



Memorandum of Understanding and Co-operation Re. Governance Arrangements

1. Purpose

The purpose of this Memorandum of Understanding is to provide a clear framework within which all members of the Partnership will operate in delivering a reduction in Crime & Disorder in the Ryedale District.

2. Review Arrangements

The Partnership Board will monitor and review the Terms of Reference and this Memorandum of Understanding in light of changing circumstances (legislative, national and local).

3. Aims & Objectives

- a) The main objective is to work in partnership for a safer Ryedale, to reduce crime, disorder and drugs misuse in the Ryedale District.
- b) To develop and deliver, in conjunction with partners and the public, a Partnership Plan to tackle the issues of crime and disorder and to inform on progress.
- c) To ensure the partnership carries out its responsibilities under the Crime & Disorder Act.

4. Legal Status

The Crime and Disorder Act 1998 as amended by the Police Reform Act 2002, and the Police & Justice Act 2006 sets out statutory requirements for responsible authorities to work with other local agencies and organisations to develop and implement strategies to tackle crime and disorder and misuse of drugs in the District of Ryedale. These statutory partnerships are known as Crime and Disorder Reduction Partnerships (CDRPs) or in the case of this District: Safer Ryedale. The responsible agencies are:

- North Yorkshire Police
- Ryedale District Council
- North Yorkshire County Council
- North Yorkshire Fire Service and Authority
- North Yorkshire Police Authority
- York & North Yorkshire Primary Care Trust
- North Yorkshire Moors National Park Authority

National Standards will set out legal requirements for CDRPs to operate to and these came into force on 1 August 2007.

5. Structures & Management Systems

- a) The Partnership structure will include 3 functional levels, the Partnership Board, Delivery Team, Thematic Groups; each has its own remit and responsibilities.
- b) All members of the Partnership will be open and honest, respecting and valuing each other's contributions.
- c) All members of the partnership will represent their organisation, or group and, where practicable and reasonable to do so shall initiate agreed actions. They will update their organisations and networks as appropriate on the work of the Partnership and feed relevant issues into the Partnership process.

6. Partnership Board

- a) The Partnership Board is responsible for providing strategic direction and effective leadership for Safer Ryedale in delivering the Partnership Plan.
- b) Terms of office will be for the 3 year period of the strategy, although members may serve for more than one strategy period or be replaced within it.
- c) The Partnership Board shall select its own meeting schedule. It will meet quarterly. Additional meetings may be called if necessary at the request of the Chairman or by 4 or more Partnership Board members.
- d) The Board comprises representatives of the following organisations:
 - North York Moors National Park Authority; Chief Officer
 - North Yorkshire County Council; Chief Officer and Elected Member
 - North Yorkshire Fire and Rescue Authority; Elected Member
 - North Yorkshire Fire and Rescue Service; Chief Officer
 - North Yorkshire Police Authority; Elected Member
 - North Yorkshire Police Force; Chief Officer
 - Ryedale District Council; Chief Executive and Elected Member
 - York & North Yorkshire Primary Care Trust; Chief Officer
 - Delivery Team chair
 - Ryedale Voluntary Action; Chief Officer
 - North Yorkshire Probation Service; Chief Officer
 - North Yorkshire Magistrates, Chair of Board
 - DAAT, Chief Officer
 - Cameras in Action, Chairman
 - Representative of the 5 Market Towns
 - Representative of the Parish Councils
- e) Decisions will be by a simple majority, only the nominee will be entitled to vote. In the case of a tied vote the Chair shall cast a second and deciding vote.
- f) The Secretariat will be provided by Ryedale District Council.
- g) The Board will act as the decision making executive of the Partnership and will have ultimate responsibility to ensure the delivery of the Partnership Plan.
- h) The Terms of Reference for the Board is set out for the term of the current Plan for 2008-11 and is attached to the end of this document.
- i) The Partnership Board shall review the appropriateness and balance of the membership of the whole partnership annually.
- j) Members will be nominated to the Partnership Board from invited organisations. It is the responsibility of each member organisation to nominate their representatives.
- k) Nominations for new member organisations can be considered at any Partnership Board meeting.
- l) Any member of the Partnership Board may resign by giving not less than one months' notice in writing to the Chair.

