

**OFFICE OF THE POLICE AND CRIME COMMISSIONER
FOR HUMBERSIDE
DECISION RECORD**

Decision Record Number: **06/2023**

Title: **Serious Violence Duty implementation**

Executive Summary:

The new Serious Violence Duty came into effect on 31 January. The report recommends agreeing to assist the specified authorities with implementation of the Duty and accepting an associated Home Office grant.

Decision:

To assist the specified authorities with the implementation of the Serious Violence Duty through the arrangements agreed at the Humber VPP Board.

To accept and distribute the Serious Violence Duty grant funding offered by the Home Office, noting the requirement for ongoing monitoring.

Background Report: Open

Police and Crime Commissioner for Humberside

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with my code of conduct.

Any such interests are recorded below.

The above decision has my approval.

Signature



Date 06/02/2023

**POLICE AND CRIME COMMISSIONER
FOR HUMBERSIDE**

SUBMISSION FOR: DECISION

OPEN

Title: Serious Violence Duty implementation

Date: 1 February 2023

1. Executive Summary

The new Serious Violence Duty came into effect on 31 January. The report recommends agreeing to assist the specified authorities with implementation of the Duty and accepting an associated Home Office grant.

2. Recommendation(s)

To assist the specified authorities with the implementation of the Serious Violence Duty through the arrangements agreed at the Humber VPP Board.

To accept and distribute the Serious Violence Duty grant funding offered by the Home Office, noting the requirement for ongoing monitoring.

3. Background

The Serious Violence Duty was created by the Police, Crime, Sentencing and Courts Act 2022 and came into effect on 31 January 2023.

It requires specified authorities – local authorities, police, Fire and Rescue Authorities, the Probation Service, Youth Offending Teams, and Integrated Care Boards – to collaborate and plan to prevent and reduce serious violence. There will be one year for compliance.

The Act also confers powers on local policing bodies to assist the specified authorities with the exercise of their functions, and to monitor how they are exercised. The specified authorities must cooperate if these powers are used.

Educational authorities (e.g. schools and colleges) and prison and youth custody authorities are required to be consulted in the development of strategies and may be involved in their delivery.

The Act provides additional gateways for information sharing (excluding patient information) between specified authorities, local policing bodies and the other authorities in support of delivering the Duty.

Local areas may choose the governance mechanism(s) through which they implement the Duty, but the legislation underpinning Community Safety Partnerships has been amended to make tackling violence an explicit priority.

For the purposes of the Duty, violence includes domestic abuse, sexual offences, violence against property and threats of violence, and excludes terrorism. In determining whether violence in an area amounts to serious violence, account must be taken of the maximum penalties which could be imposed, the impact on victims, prevalence, and the impact on the community.

Guidance issued by the Secretary of State on the Duty indicates a close alignment with the requirements made of Violence Reduction Units (VRUs). For example, a public health approach should be followed, focusing on prevention and early intervention; and strategic needs assessments and local strategies will also be required to be produced and kept under review.

It is understood that most areas with VRUs are planning to align implementation of the Duty with their VRU work, to avoid duplication and utilise the additional resources on offer through VRUs, but the approach will vary dependent on their models.

Funding

The Duty comes with “new burdens” funding to support implementation, which will be distributed to local policing bodies via grant agreements. The funding will be divided into two components, staffing and interventions. For Humberside, the indicative allocation is:

	Labour	Non-labour	Total
22/23	£17,242.66	£11,373.06	£28,615.72
23/24	£80,929.42	£34,340.71	£115,270.13
24/25	£77,041.71	£17,417.29	£94,459.00
			£238,344.85

As a condition of the funding, OPCCs will be required to report quarterly to the Home Office on the use of the grant and implementation of the Duty. This will be partially combined with VRU reporting where applicable.

Humberside approach

Most of the specified authorities are represented on the Humber Violence Prevention Partnership (VPP) Board. In-principle agreement was reached at the VPP Board meeting in December on how the Duty will be implemented locally, namely:

- The VPP and CSPs will work collaboratively to align plans and activities through the previously-agreed hub-and-spoke approach.
- The VPP and CSPs will seek to agree a shared definition of serious violence, to enable common analytical products to be developed.
- The new burdens funding will be managed via the VPP, with the staffing element contributing towards the cost of the Violence Reduction Officer post for each area alongside the VPP; and the interventions element being added to the VPP programme.
- The VPP team will manage the reporting processes for the OPCC to avoid duplication.

To access the funding for Humberside, the PCC is required to confirm he is prepared to assist the specified authorities with implementation of the Duty (in accordance with the legislation) and accept the standard Home Office grant terms.

4. Options

Option 1: Decline the grant offer

The PCC is not mandated to take on this funding and role so could decline to accept the grant offer or assist the specified authorities in the way that has been agreed. This would result in a loss of funding and opportunity for Humberside.

Option 2: Accept the grant offer and assist the specified authorities (recommended option)

The recommended option is to accept the grant offer and agree to assist the specified authorities with implementation of the Duty, including providing monitoring reports to the Home Office, as agreed in-principle at the Humber VPP Board. This would complement the VPP's work with additional funding, backed up by new legal powers, and avoid potential duplication.

5. Financial Implications

As set out above, this would mean an indicative £238k of additional funding over three years. The funding is required to be claimed in arrears, so it will be important that the grant terms are adhered to and the budget is carefully monitored.

Value for money and alignment with grant terms will be considered as part of the VPP's decision-making on the grant.

6. Legal Implications

The grant terms are similar to terms previously accepted by the PCC.

The opportunities created by the new powers to “assist” and “monitor”, and the new legal gateway for information sharing, will be explored further in due course.

7. Driver for Change/Contribution to Delivery of the Police and Crime Plan

The Serious Violence Duty is a new Duty created by legislation. The offer of new burdens funding means a decision is required on whether or not to accept this.

Accepting the funding and deciding to assist the specified authorities with the Duty is consistent with the Police and Crime Plan commitments on the Public Health Approach to Domestic Abuse and securing more resources for the Humber region, amongst others.

8. Equalities Implications

None in accepting the grant. Equalities implications should be considered as part of grant decision-making.

9. Consultation

Consultation has taken place via the Humber VPP Board and through discussions with CSPs.

10. Media information

Details of how the grant is utilised will be published in line with transparency requirements.

11. Background documents

Report to the Humber VPP Board (7 December)
Serious Violence Duty Statutory Guidance (Home Office, 16 December)
Serious Violence Duty Funding Guidance (Home Office, 16 December)

12. Publication

Open

13. DPIA considered

Yes - not required at this stage.

PLEASE COMPLETE AND APPEND THE FOLLOWING TABLE TO ALL REPORTS THAT REQUIRE A DECISION FROM THE COMMISSIONER

This matrix provides a simple check list for the things you need to have considered within your report. If there are no implications please state

I have informed and sought advice from HR, Legal, Finance, OPCC officer(s) etc. prior to submitting this report for official comments	Yes
Is this report proposing an amendment to the budget?	No
Value for money considerations have been accounted for within the report	Yes
The report is approved by the relevant Chief Officer	Yes
I have included any procurement/commercial issues/implications within the report	N/A
I have liaised with Corporate Communications on any communications issues	Yes
I have completed an Equalities Impact Assessment and the outcomes are included within the report	N/A
I have included any equalities, diversity and or human rights implications within the report	Yes
Any Health and Safety implications are included within the report	N/A
I have included information about how this report contributes to the delivery of the Commissioner's Police and Crime Plan	Yes