

## **Lancashire Police and Crime Panel**

**Tuesday, 31st July, 2012 at 2.00 pm in Cabinet Room 'C' - County Hall, Preston**

### **Agenda**

**Part 1 (Open to Press and Public)**

#### **No. Item**

- 1. APPOINTMENT OF THE CHAIRMAN**  
The Panel is asked to appoint a Chairman for the remainder of the 2012/13 Municipal Year
- 2. APPOINTMENT OF THE VICE CHAIRMAN**  
The Panel is asked to appoint a Vice Chairman for the remainder of the 2012/13 Municipal Year.
- 3. MEMBERSHIP/TERMS OF REFERENCE OF THE POLICE AND CRIME PANEL AND THE APPOINTMENT OF ADDITIONAL MEMBERS OF THE PANEL.** (Pages 1 - 26)  
(report attached)
- 4. CONTEXTUAL BRIEFING FOR MEMBERS OF THE POLICE AND CRIME PANEL**  
The Panel is to be given a brief overview of the new governance arrangements for Policing and the key issues for the Panel.
- 5. THE POLICING PROTOCOL ORDER 2010** (Pages 27 - 36)  
(report attached)
- 6. APPOINTMENT OF ADDITIONAL COOPTED MEMBERS** (Pages 37 - 76)  
(report attached)
- 7. PROPOSED PROGRAMME OF MEETINGS OF THE POLICE AND CRIME PANEL** (Pages 77 - 80)  
(report attached)
- 8. PROMOTIONAL ACTIVITY FOR THE POLICE AND CRIME PANEL** (Pages 81 - 82)  
(report attached)

**9. URGENT BUSINESS**

**10. DATE OF NEXT MEETING**

The date of the next meeting is to be agreed by the panel in accordance with item 7 on the agenda.

I M Fisher  
County Secretary and Solicitor

County Hall  
Preston

## **POLICE AND CRIME PANEL**

Meeting to be held on 31<sup>st</sup> July 2012

### **MEMBERSHIP/TERMS OF REFERENCE FOR THE POLICE AND CRIME PANEL AND THE APPOINTMENT OF ADDITIONAL MEMBERS OF THE PANEL.**

(Appendix 'A' refers)

Contact for further information: Mike Neville 01772 533431, Office of the Chief Executive [mike.neville@lancashire.gov.uk](mailto:mike.neville@lancashire.gov.uk)

#### **Executive Summary**

This report sets out the membership and Terms of Reference of the Police and Crime Panel for Lancashire.

#### **Recommendation**

The Panel is asked to

- a) note the membership and Terms of Reference as set out in the report.
- b) adopt the panel arrangements and the procedure rules as set out in Appendix 'A', and
- c) agree the appointment of the three proposed additional members of the Panel as set out in the report, subject to the approval of the Secretary of State,
- d) agree that the County Council's Standing Orders, where they relate to the operation of and proceedings for Committees, be adopted by the Panel as the default Standing Orders for the Panel.

#### **Background and Advice**

The Police Reform and Social Responsibility Act 2011 introduced major changes to the governance arrangements for Police Force areas and specifically provided for the election of Police and Crime Commissioners (PCC) and the establishment of Police and Crime Panels, to hold PCCs to account. A Panel must be established as a formal joint Committee of each local authority within the force area. The Panel's primary purpose will be to scrutinise the PCC and to operate as a critical friend offering challenge and support to the PCC.

Elections for PCCs will be held on the 15<sup>th</sup> November and the Police and Crime Commissioner for Lancashire will take up office at midnight on the 21 November 2012. PCPs have to be established by July 2012 to enable them to commence their duties in preparation for the election of a PCC in November.

A detailed report was submitted to all 15 Lancashire Authorities at their respective Annual General meetings in May in relation to the following:

- Approval to the establishment of a PCC for Lancashire, the appointment of members to the PCP in accordance with the balanced appointment objective and political balance requirements
- Approval to the proposed Terms of Reference; Panel arrangements and Procedural Rules
- The appointment of Lancashire County Council as Lead Authority to the PCP and Ian Fisher, County secretary and Solicitor as Secretary to the panel.

A copy of the report is set out at Appendix 'A'. All local authorities approved the recommendations in the report and made individual appointments to the Panel as set out below.

### **Membership of the Panel**

As required by the Act, a Police and Crime Panel has now been established for Lancashire on the basis of a joint committee comprising 1 councillor from each local authority within the Lancashire Police area with 2 co-opted independent members and, subject to approval by the Secretary of State, up to 3 additional co-opted members.

The legislation provides that a 'balanced appointment objective' must be met (as far as is reasonably practicable) in establishing the Panel which means that when taken together the members of the Panel represent the political make up of all of the relevant local authorities for the police area. The Panel must also have the skills, knowledge and experience necessary for it to discharge its functions effectively.

It is made clear in legislation that the Local Authorities combined must 'agree' to the balance of the Panel and the Home Office has powers to intervene and make appointments if agreement cannot be reached locally but has made it clear that the best Panel arrangements are those which are locally determined.

Each local authority in the Lancashire Police area has been consulted on the proposed establishment of the Police and Crime Panel as outlined above and the following representatives have been appointed to serve on the Panel.