- m) Any member of the Partnership Board who is unable to attend a meeting may nominate a named substitute at a senior level to represent them. The substitute may speak and vote on behalf of that member.
- n) If a member of the Partnership Board changes to a different employer or authority in the case of elected members, loses his or her honorary position or paid post, their membership of the Partnership will automatically cease with immediate effect. The respective member organisation will be expected to fill the vacancy as soon as is reasonably practicable.
- o) Should the Partnership Board consider the need to terminate the membership of an individual for good and sufficient cause, including for example conduct of a type prejudicial to the achievement of partnership objectives, or failure to attend meetings, they may resolve, acting by a two-third majority of the members present to expel that member. The member shall have the right to be heard.

7. Delivery Team

- a) The Delivery Team is responsible for the co-ordination of action to deliver the Partnership Plan and has Terms of Reference setting out the responsibilities; this is attached at the end of this document.
- b) Membership is comprised of the following:
 - North York Moors National Park Authority; Senior Officer
 - North Yorkshire County Council; Senior Officers
 - North Yorkshire Fire and Rescue Service; Senior Officer
 - North Yorkshire Police; Senior Officers and Community Safety Officer
 - Ryedale District Council; Director, Community Safety Manager, Crime & Disorder Officer and Link Officer
 - Probation Service; Senior Officer
 - Scarborough Whitby Ryedale Primary Care Trust; Senior Officer
 - Theme Group Chairs
 - Voluntary and Community Sector Representation
 - Social Landlords, Senior Officer
 - North Yorkshire Probation Service
 - Scarborough & Ryedale Domestic Abuse Co-ordinator
 - Primary Care Trust; Senior Officer
- c) Additional participants may be co-opted as necessary.
- d) The Delivery Team shall select their own Chair and meeting schedule.
- e) The Chair will represent the Delivery Team at the Partnership Board

8. Thematic/Problem Solving Groups

- a) These groups will be established to develop and implement the Action Plans for the Plan, they will be time limited unless there is the need to continue beyond its original remit and membership will be fluid to reflect the subject and the necessary expertise.
- b) Each will select its own Chair and meeting schedule and the Chair will be a member of the Delivery Team.

9. Performance Management

The Partnership adopts a robust performance management approach:

- Quarterly performance and exception reports to the Partnership Board
- Monthly performance reports to Ryedale District Council in relation to Best Value Performance Indicators.
- Quarterly reports to North Yorkshire County Council in relation to the Local Area Agreement/funding plan.
- Annual report published on the work of the Partnership, which is published widely and to the public.

10. Funding

a) Resources to deliver the strategy fall into two main categories:

Home Office: Area Based Grant (ABG)
 Basic Command Unit Funding (time limited)

Responsible Authority Contributions:
 Ryedale District Council
 North Yorkshire Police
 North Yorkshire Police Authority
 North Yorkshire County Council

- b) Quarterly reports are required by North Yorkshire County Council (the Accountable Body) in relation to spending within the Area Based Grant, linked to targets and outcomes within the Local Area Agreement.
- c) Overall financial reports will be provided to the Partnership Board on a quarterly basis.
- d) Financial reports to other external funding bodies will be provided as agreed with the fund provider.
- e) It is expected that the majority of the funding held by the Partnership will be used to fund core partnership support posts, deliver initiatives led by the Safer Ryedale Unit and to provide capital start up support to projects and initiatives which have been proposed through the Delivery Team in line with the Action Plans.
- f) Services and initiatives are largely delivered by responsible authorities and co-operating bodies from within existing individual resources.

11. Financial Procedure Rules

- a) All finances are managed through Ryedale District Council and are subject to their financial rules & regulations. Any contracts will be procured on behalf of the Partnership by the Council and the Council will be the contracting party. The rules, which govern any procurement, will therefore be the Council's financial procedures and rules.
- b) The Partnership Board, following recommendation by the Delivery Team, will make funding decisions.
- c) Funding decisions under £1,000 can be made by the Community Safety Manager and agreed by the Chair.

