource cost for those members talking part.

--	--	--	--	--	--

7.5 They viewed the new requirements as being revised versions of their current and planned processes. The cost of introducing the new requirements would be the same as the costs they incurred in the way in which they approached their work currently.

7.6 They highlighted that they believed that the provisions devised to strengthen the information sharing between partners would support more effective working within the CSP. The CSP sampled reported that they accessed the majority of the information outlined in the minimum datasets, and many reported that they collected more detailed information than was specified within the data sharing provisions. The biggest challenge currently facing information sharing provisions was accessing information from health partners. They reported that they felt that strengthened information sharing provisions would increase awareness amongst all partners of the importance of intelligence in supporting delivery.

7.7 This is re-enforced by the repeal of the previous requirements for CSPs to conduct audits and strategies, which will release resources previously committed to those activities. This became an increasingly burdensome and resource intensive task to produce documents that became outdated rapidly. The costs involved in producing them were not justified by the impact that they had on improving effectiveness. Repealing the requirement to produce an annual report to the Home Secretary will also save costs for CSPs, as again this was not a cost that supported effective delivery. By introducing less burdensome processes that reflect the actual operational delivery of CSP business, as undertaken by the majority, we introduce no new costs.

7.8 CSPs were asked if they considered whether there are likely to be any costs in respect of Wales that would not be incurred by CDRPs in England, but although some expressed concerns about additional costs that may be incurred no costings were provided. The conclusion that we have drawn from this work is that the combination of repealing existing provisions and introducing others should not introduce new costs for CSPs. The conclusion that we have drawn from this work is that the combination of repealing existing provisions and introducing others should not introduce new costs for CSPs.

## **8. Equality and Fairness**

9.1 The response of CSPs to crime and disorder, anti-social behaviour and substance misuse varies across Wales. By introducing these regulations, the national standards and the accompanying guidance, we will support a greater equality of service provision in relation to community safety issues that will enable people living in all communities to benefit from the improved effectiveness of partnerships.

9.2 Equality and fairness form also an important aspect of the aims behind national standards. Community engagement has been an area on which many CSPs have sought further guidance, although there is good work done in many areas. The importance of equality and fairness is recognised and promoted through the inclusion of Community Engagement as a national standard. CSPs will be expected to consult and engage their communities on a regular basis and to reflect their priorities in their strategic assessment and delivery plans. This is further supported by the emphasis on community consultation and engagement that runs throughout the national standards, which will be further emphasised in the guidance, and will ensure that CSPs consider the needs of diverse groups living in the areas that they support. In guidance, it will be emphasised that this consultation should include the 'hard to reach' and 'hard to hear' groups. Additionally, CSPs will have a duty to target their consultation to those who are most affected by the priorities identified through the strategic assessment, for example young people. Furthermore, the introduction of the duty to share information will enable partnerships to develop a better understanding of the issues affecting their communities and support more effective responses to community concerns.

## **10. Consultation with small business: the Small Firms' Impact Test**

10.1 A Small Firms' Impact Test is not required as the provisions relate purely to service delivery provided by public sector agencies to tackle crime, disorder and anti-social behaviour.

## **11. Competition Assessment**

11.1 A Competition Assessment is not required in this RIA because the proposal impacts only on the public services.

## **12. Enforcement and Sanctions**

12.1 There are no sanctions for non-compliance.

## **13. Monitoring and Review**

13.1 Much of the current formal monitoring and review of CDRPs/CSPs centres on performance data and their performance in reducing crime. The Home Office team in the Welsh Assembly Government have the lead role in supporting CSP performance and in supporting improvements in that performance. They, on behalf of the Home Office, currently review CSP performance in reducing crime and in supporting delivery of Home Office policies. There are regular meetings between Home Office and the team in the Welsh Assembly Government to discuss and review performance issues and these are informed by the regular contact between the team and CSPs.

13.2 This role will continue through their monitoring of CSP performance against the national standards. There is also a specific programme of work undertaken by the Home Office to improve the capacity and capability of CSPs and this will support the implementation of the national standards.

13.3 Future monitoring and review of CSP performance in reducing crime will be contained within the new single performance framework for crime, drugs and policing. This single framework – operating under the working title of Assessments of Policing and Community Safety (APACS) - is a single cross-cutting assessment framework for crime reduction and community safety that the Home Office is developing in consultation with key stakeholders. The first assessments based on the new framework will be in 2009.

## **14. Summary of Costs and Benefits and Recommendations**

14.1 The Government's proposed approach is Option 1, which is to legislate to introduce minimum standards for CSPs supported by guidance that helps partners to achieve those standards. This approach enables the Home Office to set out clear expectations of CDRPs as they deliver safer communities, whilst avoiding the prescription that would increase burdens and bureaucracy that would follow from too much detail in the regulations. Work done to clarify the costs of implementing Option 1 shows that, although it is difficult to quantify accurately the costs of implementing these measures, CSPs should be able to meet the new requirements through existing means and in the saving they make through the repeal of the previous requirements.

14.2 There has been significant stakeholder involvement in the CDA review and the development of these national standards. Failing to introduce regulations and national standards may be seen as renegeing on previous commitments to respond to stakeholder needs. Furthermore, it would place greater burdens on CSPs as they sought to respond to community and government expectations with no clear idea of what is an acceptable and consistent level of performance. For these reasons, Options 2, 3 and 4 are not seen as acceptable options.