

Proposed Memorandum of Understanding (Version 2)SAFER BIRMINGHAM PARTNERSHIPTHE CRIME AND DISORDER REDUCTION PARTNERSHIP ARRANGEMENTS FOR BIRMINGHAM

THIS MEMORANDUM OF UNDERSTANDING is agreed by Responsible Authorities (the Partners) with a duty to work together, and in co-operation with other local agencies and organisations, to develop and implement strategies to tackle crime and disorder under Section 6 of the Crime and Disorder Act 1998 (as amended by s97 and s98 Police Reform Act 2002 and s1 Clean Neighbourhoods and Environment Act 2005).

1. AIMS AND OBJECTIVES OF THE PARTNERSHIP

- 1.1 The Safer Birmingham Partnership is the statutory Crime and Disorder Reduction Partnership (CDRP) for the City of Birmingham. The aim of the Safer Birmingham Partnership is for its members to co-operate and work together to make Birmingham a safer place to live, work and visit, as required under legislation and in accordance with this Memorandum of Understanding.
- 1.2 The Safer Birmingham Partnership will, subject to the provisions of paragraph 1.3, do this by
- (i) providing strategic leadership for collaborative work to
 - drive down crime, reduce anti-social behaviour and tackle the misuse of drugs and alcohol.
 - tackle youth crime and develop effective strategies to reduce the involvement of young people in crime and disorder
 - improve public confidence that local crime and community safety priorities are being identified and addressed.
 - (ii) providing fora where partner agencies and sector representatives can share and test ideas for taking forward the agenda for reducing crime and disorder and increasing community safety.
 - (iii) co-ordinating and combining expertise, personnel and resources in order to deliver an integrated approach to Crime Reduction and Community Safety in the City of Birmingham under these arrangements.
 - (iv) achieving continuous, measurable improvement in outcomes for residents, workers and visitors of Birmingham.
- 1.3 The Partnership is not a legal entity or subject to the Partnership Acts. All decision-making requiring action by the partners must, therefore, be through the relevant decision-making mechanisms of each partner organisation.

2. COMPOSITION OF THE PARTNERSHIP

- 2.1 Legislation requires that 'Responsible Authorities' participate in Crime and Disorder Reduction Partnerships. The Responsible Authorities for Birmingham are:
- (i) West Midlands Police
 - (ii) Birmingham City Council
 - (iii) West Midlands Fire Service
 - (iv) Primary Care Trusts
 - (v) West Midlands Police Authority

- 2.2 The Legislation determines that at least one of the representatives from each of the responsible authorities must hold a position within their home organisation with an appropriate level of seniority to commit resources to joint projects and make decisions.
- 2.3 The Lead Partner for the Responsible Authority must be:
 - (i) West Midlands Police Assistant Chief Constable or Chief Constable
 - (ii) Birmingham City Council Cabinet Members, Chief Executive, Strategic Director or Corporate Director
 - (iii) West Midlands Fire Service Chief Fire Officer or Deputy Chief Fire Officer
 - (iv) National Health Service A Chief Executive of a Primary Care Trust to represent all 3 of Birmingham’s Primary Care Trusts.
 - (v) West Midlands Police Authority Nominated representative
- 2.4 Lead Partnership Members will form an Executive Board and will be empowered to make or influence decisions within their own organisation or network and commit resources, when appropriate.
- 2.5 All member organisations are responsible for ensuring that their nominated representative(s) (or an appropriate substitute) are available to attend partnership meetings.
- 2.6 The Responsible Authorities are charged with extending the Partnership by inviting other stakeholders to attend meetings and contribute to the work of the partnership.
- 2.7 The Executive Board members may change the membership of any of the Safer Birmingham Partnership arrangements as they identify other persons and bodies who are exercising functions or engaging in activities in the City of Birmingham relating to crime, disorder and community safety and with whom they consider arrangements should be developed.
- 2.8 The Executive Board is restricted only to those specifically invited to attend as set out in Section 5 of this report. The Executive Board, in keeping with the requirements of paragraph 1.3, has not separate decision-making powers to bind partner organisations, but each agrees to work with the others to ensure, so far as is possible, that the decisions of the Executive board and the Partnership are implemented (or taken) within and in accordance with the relevant decision-making mechanisms of the partner organisations.
- 2.9 At a local level the Safer Birmingham Partnership is represented through Constituency based Local Delivery Groups.