- d) All bids to the Partnership must be made using the Request for Funding form, which acts as a project initiation document. All requests for funding must support the outcomes agreed by the Partnership, be agreed by the Delivery Team and linked to the Action Plan.
- e) All funding decisions in response to bids must be made in writing and a copy kept on file (electronic or paper). All funding will be subject to agreed monitoring and feedback requirements.
- f) Bids to the Partnership will normally be considered on an annual basis in line with the review of the strategy and action plans.
- g) In the event of an under spend due to non delivery of projects/initiatives, bids will be invited from the Delivery Team which support existing priorities within the strategy.

12. Accountability

- a) The Partnership Board is accountable for the development and delivery of the Partnership Plan.
- b) Individual member organisations are accountable for the delivery of the strategy through project and performance management systems.

13. Scrutiny

- a) Scrutiny of Partnership activity is undertaken by the Partnership Board, Safer Ryedale, North Yorkshire County Council (as the Accountable Body for the Area Based Grant), the York & North Yorkshire Safer Communities Forum and the North Yorkshire Strategic Partnership.
- b) The Local Authority has a role in scrutiny in relation to the District Council compliance with Section 17 (Crime & Disorder Act 1998).
- c) Each partner is subject to scrutiny within their own organisation.
- d) The Crime & Disorder Act Review will make it a requirement that the work of the CDRP is scrutinised by the Local Authority Overview & Scrutiny Committee. It is not clear at the time of preparing this document whether this will be at a local or County level.

14. Conflicts and Declaration of Interest

Any member of the Board will declare any personal interests and decide whether they are prejudicial and withdraw from decision making if such interests are prejudicial. The definition on personal interests is for members that within the Local Authorities (model code) (England) Order 2007 and for officers that within their individual organisation code of practice.

15. Complaints

- a) Complaints regarding the CDRP itself or any of its processes or decisions will be referred to the Delivery Team and if not resolved, referred to the Partnership Board.
- b) Complaints regarding individuals or partners will be referred to the individual's own agency to be dealt with in accordance with their own procedures. In the case of such complaints relating to the work of the partnership, the results and resolution of such complaints will be notified to the partnership.
- c) Where the complaint refers to both an agency and the CDRP itself, the complaint shall be referred to the CDRP in accordance with the paragraph above.

16. Audit Arrangements

Accounts will be audited through the Ryedale District Council financial audit arrangements.

17. Arrangements if the partnership ceases

- a) Safer Ryedale is a statutory partnership required under the Crime & Disorder Act 1998 as amended by the Police Reform Act 2002.
- b) If the Partnership Board decides that it is necessary or advisable to dissolve Safer Ryedale it shall call a meeting of all members of the partnership giving at least 28 days written notice stating the terms of the resolution to be proposed. Any decision taken on this resolution will require not less than a two thirds majority of the members present and voting.
- c) If, upon dissolution of Safer Ryedale, there remains, after the satisfaction of all the debts and liabilities of the Partnership, any property whatsoever, the same shall be given or transferred to some other institution or institutions having objectives similar to the objectives of the Safer Communities Partnership. If in the opinion of the partners no such appropriate organisation exists, the income and property of the Partnership shall be paid to the Partners in proportion to their financial contributions to the general operations of Safer Ryedale in the current and previous year.

18. Diversity and equality issues

- a) The partnership will operate on the basis of principles which actively value the benefits of diversity and which ensure fair treatment in service delivery, in terms of both equal access to and equal outcomes from local service delivery which is designed to meet identified local needs.
- b) To this end, the partnership will, through its composition and ways of working, seek to inform, support and give a voice to all sections of the local communities it serves, with particular emphasis on communities of interest, such as minority ethnic groups, faith communities, those with disabilities, women, older people, children and young people and people who are lesbian, gay, bisexual and transexual (LGBT)"

19. Partner Liabilities

Members of the partnership shall have no greater liability in connection with their role in the partnership's activities beyond that which they have as an individual organisation.