<b>Name</b>	<b>Local Authority</b>
County Councillor G Driver	Lancashire County Council
Councillor K Hollern	Blackburn with Darwen Council
Councillor S Blackburn	Blackpool Council
Councillor J Cooper Councillor N Mottershead*	Burnley Borough Council
Councillor A Bradley	Chorley Borough Council
Councillor D Eaves Councillor L Oades*	Fylde Borough Council

Councillor P Barton	Hyndburn Borough Council
Councillor D Smith Councillor M Thomas*	Lancaster City Council
Councillor M Foxley	Pendle Borough Council
Councillor P Rankin	Preston City Council
Councillor M Ranson	Ribble Valley Borough Council
Councillor A Barnes	Rossendale Borough Council
Councillor M Smith	South Ribble Borough Council
Councillor I Grant	West Lancashire Borough Council
Councillor P Gibson	Wyre Borough Council

\* indicates the three additional co-opted members who, subject to appointment by the Panel and agreement of the Secretary of State, have also been nominated to serve on the Panel. All elected members appointed to the Panel will have equal voting rights and will serve a term of 12 months. The Panel is asked to formally appoint the additional 3 co-opted elected members. It is a requirement that this approval must be unanimous.

A further two independent co-opted persons have also to be appointed to serve on the Panel and a report regarding the proposed arrangements is included elsewhere on the agenda.

The Panel Arrangements at 2.5 provide that each Council may send substitute members to Panel meetings, who will be permitted to act with full voting rights. The substitute members must be from the same party as the appointed member, or be an Independent Councillor if substituting for an Independent Councillor.

### **Terms of Reference**

The Terms of Reference of the Panel as agreed by all constituent local authorities on the Panel are set out below.

In accordance with the agreed Terms of Reference the Police and Crime Panel will exercise the following powers under the Police Reform and Social Responsibility Act 2011, and all other enabling powers, discharging its functions in accordance with the Policing Protocol Order 2011.

1. To review and make a report or recommendation(s) on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner (the Commissioner).
2. To review, put questions to the Commissioner at a public meeting, and make a report or recommendation (as necessary) on the Commissioner's annual report.
3. To hold a confirmation hearing in public and review, make a report and recommendation (as necessary) in respect of proposed appointments by the Commissioner of Chief Constable, Chief Executive, Chief Finance Officer, and Deputy Police and Crime Commissioner.

4. To hold a scrutiny meeting in private and make a recommendation to the Commissioner on a proposal by the Commissioner to call upon the Chief Constable to retire or resign.
5. To review and make a report and recommendation (as necessary) on the proposed precept.
6. To review or scrutinise decisions made, or other action taken, by the Commissioner in connection with the discharge of his/her functions.
7. To make reports or recommendations to the Commissioner with respect to the discharge of the Commissioner's functions.
8. To support the effective exercise of the Commissioner's functions.
9. To fulfil functions in relation to complaints about conduct matters, in accordance with the Panel's responsibilities as provided for by the Police Reform and Social Responsibility Act 2011.
10. To appoint, if necessary, an Acting Police and Crime Commissioner.
11. To suspend the Commissioner if it appears to the Panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years

### **Panel Arrangements and Rules of Procedure**

Details of the Panel Arrangements and Rules of Procedure are set out in Appendices 'B' and 'C' to the report to Councils which is attached as an appendix to this report. These documents are based on legislation, guidance and regulations currently available, although as some regulations and guidance are still awaited the documents may have to be adjusted later in the year.

### **Allowances**

The Home Office is to make available up to £920 per member, including the co-opted Independent Persons, on an annual basis to meet their expenses in serving on the Panel. It is proposed that this amount, per year, will be made available to members of the Panel, subject to Home Office approval. No other funding is available to meet expenses.

### **Code of Conduct**

Each local authority member appointed to the Panel, or any substitute serving on the Panel will have to abide by the provisions of their respective Council's Code of Conduct for Members when serving on the Panel.

## Standing Orders

Whilst the approved Panel Arrangements and Crime and Procedure Rules, as set out in Appendix "A", are based on legislation it is considered that as the Panel will operate as a formal joint committee it will require additional standing orders to operate effectively as a Committee. It is suggested that as Lancashire is the host authority, and to avoid a requirement to draw up new standing orders, that the County Council's Standing Orders where they relate to the operation of and proceedings for Committees, be adopted by the Panel as the default standing orders for the Panel.

The County Council's procedural standing orders are attached at Appendix 'B' to this report.

## Consultations

The County Council, two Unitary Authorities and twelve District Councils in the Lancashire Police Force area have been consulted on the arrangements for the Police and Crime Panel and have also nominated representatives to serve on the Panel as set out in the table above.