3 PARTNERSHIP PRINCIPLES AND BEHAVIOURS

- 3.1 The principles upon which this partnership are based are:

Visible commitment and “ownership” by all partners

Mutual trust and respect

Openness and transparency

Effective communication and accountability**Combined expertise**

- 3.2 The behaviours expected of representatives of partners organisations participating in the Safer Birmingham Partnership are:

Selflessness

Partners should serve the partnership interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity

Partners should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

Partners should make decisions on merit, including when deploying resources, making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

Partners should be accountable to the Executive Board for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

Partners should be as open as possible about their actions and those of their organisations, and should be prepared to give reasons for those actions.

Personal judgement

Partners may take account of the views of others, including their organisations, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others

Partners should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.

Stewardship

Partners should do whatever they are able to do to ensure that the resources of the Partnership are used prudently and in accordance with the law.

Leadership

Partners should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

Duty to uphold the law

Partners should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

4 SAFER BIRMINGHAM PARTNERSHIP SUMMIT

- 4.1 Safer Birmingham Partnership has a wider remit than that set out in legislation for Crime and Disorder Reduction Partnerships. The Summit provides a consultative forum for partner agencies, all Co-operating Bodies, and sector representatives to share and test ideas for taking forward the agenda for reducing crime and disorder and increasing community safety. It also provides an opportunity for representatives from Birmingham's other Thematic Partnerships to consider the overlapping outcomes and identify appropriate interventions and support.
- 4.2 In accordance with paragraph 1.3, the Summit is not a decision-making body, but an important influencing body which is chaired by the City Council Cabinet Member for Local Services and Community Safety.
- 4.3 The Summit receives reports from the Executive Board on progress made on achieving objectives/targets.
- 4.5 The Summit is attended by representatives from Responsible Authorities and by representatives from other partner agencies and organisations in the City, with an interest in reducing crime and disorder and increasing community safety.

5 SAFER BIRMINGHAM PARTNERSHIP EXECUTIVE BOARD

- 5.1 The Safer Birmingham Partnership is led by an Executive Board comprised of Lead Representatives of Responsible Authorities who have a duty to co-operate under Section 6 of the Crime and Disorder Act 1998. These Responsible Authorities are:
 - West Midlands Police
 - Birmingham City Council
 - West Midlands Fire Service
 - Birmingham's Primary Care Trusts, at present represented by Heart of Birmingham Teaching Primary Care Trust
 - West Midlands Police Authority
- 5.2 The Executive Board is also be attended by:
 - Director of the Safer Birmingham Partnership
 - Chair of Strategic Working Group (Performance)
 - Chair of Strategic Working Group (Local Delivery)
 - Chair of Strategic Working Group (Learning and Development)
 - Representative of the Third Sector Assembly
 - West Midlands Probation Services
 - Be Birmingham (Head of Finance)
- 5.3 As per paragraph 1.3, the Partnership and the Executive Board undertake advisory roles and do not make decisions that are binding on the partner organisations. Such partners are responsible for making their own decisions, in their organisations, according to their own rules of governance.

6 EXECUTIVE BOARD - TERMS OF REFERENCE

- 6.1 To discharge our statutory responsibilities set out in the Crime and Disorder Act 1998, and summarised in Appendix One of this Memorandum of Understanding.

- 6.2 To give strategic direction to the Safer Birmingham Partnership via a Safer Birmingham Strategy, linking local and national expectations, including delivery of relevant aspects of the Local Area Agreement and National Indicator Set.
- 6.3 To ensure appropriate representation and engagement from Responsible Authorities and other partners on initiatives and working groups endorsed by the Executive Board.
- 6.4 To oversee and implement a Commissioning Strategy and to focus the resources of the Partnership and Partner agencies to
 - drive down crime, reduce anti-social behaviour and tackle the misuse of drugs and alcohol.
 - make Birmingham a safer place to live, work and visit
 - improve public confidence that local crime and community safety priorities are being identified and addressed.
- 6.5 To monitor progress against intentions, highlighting where intervention or extra emphasis may be needed.
- 6.6 To agree changes to joint services/interventions and to integrate services and activities where this leads to better outcomes in respect of crime and disorder and community safety.
- 6.7 To reassure wider agencies in Birmingham that current and planned systems, levels of activity and points of intervention are adequately and sufficiently addressing the challenges of crime, disorder and community safety
- 6.8 To advise and, if necessary, intervene to resolve issues that may arise in the implementation of the programme that cannot be resolved locally.
- 6.9 To identify, promote and replicate good practice on 'what works'
- 6.10 To seek additional funding where there is convergence with the agenda of the Safer Birmingham Partnership.
- 6.11 To regularly review the structure and skills set within the Safer Birmingham Partnership.

