

Extract from GUIDANCE ON MERGING CRIME AND DISORDER REDUCTION PARTNERSHIP AREAS UNDER SECTION 5 OF THE CDA 1998 AS AMENDED BY SECTION 97(3) OF THE PRA 2002, HOME OFFICE 2008

The Merger Process

The process for merging CDRP areas has been broken down into 6 stages:

Stage 1

A proposal to merge must be agreed by all of the responsible authorities across the areas wishing to merge and discussed with the relevant Home Office Regional Director (HORD).

Stage 2

CDRPs pilot working together as a merged partnership.

Stage 3

After piloting working arrangements as a merged partnership, an application to merge is made to the Home Office Regional Director.

The Application should:

- draw on evidence from a joint Self Assessment completed by the 'informally merged' partnership during the pilot phase and joint improvement planning.
- draw on evidence of performance improvement during the pilot period.
- set out any benefits already gained or expected to be achieved and how these impact on reducing crime and disorder or combating the misuse of drugs.
- clearly show that all of the responsible authorities for all relevant areas are in agreement with the merger.

Stage 4

The Home Office Regional Director for the region will consider the application and

- make a recommendation supporting the application – the recommendation should be submitted to the Home Office Community Safety and Local Government Unit (CSLGU) on the merger template together with any other information the HORD considers should be put to the Home Secretary.

If the HORD is unwilling to support the application, he/she should

- discuss with the 'informally merged' partnership what further areas for improvement are needed within a mutually agreed timescale.

Stage 5

CSLGU recommend to the Secretary of State that the application be approved.

Stage 6

Recommendation is approved and Home Office Legal Advisers arrange for an Order (the formal instrument authorising the merger) to be made.

Frequently Asked Questions

How long does a pilot period of partnerships working informally together need to be before they can apply for a merger?

This is something that HORDs will need to consider when processing merger applications. It will need to be of sufficient length to reasonably conclude that a formal merger will be successful.

What happens if responsible authorities decide that they no longer want to work together as a merged partnership after an order has been made?

The process of revoking an order to merge partnership areas will inevitably be a complex one which is why we have said that 'informally' merged partnerships should work together for a pilot period before making an application. Whilst requests to revoke an order are likely to be rare, there can be no cast iron guarantee that it will not happen if for example the political landscape at local level were to change. In these circumstances Ministers would need to be satisfied that all responsible authorities in the merged partnership area were jointly seeking to 'de-merge' and that to do so would be in the interests of reducing crime and disorder or of combating the misuse of drugs.

Can the Home Secretary force CDRP areas to merge?

The Act enables the Home Secretary to make an order to join together two or more CDRP areas to work as a combined partnership provided he:

- first consults all the responsible authorities in the areas concerned, and
- considers merger to be in the interests of reducing crime and disorder or combating misuse of drugs in the areas concerned.

The process for merger outlined in this guidance assumes that in the majority of cases the CDRP areas concerned will want to merge. However, this may not always be the case. There may be circumstances where it is considered that merger would be appropriate, even if the responsible authorities concerned have not requested it, in order to improve partnership working and overall performance.

How will merger of a group of CDRPs affect the groupings of 'most similar' CDRPs?

Revised groupings of 'most similar' CDRPs have been published on [iQuanta](#). We will continue to work with colleagues responsible for producing 'most similar' groupings to ensure that relevant groupings for merged partnerships and 'informal' partnerships working towards merger are reviewed annually so that they will have an appropriate group to benchmark themselves against. Partnerships will need to be aware that their crime statistics and families will only be reported on the merged partnership from April and for this reason, where possible, mergers should be arranged to take place formally on 1 April.

What happens if after the pilot working period the 'informally merged' partnership decides it wants more time before submitting an application for an order to merge?

A decision to make an application to merge will need to be taken jointly by all the responsible authorities in the areas concerned and if they decide jointly that they need more time, this is ultimately a decision for them. However, we would expect the HORD to be fully involved in that discussion because an 'informal' partnership should not continue to operate indefinitely if there is no clear intention to merge or if it is clear that merger does not have the full support of all responsible authorities.

What information or guidance will partnerships receive about this process?

This guidance has been produced for HORDs and their teams on the procedure to be followed for merging CDRP areas because the role of the Government Offices in the process is central to it. The Home Office does not intend to produce separate guidance from the centre for partnerships.

What are the responsibilities of DATs and CDRPs in the audit and strategy process and how will merger of CDRPs in two tier areas affect these responsibilities?

In two tier authorities, county level strategic planning of the drug strategy is critical. It is recommended that partnerships adopt one of the approaches described below, both of which ensure that strategic planning of the drug strategy takes place at county level whilst allowing responsible authorities to meet their statutory responsibilities at district level.

1. DATs and CDRPs should, where practicable, work jointly to produce county-wide crime and disorder and drugs audits, strategies and reports. Such an approach can yield economies of scale and greater synergy. It will support strategic planning by agencies serving the county as a whole. If this approach is adopted, the audits, strategies and reports must have the agreement of all CDRPs and be comprehensive in their coverage of crime and disorder and drugs issues in each CDRP area. Each CDRP will still be required to publish and consult locally on the joint audit and publish the joint strategy locally (this is a requirement of the legislation). Again, in terms of format, partnerships will be free to decide whether to produce combined crime and disorder and drugs audits, strategies and reports or separate documents (e.g. one audit document covering crime and disorder and a separate audit document covering drugs). If separate, the documents will need to be cross referenced and complementary.
2. Where the above approach is not practicable, each CDRP will be required to produce crime and disorder and drugs audits, strategies and reports for their local area. CDRPs are expected to agree the drugs element of these documents with the county DAT in order to ensure consistency with the county-wide audit, strategy and report produced by the DAT*.

Where a merger order is made, the combined responsible authorities will fulfil their audit and strategy functions under sections 5 – 7 of the CDA 1998 as if they were the responsible authorities for a single CDRP area. Accordingly, they will be required to consult on and publish their joint crime and drugs audit and strategy in the local area to which the order applies.

* Note: the Crime and Disorder Act 1998 (as amended) places statutory requirements on responsible authorities operating at district level. District level CDRPs need to address the impact of drugs misuse on their local communities. However, that does not detract from the importance of county level strategic planning of the drug strategy. As a result, DATs in two-tier authorities are expected to produce county-wide drugs audits, strategies and reports. This will ensure consistent approaches within unitary and two-tier authorities to auditing, planning and reporting within the revised framework for local delivery of the drugs strategy.