## Implications:

This item has the following implications, as indicated:

## Risk management

The requirement for an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

## Local Government (Access to Information) Act 1985 List of Background Papers

Paper	Date	Contact/Directorate/Tel
Full Council agenda and proceedings <a href="http://council.lancashire.gov.uk/eListDocuments.aspx?CId=138&amp;MId=507&amp;Ver=4">http://council.lancashire.gov.uk/eListDocuments.aspx?CId=138&amp;MId=507&amp;Ver=4</a>	24 <sup>th</sup> May 2012	M Neville, Office of the Chief executive 01772 533431
Responses from Unitary and District Councils	May 2012	M Neville, Office of the Chief executive 01772 533431
Reason for inclusion in Part II, if appropriate		
N/A		





**Meeting of the Full Council  
Meeting to be held on 24 May 2012**

Report submitted by the Chief Executive

**Part A**

Electoral Division affected:  
All

**Lancashire Police and Crime Panel  
Establishment: Panel Arrangements, Terms of Reference and Rules of  
Procedure**

(Appendices A, B and C refer)

Contact for further information:

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**Executive Summary**

The establishment of a Police and Crime Panel for Lancashire.

**Recommendation**

Full Council is asked to:

- i. agree to the establishment of a Police and Crime Panel for Lancashire as a formal Joint Committee of the 15 local authorities for the Lancashire Police force area, on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2012/13, on the basis as set out in this report;
- iii. agree to the arrangements, procedural rules and the terms of reference of the Panel as set out in this report;
- iv. agree that the Panel seeks approval from the Home Secretary to the appointment of up to three additional co-opted members who may or may not be councillors, in order, as far as is reasonably practicable, to be able to meet the balanced appointment objective;
- v. agree to the appointment of Lancashire County Council as Lead Authority to the PCP and to the appointment of Ian Fisher, County Secretary and Solicitor as Secretary to the Panel.

**Background**

The Police Reform and Social Responsibility Act 2011 introduces for each force area:

- Police and Crime Commissioners (PCC), and
- Police and Crime Panels (PCP)

For Lancashire the Police Force Area includes Lancashire County Council, the 12 District Councils and the two Unitary Councils.

Directly elected PCCs will replace Local Police Authorities, and will have wide ranging powers and responsibilities, including:

- hold Police forces and Chief Constables (CC) to account.
- appoint the Chief Constable
- set local police and crime priorities
- sole responsibility for disbursing community safety funding from the Home Office
- decide how the Council tax is spent on crime and policing issues
- set the Council tax precept

PCCs will be elected every 4 years and will be required to publish a Police and Crime Plan which will set out the Police and Crime Objectives for the force area. Chief Constables (CC) will remain responsible for operational matters.

PCPs will be established to hold to account the PCCs. The PCP will be a formal joint committee of all the local authorities in the force area, and its main responsibilities will be:

- making recommendations on the PCCs Police and Crime Plan and Annual Reports
- consider the PCCs appointment of a CC. The Panel will have power of veto over the appointment
- consider the level of precept to be set by the PCC, again the PCP will have a power of veto
- review certain senior appointments by the PCC
- scrutinise and support the activities of the PCC

### **Timetable for Implementation**

Elections for a PCC will be held on the 15 November 2012 and he/she will take up office at midnight on the 21 November.

A PCP must be established by July 2012, and will take up its full duties in October 2012 in readiness for the election of the PCC in November.

### **Make-up of the PCP**

For Lancashire, the Panel must initially be made up of a total of 15 elected members, one from each Authority, and two independent co-opted members. Once the Panel is established it can request up to an additional 3 co-opted members who may or may not be elected members, subject to Home Secretary approval.

The Legislation provides that a 'balanced appointment objective' must be met (as far as is reasonably practicable) in establishing the Panel. The balanced appointment objective is that the members of the panel, when taken together, represent the political make up and represent all parts of the relevant local authorities for the police area. The panel must also have the skills, knowledge and experience necessary for it to discharge its functions effectively. It is made clear in legislation that the Local Authorities combined must 'agree' to the balance of the Panel. The Home Office has powers to intervene and make appointments if agreement cannot be reached locally but has made it clear that the best Panel arrangements are those which are locally determined.

The provisions in legislation and options available for applying a political balance to the Panel have been carefully considered recognising that Lancashire is a complex landscape of authorities. Following legal advice, and advice issued by the Home Office, it has been agreed that the political balance for the PCP should be applied based on a calculation of current political balances across the whole membership of authorities, including the Independent members grouped together as a whole. The following balance of the Panel has been calculated to reflect the political make up of the 15 pan-Lancashire Authorities when taken together following the elections on the 3 May 2012.

Conservative	7	Labour	6	Lib Dem	1	Independent Members	1
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Once established the Panel can decide to seek the approval of the Home Secretary to co-opt up to 3 other members. The purpose of this may allow for further elected members to be appointed to the Panel to achieve the following possible balances. This could assist where an authority could not in the first instance appoint a member of its choice:

**16 Elected Members:**

Conservative	7	Labour	7	Lib Dem	1	Independent Members	1
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**17 Elected Members:**

Conservative	8	Labour	7	Lib Dem	1	Independent Members	1
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**18 Elected Members:**

Conservative	8	Labour	8	Lib Dem	1	Independent Members	1
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Agreement has been reached between Lancashire Chief Executives to appoint members on the above basis (ie 15 councillors, 2 co-opted independent members and, subject to approval by the Secretary of State, up to 3 additional co-opted members who may or may not be councillors) and each Local Authority in Lancashire is asked to agree to the establishment of the Panel as a formal Joint Committee, and to appoint one member to the Panel.