7. **EXECUTIVE BOARD - ROLES AND RESPONSIBILITIES**

Subject to paragraph 1.3:

- 7.1 To lead the partnership arrangements, establishing such consultative, delivery and monitoring arrangements as it decides are necessary.
- 7.2 To provide strategic leadership, direction and oversight pan Birmingham on crime, disorder and community safety.
- 7.3 To decide how the Safer Birmingham Partnership will be represented in other strategic partnership arenas.

8. EXECUTIVE BOARD - TERMS OF OFFICE

- 8.1 The Chair and Vice Chair of the Executive Board will be agreed annually by the Executive Board (September).
- 8.2 The Chair and Vice Chair of the Executive Board will be nominated from the Responsible Authorities.
- 8.3 The Chair will be the Safer Birmingham Partnership's representative on the Be Birmingham Executive Board.
- 8.4 The Executive Board members agree to ensure effective representation to support the delivery of agreed outcomes relating crime and disorder and community safety by nominating representatives as they consider appropriate.

9 EXECUTIVE BOARD DECISION MAKING

- 9.1 Subject to paragraph 1.3, the Executive Board acts on behalf of the Safer Birmingham Partnership. The Members of the Executive Board with voting rights are:
 - The Lead Representatives for
 - West Midlands Police
 - Birmingham City Council
 - West Midlands Fire Service
 - Heart of Birmingham Teaching Primary Care Trust
 - West Midlands Police Authority
 - The Representative of the Third Sector Assembly
 - The representative of West Midlands Probation Services
- 9.2 For the Executive Board to make a decision will require a simple majority. In the event that voting is tied, the Chair will have the casting vote or in their absence the Vice-Chair who is acting as the Chair for the meeting.
- 9.3 Decisions that commit individual agencies to a course of action or level of funding or other resource support, can only be taken if that individual agency (in accordance with its own established rules of governance and decision-making processes) supports the decision and the relevant Accountable Body (if any) also supports the decision.
- 9.4 Conflict resolution is on an ad-hoc basis with the relevant partners and the Director and Chair. However, members of the Safer Birmingham Partnership must
 - (i) ensure that activities are not undertaken for party political purposes.
 - (ii) declare any interest from which they may benefit personally or as an organisation relating to any particular matter under consideration by the Safer Birmingham Partnership.
 - (iii) adhere to decisions regarding confidentiality as determined by the Executive Board
 - (iv) commit to the resolution of any issues of conflict by cooperating together and, if necessary, by reference to the Executive Board

and Members of the Safer Birmingham Partnership must not

- (i) use their position improperly, confer on, or secure for themselves or any other person, an advantage or disadvantage.
- (ii) unduly influence any person in the paid employment of any of the partner agencies.

9.5 Members of the Safer Birmingham Partnership Executive Board must comply with the Declaration of Interest protocol as set out in Appendix 3 of this report.

10. MEETINGS

- 10.1 The Safer Birmingham Partnership Summit will meet three times a year, and the Safer Birmingham Partnership Executive Board will meet at least once every two months.
- 10.2 Meetings of the Safer Birmingham Partnership Summit will be open to anyone from any partner organisations with the support/approval of their organisation.
- 10.3 Meetings of the Safer Birmingham Partnership Executive Board will only be open to designated members of the Executive Board or to any others that the Executive Board decides to be invited to be in attendance.
- 10.4 The Executive Board will decide if and when it needs to convene extraordinary meetings outside of those posted.
- 10.5 The Safer Birmingham Partnership Team will be responsible for the setting of meetings, agendas, working papers, minutes, action points and related business.
- 10.6 For the Executive Board to be quorate it will require a minimum of four of the six voting members to be present, to include either the Chair or Vice-Chair.