Safer Ryedale Executive Board Terms of Reference 2008 – 2011

Main Role: To provide strategic direction and effective leadership for Safer Ryedale in delivering the Partnership Plan.

Responsibilities

1. To ensure Safer Ryedale meets the responsibilities under the Crime and Disorder Act 1998 (amended by the Police Reform Act 2002 and the Police & Justice Act 2006):
 - a) To carry out an annual Joint Strategic Intelligence Assessment for the Ryedale District.
 - b) To develop a Partnership Plan (annually reviewed) to address the issues including community concerns, with action plans, targets, resources and timescales, and publish a summary for the public.
 - c) To monitor and review progress of the Plan and action plans on a regular basis and take account of emerging trends and issues.
2. To ensure the Delivery Team implements the Action Plans for the Plan and to receive regular reports on progress.
3. To take action to address any slippages or obstacles to delivery of the Plan.
4. To have overall responsibility for the management of funding and to monitor its use in accordance with the relevant guidelines.
5. To ensure the Prolific and Priority Offender Scheme is implemented and to receive regular monitoring reports on progress.
6. To promote and ensure compliance (as appropriate) to Section 17 of the Crime and Disorder Act 1998 and to monitor progress.
7. To monitor/identify training needs for the Partnership and its members to enable the effective delivery of the strategy.
8. To provide a link and 2-way flow of information with other partnerships and bodies such as to the Ryedale Local Strategic Partnership and the county wide Safer Communities Forum.
9. To develop the concept of the role of 'champion' for particular aspects of the strategy, this will mean:
 - reporting on an aspect of the strategy to the Board
 - ensuring any problems are identified and reported to the Board for action
10. To promote the work of Safer Ryedale to the community and within Partner Agencies.
11. To ensure Partner Agencies share information for the reduction of crime in accordance with the relevant guidelines and regulations

Safer Ryedale Delivery Team Terms of Reference 2008 – 2011

Main Role: To co-ordinate action to deliver the Partnership Plan.

Responsibilities:

1. Under the direction of the Safer Ryedale Board, ensure Safer Ryedale meets the responsibilities under the Crime and Disorder Act 1998 (amended by the Police Reform Act 2002 and the Police & Justice Act 2006):
 - a) To carry out an annual Joint Strategic Intelligence Assessment for the Ryedale District.
 - b) To develop a Partnership Plan (annually reviewed) to address the issues including community concerns, with action plans, targets, resources and timescales, and publish a summary for the public.
 - c) To monitor and review progress of the Plan and action plans on a regular basis and take account of emerging trends and issues.
2. To implement the Action Plans for the Partnership Plan, monitor progress on a regular basis and report this to Board.
3. Report to the Board, any slippages or obstacles to the delivery of the Plan.
4. To recommend to the Board priority areas/projects for allocation of funding that will achieve the outcomes of the Plan. Monitor progress and performance and provide reports to the Board.
5. To work with a range of agencies to deliver the Prolific and Priority Offender Scheme in Ryedale.
6. Ensure Partner Agencies with Section 17 responsibilities under the Crime and Disorder Act 1998 are aware of this and provide any support needed.
7. To identify and source any training or awareness raising needs for the Partnership.
8. To promote the work of Safer Ryedale to the community and within Partner Agencies to support the media strategy.
9. To ensure information is shared in the interests of Crime and Disorder reduction in accordance with the relevant guidelines and regulations.

**Safer Ryedale Thematic Groups
Terms of Reference 2008 - 2011**

1. Acting under the direction of the Delivery Team, ensure key elements as defined in the Plan are addressed.
2. Set Targets, develop Action Plans and ensure delivery of Item 1.
3. Ensure a process of monitoring and evaluation is adhered to.
4. Identify new initiatives and projects and develop
5. Identify funding requirements for individual initiatives to enable them to be delivered.
6. Identify and recognise possible sponsorship opportunities to enable implementation of initiatives.
7. Under the guidance of the Delivery Team, assist with Joint Strategic Intelligence Assessment work.
8. Promote Community Safety and the work of the Partnership as a core theme throughout Ryedale.
9. Identify training requirements of group members.