## **Terms of Reference, Arrangements and Roles and Responsibilities**

Local Authorities are also asked to agree the Terms of Reference, Arrangements, and Roles and Responsibilities of the Panel, which are prescribed in legislation and can be supplemented for local operational needs.

Attached are: Appendix 'A' - draft of the terms of reference; Appendix 'B' - draft panel arrangements; and Appendix 'C' - draft rules of procedure, for approval by your Council. The documents are based on legislation, guidance and regulations currently available, although some regulations and guidance are still awaited, and the documents may have to be adjusted later in the year.

## **Frequency of PCP meetings**

It is expected that that PCPs will meet at least four times per year to undertake its statutory functions. The PCP can determine its own meetings cycle and appoint any sub-committees or task groups. It is intended that each year the Panel will be appointed for a 12 month period, and appointments confirmed at each respective Annual Meeting in May, to enable any annual adjustment to the balance of the Panel arising from Council elections in May.

It is intended that the first meeting of the Panel will be arranged for a date in July 2012, to be held at County Hall, Preston.

## **Lead Authority**

A lead Authority must be appointed following agreement by the combined local Authorities. So far Lancashire County Council has been acting as lead authority to date and it is recommended that Lancashire County Council be appointed as Lead Authority for the administration and support to the PCP, and that Ian Fisher, County Secretary and Solicitor be appointed as Secretary to the Panel. Home Office funding will be made available towards the costs of supporting the Panel.

## **Appointment of Independent members**

Two independent co-opted persons have to be appointed by the Panel. The co-opted independent members must be appointed in accordance with the balanced appointment objective outlined above in terms of representing all parts of the relevant local authorities and having the appropriate knowledge and skills necessary.

The Panel will be asked to agree a recruitment exercise and criteria for the appointment of two independent members to the Panel, including an appointments body made up of members of the panel with a view to the Panel making the appointment of the two co-opted members.

## **Allowances**

The Home Secretary has indicated that members sitting on PCPs will be entitled to an annual allowance of £920.

## **Decisions Required**

Full Council is asked to:

- i. agree to the establishment of a Police and Crime Panel for Lancashire as a formal Joint Committee of the 15 local authorities for the Lancashire Police force area, on the basis as set out in this report;
- ii. appoint a member to the Police and Crime Panel for 2012/13, on the basis as set out in this report;
- iii. agree to the arrangements, procedural rules and the terms of reference of the Panel as set out in this report;
- iv. agree that the Panel seeks approval from the Secretary of State to the appointment of up to three additional co-opted members who may or may not be councillors, in order, as far as is reasonably practicable, to be able to meet the balanced appointment objective;
- v. agree to the appointment of Lancashire County Council as Lead Authority to the PCP and to the appointment of Ian Fisher, County Secretary and Solicitor as Secretary to the Panel.



**Lancashire Police and Crime Panel  
Terms of Reference**

The Panel will exercise the following powers under the Police Reform and Social Responsibility Act 2011, and all other enabling powers, discharging its functions in accordance with the Policing Protocol Order 2011.

- 1) To review and make a report or recommendation(s) on the draft police and crime plan, or draft variation, given to the Panel by the Police and Crime Commissioner (the Commissioner).
- 2) To review, put questions to the Commissioner at a public meeting, and make a report or recommendation (as necessary) on the Commissioner's annual report.
- 3) To hold a confirmation hearing in public and review, make a report and recommendation (as necessary) in respect of proposed appointments by the Commissioner of Chief Constable, Chief Executive, Chief Finance Officer, and Deputy Police and Crime Commissioner.
- 4) To hold a scrutiny meeting in private and make a recommendation to the Commissioner on a proposal by the Commissioner to call upon the Chief Constable to retire or resign.
- 5) To review and make a report and recommendation (as necessary) on the proposed precept.
- 6) To review or scrutinise decisions made, or other action taken, by the Commissioner in connection with the discharge of his/her functions.
- 7) To make reports or recommendations to the Commissioner with respect to the discharge of the Commissioner's functions.
- 8) To support the effective exercise of the Commissioner's functions.
- 9) To fulfil functions in relation to complaints about conduct matters, in accordance with the Panel's responsibilities as provided for by the Police Reform and Social Responsibility Act 2011.
- 10) To appoint, if necessary, an Acting Police and Crime Commissioner.
- 11) To suspend the Commissioner if it appears to the Panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.





## Lancashire Police and Crime Panel

### Panel Arrangements

#### 1 General Principles

- 1.1 Lancashire County Council shall act as the lead authority in establishing the Police and Crime Panel. The County Council will act as Secretary to the Panel and shall be responsible for ensuring that the necessary officer support is provided and that any necessary arrangements are made to promote the role of the Panel.
- 1.2 The Panel must be made up of a minimum of 15 councillors and 2 co-opted independent members.
- 1.3 The composition of the Panel should take account of, as far as is practical, both political and geographical proportionality, as well as the necessary knowledge, skills and experience to discharge its functions effectively – “the balanced appointment” objective.
- 1.4 Additional members may be co-opted on to the Panel to enable the balanced appointment objective to be met, as long as the size does not exceed 20 and the Secretary of State approves the co-options. Additional Members may or may not be councillors.