11. LOCAL DELIVERY GROUPS

Subject to paragraph 1.3:-

- 11.1 Local Delivery Groups are responsible for representing and delivering the objectives of the Safer Birmingham Partnership at a Constituency level and as such they will work with in Partnership with all key agencies /partners involved in tackling crime and disorder within neighbourhoods.
- 11.2 Local Delivery Groups will:
 - (i) be responsible for informing, consulting and engaging with local communities to identify their community safety priorities
 - (ii) be responsible for ensuring that 'responsible authorities' and 'statutory invitees' are engaged in tackling local crime and disorder priorities.
 - (iii) develop a local plan for the meeting the objectives of both Safer Birmingham Partnership and constituencies in relation to community safety priorities
 - (iv) ensure community safety priorities are clearly identified in constituency community plans
 - (v) ensure that a system is in place to inform the local population of the priorities and outcomes from Local Delivery Group activity
 - (vi) Report to the Local Delivery Strategic Group on their community safety plans

12. ACCOUNTABILITY

- 12.1 The Safer Birmingham Partnership arrangements have legislative accountability under Section 6 of the Crime and Disorder Act 1998, but individual decision-making, as per paragraph 1.3, remain with the partner organisations.
- 12.2 When the Executive Board gives notice of intention to make an executive decision that is outside of delegated authority (in respect of a financial decision); or committing more than one agency to a course of action that is outside of the authority of the lead member then voting members have an agreed time to consult internally within their organisations in order to appropriately secure the decision of their organisation. These decisions are then either reported back to the Director of the Safer Birmingham Partnership who will either implement the Executive Board's intent (if possible) or take the matter back to the Executive Board for the Executive Board to make a decision. A decision of the Executive Board can never over-rule the decision of a partner organisation.
- 12.3 Each representative on the Executive Board is responsible for
- taking, and implementing as necessary, Executive Board recommendations through their appropriate internal governance arrangements for approval / action;
 - reporting to the Partnership on relevant issues/developments from within their own organisation;
 - communicating Partnership business to departments/staff within their own organisation, where appropriate.
- 12.4 The Safer Birmingham Partnership arrangements operate within a broader partnership framework which includes the Be Birmingham Local Strategic Partnership arrangements. The Be Birmingham Executive Board is responsible for ensuring effective delivery of the Local Area Agreement and makes detailed recommendations to the lead partnership/agency for each priority outcome. The Safer Birmingham Partnership is accountable to the Be Birmingham Executive Board for performance against the relevant Local Area Agreement Delivery Plans.
- 12.5 Be Birmingham is not a legal entity, but is held to be the accountable body for the administration of many of the Partnership's financial assets, including direct funding received from government to support Partnership working and area based grants, and their regulations for procurement and financial management apply.
- 12.6 The Heart of Birmingham (Teaching) Primary Care Trust is the accountable body for the majority of the funding for Birmingham Drug and Alcohol Action Team, and for this funding the PCT's regulations for procurement and financial management apply.
- 12.7 The Safer Birmingham Partnership, as the Crime and Disorder Reduction Partnership, is required to participate in Scrutiny arrangements as set out at Appendix Two of this Memorandum of Understanding.

13. DELEGATIONS

- 13.1 To ensure that the Director and Managers of the Safer Birmingham Partnership have appropriate powers to make decisions on operational matters (relating to City Council

matters only), a range of powers have been delegated by Full Council of Birmingham City Council and these are set out in the City Council's Scheme of Delegation to Officers (Environment and Culture).

- 13.2 Decisions involving expenditure should only be taken on the basis that there is sufficient budget provision. Spend delegation is as follows:

Programme variations

Where variations within the approved programme are sought, the strategic lead officer or Chair can approve variations up to £10,000 and the Director can approve variations up to £140,000.

Securing Additional Funding

For approval of new funding streams the Director can make applications to secure new funding on behalf of the Safer Birmingham Partnership up to the value of £140,000. Where a financial commitment is needed the Director can agree to a commitment of up to £50,000.

Underspends

The Director has delegated authority for re-allocating any funding which emerges as underspends throughout the course of the year up to the value of £140,000. If the re-allocation will be between portfolios then the approval is delegated to the Director of Resources up to £50,000, thereafter Cabinet.

Letting contracts

As long as Standing Orders and Financial Regulations are adhered to the Director can enter into contracts where the estimated total value is below £139,893. For contracts in excess of £139,893, the process will be consistent with council standing orders and EU regulations and a report to BCC Corporate Procurement is required.

Engaging consultants

As long as Standing Orders and Financial Regulations are adhered to the Director can engage consultants for a contract under £25,000. Where the contract is higher than £25,000 the approval of the Cabinet Member for Equalities and Human Resources is required.

14 **SECRETARIAT**

- 14.1 The secretariat function will be provided by the Safer Birmingham Partnership Team.

15. **EQUALITIES AND INCLUSION**

- 15.1 The Safer Birmingham Partnership actively values the benefits of diversity and will ensure fair treatment and equality of opportunity for all who participate in Safer Birmingham Partnership arrangements.
- 15.2 The Safer Birmingham Partnership is committed to ensuring that it is inclusive and responsive to the diverse needs of individual people.
- 15.3 The Safer Birmingham Partnership will carry out Equalities Impact Needs Assessments on all of its major functions, policies and services. This does not over-

ride or replace the Equality Impact Needs Assessments of the responsible authorities.

16. **TERMINATION OF PARTNERSHIP INVOLVEMENT**

- 16.1 The Crime and Disorder Act 1998 places a legislative requirement on certain partner agencies to co-operate. In the event the Partnership no longer serves any useful purpose to support such arrangements, the Partners will approve an exit strategy and oversee its implementation.
- 16.2 Partners may terminate their involvement in the Safer Birmingham Partnership by writing to the Chair of the Safer Birmingham Partnership.

17. **REVIEW AND ALTERATION TO THE MEMORANDUM OF UNDERSTANDING**

- 17.1 These arrangements will be continuously reviewed by the Executive Board during the first year of operation and will be subject to an annual review in March each year.
- 17.2 The Executive Board will amend the arrangements and membership in the light of new legislation, guidance and experience to address the challenges of crime, disorder and community safety.

SIGNED BY THE RESPONSIBLE AUTHORITIES

On behalf of West Midlands Police

On behalf of Birmingham City Council

On behalf of West Midlands Fire Service

On behalf of Heart of Birmingham Teaching Primary Care Trust

On behalf of North Birmingham Primary Care Trust

On behalf of South Birmingham Primary Care Trust

On behalf of West Midlands Police Authority

SIGNED BY OTHER PARTNER ORGANISATIONS

On behalf of West Midlands Probation Service

On behalf of Third Sector Assembly

APPENDIX 1

Statutory Requirements of Crime and Disorder Reduction Partnerships

In addition to being designed with delivery of our outcomes in mind, the structure of SBP must fulfill our statutory obligations which are:

- 1 The legislation makes reference to a 'strategy group' and this may be in the shape of an 'executive group' or a 'strategic partnership group'.
- 2 The group must be responsible for formulating and implementing a strategy to tackle crime and disorder – they are responsible for signing off the plan and committing to the implementation of the plan.
- 3 Each of the five responsible authorities must be represented on the group, and at least one of the representatives from each of the five responsible authorities must hold a position within their home organisation with an appropriate level of seniority to commit resources to joint projects and make decisions.
- 4 The responsible authorities should consider inviting other stakeholders to attend meetings and contribute to the work of the partnership.
- 5 The elected member with responsibility for community safety on the City Council must also be a member of this group.
- 6 At least once a year, the group needs to consider whether they have assembled the right people with the right knowledge and skills to ensure that the partnership has an appropriate level of capability.

APPENDIX 2

Scrutiny**1. Legislation**

Two pieces of Legislation allow for Scrutiny Committee oversight of Crime and Disorder Reduction Partnerships:

- 1.1. The Police and Justice Act 2006 introduced scrutiny of Crime and Disorder Reduction Partnerships and the Home Office and Department for Communities and Local Government will be announcing guidance to enable these provisions from April 2009.
- 1.2. The Local Government and Public Involvement in Health Act 2007 introduced scrutiny of Local Area Agreements. These provisions have already been enabled.

2. Powers of Overview and Scrutiny Committees

Overview and Scrutiny Committees have, or will be given, the power to:

- 2.1. Review or scrutinise decisions made, or action taken, by community safety partnership organisations in connection with the discharge of their crime and disorder functions.
- 2.2. Make reports or recommendations to the Local Authority with respect to the discharge of those functions. Copies of the report or recommendations must be provided to each authority within the Partnership and to those authorities/persons with whom there is a duty to cooperate. The Committee must notify the authority, bodies or persons to whom it provides the report or recommendation of the duty to
 - (i) consider the report/recommendations
 - (ii) respond to the committee setting out what(if any) action it proposes to take
 - (iii) have regard to the report/recommendations in exercising its functions.
- 2.3. Compel attendance of a member or officer of a local authority to attend before it to answer questions. It may also **invite** other persons to attend meetings of the committee