#### 2 Membership

- 2.1 The constituent councils on the Panel are the County Council, the two unitary authority councils and the twelve district councils in Lancashire.
- 2.2 The Panel’s membership of 15 Councillors will be made up of one councillor from each constituent Council.
- 2.3 All County Councillors and District Councillors are eligible to be members of the Panel.
- 2.4 All Councillors on the Panel will serve a term of 12 months.
- 2.5 Each constituent council may send a substitute member to meetings, as notified to the Secretary to the Panel, and this substitute member will be permitted to act as a substitute member with full voting rights at meetings of the Panel and any Task Groups appointed by the Panel. A substitute member must be from the same party as the member appointed by the constituent

council. If the panel member is an independent councillor then any substitute must also be an independent councillor.

### **3. Independent Members**

- 3.1 The panel shall co-opt two independent members onto the Panel for a term of four years. Any additional independent members co-opted onto the Panel shall serve a term of four years.
- 3.2 The lead authority will undertake the appointment process on behalf of the Panel for co-opting independent members which will include a reasonable period of public advertisement for the positions. The closing date for the receipt of applications will not be less than two weeks from the date the advertisement is first placed.
- 3.3 Information packs will be prepared and sent to those requesting application forms.
- 3.4 The applications will be considered against agreed eligibility criteria and then the chairman and vice-chairman of the panel and three other panel members will be invited to meet to consider applications and interview candidates, in accordance with the “balanced appointment objective”.
- 3.5 Following the interviews, the five members will make recommendations to the Panel about the appointments.
- 3.6 Additional members who are councillors will be appointed by the Panel for a 12 month term.

### **4 Vacancies**

- 4.1 A vacancy on the panel arises when a county councillor, a district councillor or an independent member ceases to be a member of the Panel for any reason.
- 4.2 Each council will fill vacancies for elected members in accordance with the arrangements in their constitution. Vacancies for independent members will be filled in accordance with the selection process outlined in section 3.

### **5 Resignation and Removal of Members**

*Arrangements to be decided – awaiting Home Office Regulations/Guidance*

### **6. Conditions for reappointment of members**

- 6.1 Councillors may serve more than one 12 month term.
- 6.2 Co-opted members may be eligible to apply for a subsequent four year term but may not serve more than two consecutive four year terms.

## **7. Costs of the Panel**

- 7.1 The costs of the Panel will be borne by the constituent councils.
- 7.2 An annual lump sum allowance will be paid to each member of the Panel in recognition of their personal commitment and expenses arising in undertaking their role on the Panel. The allowance will be agreed annually by the Panel.
- 7.3 The lead authority will have responsibility for the financial arrangements to support the operation of the Panel, including the receipt of funds (whether paid by the Home secretary or otherwise) and the making of payments between the constituent councils and to panel members.



**Lancashire Police and Crime Panel  
Procedure Rules**

**1 Chairman of the Police and Crime Panel**

1.1 The chairman of the Panel will be appointed by the Panel at its Annual meeting each year and will be drawn from amongst the councillors sitting on the Panel.

1.2 The vice-chairman will be appointed by the Panel at its Annual meeting each year and will be drawn from amongst the councillors sitting on the Panel.

1.3 In the event of the resignation of the chairman or vice-chairman or removal of chairman/vice chairman, a new chairman/vice chairman will be appointed at the next meeting and will be drawn from amongst the councillors sitting on the Panel.

1.4 The Panel will elect a councillor member to preside at a meeting if the chairman and vice chairman are not present.

1.5 The Panel may consider the removal of the chairman during the year if it is satisfied that he/she:

- a. has, without reasonable excuse, failed to carry out the duties for a continuous period of six months;
- b. has acted improperly, recklessly or negligently in relation to his/her duties;
- c. is otherwise unable or unfit to perform his/her duties;
- d. or that the circumstances are such that they are exceptional and would warrant the removal of the chair eg. a conviction or caution in respect of a relevant criminal offence.

**2 Meetings of the Police and Crime Panel**

2.1 There shall be a minimum of four ordinary meetings of the Panel held in public in each municipal year to carry out the functions of the Panel. The Panel will determine the schedule of dates and times of its ordinary meetings each year including a date for its Annual Meeting.

2.2 Extraordinary meetings of the Panel may also be called from time to time by the chairman or by four members of the Panel giving notice to the Secretary to the Panel.

2.3 An extraordinary meeting may also be called by the Secretary to the Panel if he/she considers that to be necessary.

2.4 Ordinary meetings of the Panel will:

- (i) receive any declarations of interest from members
- (ii) approve the minutes of the last meeting
- (iii) consider reports from officers and panel members

2.5 The Secretary to the Panel will give notice to the public of the time and place of any meeting in accordance with Access to Information requirements. At least five clear working days before a meeting, the Secretary shall send notice of the meeting to every Panel member. The notice shall give the date, time and place of each meeting and specify the business to be transacted, and shall be accompanied by such reports as are available.

2.6 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

### **3 Quorum**

3.1 A meeting of the Panel cannot take place unless not less than one third of the whole number of its members is present.