3. Scrutiny and Elected Members

- 3.1. The Local Government and Public Involvement in Health Act 2007 also amended the Police and Justice Act to allow Councillors to refer any local crime and disorder matter to the relevant Overview and Scrutiny Committee. Councillors will be expected to 'filter' complaints by members of the public and exhaust other means of resolving the issue before referring it to Overview and Scrutiny Committee. Once a case is referred, the Committee may decide whether or not to investigate a member's issue but if it is decided not to investigate a reason must be given.
- 3.2. If the committee decides to investigate to the complaint it may go on to make reports or recommendations to the Local Authority. Copies of any report or recommendations in this regard should be made available those responsible authorities or cooperating persons or bodies that the committee thinks appropriate.
- 3.3. A local crime and disorder matter in this regard means
 - (i) Crime and disorder (including in particular forms of crime and disorder that involve anti social behaviour or other behaviour adversely affecting the local environment),
or
 - (ii) The misuse of drugs, alcohol and other substances

- (iii) which affect all or part of the electoral for which the member is elected or any person who lives or works in that area

4 Officer Attendance at Scrutiny - Birmingham Protocols

- 4.1 In Birmingham seven of the LAA Delivery Plans that Safer Birmingham Partnership has responsibility for will be reported to the Local Services and Community Safety Overview and Scrutiny Committee, and the other two will be reported to the Equalities and Human Resources Overview and Scrutiny Committee
- 4.2 In relation to attendance at Scrutiny, certain protocols have been negotiated between the Director of Scrutiny, BeBirmingham and West Midlands Police:
 - (i) In relation to LAA Delivery Plans, all requests for witnesses to appear before Overview and Scrutiny Committee will initially be made to a named, single point of contact at BeBirmingham who will forward the request for action to the Director of the Safer Birmingham Partnership; and, in the case of attendance by a non-council employee, will arrange for that witness to be briefed on the purpose and procedures of the committee and accompanied to the hearing.
 - (ii) Seven of the LAA Delivery Plans that Safer Birmingham Partnership has responsibility for will be reported to the Local Services and Community Safety Overview and Scrutiny Committee, and the other two will be reported to the Equalities and Human Resources Overview and Scrutiny Committee
 - (iii) In the case of West Midlands Police Officers, all individual requests should be made in writing by the Overview and Scrutiny Committee itself (although it may be communicated by BeBirmingham or Safer Birmingham Partnership) to West Midlands Police. The letter should explain the purpose of the request and the areas the witness will be expected to talk about.
 - (iv) In the case of officers of the Safer Birmingham Partnership, all individual requests should be made in writing by the Overview and Scrutiny Committee itself (although it may be communicated by BeBirmingham) to the Director of the Safer Birmingham Partnership. The letter should explain the purpose of the request and the areas the witness will be expected to talk about.

5 Information Sharing

- 5.1 All the signatories to this Memorandum of Understanding are also signatories to the Information Sharing Protocol dated 2006. This Protocol should be reviewed by all Partners in light of the guidance issued by Information Commissioner's Office entitled 'Framework code of practice for sharing personal information'
- 5.2 Section 17A Crime and Disorder Act 1998 places relevant authorities under a duty to disclose to each other information of a prescribed description. The Secretary of State will in time prescribe descriptions of information which appears to her/him to be of potential relevance in relation to the reduction of Crime and disorder.

Appendix 3

Declaration of Interest Protocol

It is acknowledged that all of those involved in a partnership will, due to its nature, have an interest of some sort. Such interests should not be allowed to result in actual or perceived undue benefit or conflict and consequently to unsound decision making.

Partnership members with a personal interest in the matter who attend a meeting of the Partnership at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of the discussion or as soon as the interest becomes apparent. The declaration will be recorded in the minutes.

Partnership members with a prejudicial interest in any matter must:

- (i) Withdraw from the room or chamber where the meeting is being held whenever it becomes apparent that the matter is being considered at that meeting
- (ii) Not exercise any functions in relation to that matter
- (iii) Not seek improperly to influence the position about that matter.
- (iv) Procurement of services or goods should abide by the good practice of the relevant commissioning or accountable body.

NB A member of the Partnership must regard themselves as having a prejudicial interest if it is a personal interest which a member of the public, with a knowledge of the relevant facts, would regard as so significant that it could prejudice the member's judgement or interest.