3.2 In the event of a meeting being inquorate, it shall stand temporarily adjourned for 15 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the chairman may agree arrangements for the meeting to be reconvened.

### **4 Work Programme**

4.1 The Panel will set its own work programme and, in doing so, may wish to take into account the priorities defined by the Commissioner and the wishes of its members.

4.2 The work programme must include the functions described in the terms of reference for the Panel.

### **5 Agenda Items**

Any member of the Panel shall be entitled to give notice to the Secretary of the Panel that he or she wishes an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.

### **6 Reports from Police and Crime Panel**

6.1 Where the Panel makes a report to the Commissioner on the discharge of its functions, it must choose to publish the report or recommendations

6.2 The Panel must by notice in writing require the Commissioner, as appropriate, within one month of the date on which the Commissioner receives the report or recommendations to:

- a) Consider the report or recommendations;
- b) Respond to the Panel indicating what (if any) action the Commissioner proposes to take;
- c) Where the Panel has published the report or recommendations, publish the response;
- d) Where the Panel has provided a copy of the report; or recommendations to a member, provide a copy of the response to the member.

6.3 If the Panel cannot unanimously agree on the terms of any report to the Commissioner then a report agreed by the majority of the Panel will be submitted for consideration together with a separate report prepared by the minority.

## **7 Police and Crime Commissioner and Officers Giving Account**

7.1 The Panel may scrutinise and review decisions made or actions taken in connection with the Commissioner's role.

As well as reviewing documentation, in fulfilling its scrutiny role it may require the Commissioner, and members of the Commissioner's staff, to attend before the Panel (at reasonable notice) to answer any questions which appear to the Panel to be necessary in order to carry out its functions.

7.2 Where the Commissioner, or a member of the Commissioner's staff, is required to attend the Panel under this provision the Secretary will inform them in writing giving, where practicable, reasonable notice of the meeting. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required for production for the Panel. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.

7.3 Where, in exceptional circumstances, the Commissioner is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the chairman of the Panel.

7.4 If the Panel require the Commissioner to attend before the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

## **8 Attendance by Others**

The Panel may invite people other than those referred to in Paragraph 7 above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the Panel and officers in other parts of the public sector.

## **9 Task Groups**

9.1 Time limited task groups may be established from time to time by the Police and Crime Panel to undertake specific, task-based work.

9.2 Task groups may not co-opt other persons.

9.3 The special functions of the Panel specified in paragraph 9.4 below may not be discharged by a task group of the Panel.

9.4 In this paragraph 'special functions' means the functions conferred on the Panel by:

- a) Section 28(3) of Police Reform and Social Responsibility Act (the Act) (scrutiny of Police and Crime Plan).
- b) Section 28 (4) of the Act (scrutiny of annual report).
- c) Paragraphs 10 and 11 of Schedule 1 of the Act (review of senior appointments).
- d) Schedule 5 of the Act (issuing precepts) Part 1 of Schedule 8 of the Act (scrutiny of appointment of the Chief Constable).

9.5 The work undertaken by a task group will be scoped and defined by the Panel beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

## **10 Carrying out 'Special Functions'**

Reports and recommendations made in relation to the functions outlined in the terms of reference will be carried out in accordance with the procedure outlined at section 7 above.

### **10.1 Senior appointments**

10.1.1 Where the Panel exercises its powers to review the Commissioner's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner, the meetings held to confirm these appointments must be held in public.

10.1.2 The Panel will be notified by the Commissioner of the need for a confirmatory hearing in respect of proposed senior appointments. This will be held at the next available meeting of the Panel unless the appointment timescale requires an earlier hearing, in which case an extraordinary meeting will be arranged.

10.1.3 In relation to the appointment of the Chief Constable, the Panel is required to hold a hearing within the period of three weeks from the day on which it receives notification from the Commissioner.



10.1.4 At a confirmatory hearing the candidate is requested to appear for the purpose of answering questions relating to the appointment. Following this hearing, the Panel is required to review the proposed appointment and make a report to the Commissioner.

10.1.5 For a confirmatory hearing for the proposed appointment of the Chief Constable, in addition to the requirement to review and report, the Panel must make a recommendation on the appointment and has the power to veto the appointment.

10.1.6 Having considered the appointment, the Panel will be asked to either:

- a) support the appointment without qualification or comment;
- b) support the appointment with associated recommendations, or
- c) veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

10.1.7 If the Panel vetoes the appointment of the candidate, the report to the Commissioner must include a statement that the Panel has vetoed the appointment with reasons.

## **10.2 Appointment of an Acting Police and Crime Commissioner**

10.2.1 The Panel must appoint a person to act as Commissioner if:

- a) no person holds the office of Commissioner;
- b) the Commissioner is incapacitated; or
- c) the Commissioner is suspended.

10.2.2 The person appointed as acting Commissioner must at the time of the appointment be a member of the Commissioner's staff.

10.2.3 In appointing a person as acting Commissioner in a case where the Commissioner is incapacitated, the Panel must have regard to any representations made by the Commissioner in relation to the appointment.

10.2.4 The appointment of an acting Commissioner ceases to have effect upon the occurrence of the earliest of these events:

- a) the election of a person as Commissioner;
- b) the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner;
- c) in a case where the acting Commissioner is appointed because the Commissioner is incapacitated, the Commissioner ceasing to be incapacitated, or
- d) in a case where the acting Commissioner is appointed because the Commissioner is suspended, the Commissioner ceasing to be suspended.

### **10.3 Proposed precept**

10.3.1 The Commissioner will notify the Panel of the precept which he/she is proposing to issue for the financial year. The Panel must review the proposed precept and make a report to the Commissioner including recommendations.

10.3.2 Having considered the precept, the Panel will either:

- a) support the precept without qualification or comment;
- b) support the precept and make recommendations, or
- c) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

10.3.3 If the Panel vetoes the proposed precept the report to the Commissioner must include a statement that the Panel has vetoed the proposed precept with reason and the Panel will require a response to the report and any such recommendations.

### **10.4 Complaints**

10.4.1 Non-criminal complaints in relation to the Commissioner or other office holders should be dealt with and/or delegated in accordance with the Act and the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#).

### **10.5 Suspension of the Police and Crime Commissioner**

10.5.1 The Panel may suspend the Commissioner if it appears to the Panel that:

- a) the Commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence, and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

10.5.2 The suspension of the Commissioner ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped;
- b) the Commissioner being acquitted of the offence;
- c) the Commissioner being convicted of the offence but not being disqualified under Section 66 of the Act by virtue of the conviction; or
- d) the termination of the suspension by the Panel.

10.5.3 In this section references to an offence which carries a maximum term of imprisonment exceeding two years are references to:

- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
- b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## **10.6 Suspension and Removal of the Chief Constable**

10.6.1 The Panel will receive notification from the Commissioner if he/she suspends the Chief Constable.

10.6.2 The Commissioner must notify the Panel in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.

10.6.3 The Commissioner must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.

10.6.4 If the Commissioner is still proposing to call upon the Chief Constable to resign, he/she must notify the panel accordingly (the 'further notification').

10.6.5 Within six weeks from the date of receiving the further notification the Panel must make a recommendation in writing to the Commissioner as to whether or not he/she should call for the retirement or resignation. Before making any recommendation the Panel may consult Her Majesty's Chief Inspector of Constabulary and must hold a scrutiny hearing.

10.6.6 The scrutiny hearing is a Panel meeting held in private to which the Commissioner and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.

10.6.7 The Panel must publish the recommendation it makes at 10.6.5 by any means the Panel considers appropriate and must send a copy to each of the constituent councils.

## **11. Rules of debate**

The Panel to determine.

## **12. Public participation**

The panel to determine.



## **POLICE AND CRIME PANEL**

Meeting to be held on 31<sup>st</sup> July 2012

## **THE POLICING PROTOCOL ORDER 2010**

(Appendix 'A' refers)

Contact for further information: Mike Neville 01772 533431, Office of the Chief Executive [mike.neville@lancashire.gov.uk](mailto:mike.neville@lancashire.gov.uk)

### **Executive Summary**

This report sets out details of the Policing Protocol Order 2010 which relates to how the Police and Crime Panel will work with others.

### **Recommendation**

The Panel is asked to consider and note the Policing Protocol.

### **Background and Advice**

The Police and Crime Panel must have regard to the Policing Protocol issued by the Home Secretary, which outlines the ways in which the Home Secretary, the Police and Crime Commissioner, the Chief Constable and the Police and Crime Panel, should work together.

The Protocol makes provision about the ways in which these relevant persons should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working relationships (including co-operative working); and limit or prevent the overlapping or conflicting exercise of functions.

A copy of the Protocol is attached at Appendix 'A' .

### **Consultations**

N/A

### **Implications:**

This item has the following implications, as indicated:

### **Risk management**

The requirement for an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

**Local Government (Access to Information) Act 1985  
List of Background Papers**

Paper	Date	Contact/Directorate/Tel
The Policing Protocol Order 2010	November 2011	M Neville, Office of the Chief executive 01772 533431

Reason for inclusion in Part II, if appropriate  
N/A

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 STATUTORY INSTRUMENTS
 

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**2011 No.**

**POLICE, ENGLAND AND WALES**

**The Policing Protocol Order 2011**

*Made* - - - - - *15th November 2011*

*Laid before Parliament* *21st November 2011*

*Coming into force* - - - *16th January 2012*

In exercise of the powers conferred by section 79(1) and (5) of the Police Reform and Social Responsibility Act 2011(a), the Secretary of State makes the following Order.

**Citation, commencement and extent**

1.—(1) This Order may be cited as the Policing Protocol Order 2011 and shall come into force on 16th January 2012.

(2) This Order extends to England and Wales.

**Policing Protocol**

2. The Secretary of State hereby issues the Policing Protocol set out as a Schedule to this Order.

Home Office  
15th November 2011

*Theresa May*  
Secretary of State

**SCHEDULE**

Article 2

**The Policing Protocol**

**Purpose**

1. This Protocol is issued in accordance with the requirements of the Police Reform and Social Responsibility Act 2011 (“the 2011 Act”). It sets out to all Police and Crime Commissioners (“PCCs”) and the Mayor’s Office for Policing and Crime (“MOPC”), Chief Constables, Police and Crime Panels and the London Assembly Police and Crime Panel how their functions will be exercised in relation to each other. An effective, constructive working relationship is more likely

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(a) 2011 c. 13.

to be achieved where communication and clarity of understanding are at their highest. Mutual understanding of, and respect for, each party's statutory functions will serve to enhance policing for local communities.

### **Scope**

2. This Protocol applies to every PCC in England and Wales and, unless specifically stated, a reference in the Protocol to a PCC includes the MOPC.

3. This Protocol applies to every Chief Constable of a police force maintained by a PCC and unless specifically stated, a reference in the Protocol to a Chief Constable includes the Commissioner of Police of the Metropolis.

4. This Protocol applies to every Police and Crime Panel in England and Wales and, unless specifically stated, a reference to a Police and Crime Panel (or simply the Panel) includes the Panel formed by the London Assembly.

5. The staff of each PCC and the constables and staff of each police force are expected to have regard to this document.

6. This Protocol does not legally bind the Commissioner of the City of London Police or the Common Council of the City of London, which continues to form the police authority for the City of London. However, they are encouraged to abide by the working principles of this Protocol.

7. Where reference is made to both PCCs and the Common Council of the City of London, the Protocol describes them collectively as Local Policing Bodies.

8. The establishment and maintenance of effective working relationships by these parties is fundamental. It is expected that the principles of goodwill, professionalism, openness and trust will underpin the relationship between them and all parties will do their utmost to make the relationship work.

9. This Protocol does not supersede or vary the legal duties and requirements of the office of constable. Chief Constables remain operationally independent.

10. All parties will abide by the seven principles set out in Standards in Public Life: First Report of the Committee on Standards in Public Life(a) (known as "the Nolan Principles").

### **Legislative Framework**

11. The 2011 Act establishes PCCs within each force area in England and Wales with the exception of the City of London. The 2011 Act gives these PCCs responsibility for the totality of policing within their force area. It further requires them to hold the force Chief Constable to account for the operational delivery of policing including in relation to the Strategic Policing Requirement published by the Home Secretary.

12. The 2011 Act does not impinge on the common law legal authority of the office of constable, or the duty of constables to maintain the Queen's Peace without fear or favour. It is the will of Parliament and Government that the office of constable shall not be open to improper political interference.

13. Each PCC and their respective Chief Constable are established in law as corporations sole within the 2011 Act. In doing so both the PCC and the Chief Constable are enabled by law to employ staff and hold funds. Chief Constables are charged with the impartial direction and control of all constables and staff within the police force that they lead. The staff of the PCC are accountable to the directly elected holder of that office to enable the PCC to exercise their functions.

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(a) Cm. 2850.



14. The public accountability for the delivery and performance of the police service is placed into the hands of the PCC on behalf of their electorate. The PCC draws on their mandate to set and shape the strategic objectives of their force area in consultation with the Chief Constable. They are accountable to the electorate; the Chief Constable is accountable to their PCC. The Panel within each force area is empowered to maintain a regular check and balance on the performance of the PCC in that context.

### **The PCC**

15. The PCC within each force area has a statutory duty and electoral mandate to hold the police to account on behalf of the public.

16. The PCC is the recipient of all funding, including the government grant and precept and other sources of income, related to policing and crime reduction and all funding for a force must come via the PCC. How this money is allocated is a matter for the PCC in consultation with the Chief Constable, or in accordance with any grant terms. The Chief Constable will provide professional advice and recommendations.

17. The PCC has the legal power and duty to—

- (a) set the strategic direction and objectives of the force through the Police and Crime Plan (“the Plan”), which must have regard to the Strategic Policing Requirement set by the Home Secretary;
- (b) scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan;
- (c) hold the Chief Constable to account for the performance of the force’s officers and staff;
- (d) decide the budget, allocating assets and funds to the Chief Constable; and set the precept for the force area;
- (e) appoint the Chief Constable (except in London where the appointment is made by the Queen on the recommendation of the Home Secretary);
- (f) remove the Chief Constable subject to following the process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996(a);
- (g) maintain an efficient and effective police force for the police area;
- (h) enter into collaboration agreements with other PCCs, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where this relates to the functions of the police force, then it must be with the agreement of the Chief Constable);
- (i) provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action;
- (j) hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable;
- (k) publish information specified by the Secretary of State and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and Chief Constable;
- (l) comply with all reasonable formal requests from the Panel to attend their meetings;
- (m) prepare and issue an annual report to the Panel on the PCC’s delivery against the objectives set within the Plan;
- (n) monitor all complaints made against officers and staff, whilst having responsibility for complaints against the Chief Constable.

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(a) 1996 c. 16. Section 50 is amended by the Criminal Justice and Immigration Act 2008 (c. 4), the Policing and Crime Act 2009 (c. 26) and the 2011 Act.

**18.** In addition, the PCC must not fetter the operational independence of the police force and the Chief Constable who leads it.

**19.** In order to enable the PCC to exercise the functions of their office effectively, they will need access to information and officers and staff within their force area. Such access to any information must not be unreasonably withheld or obstructed by the Chief Constable and/or fetter the Chief Constable's direction and control of the force.

**20.** A PCC has wider responsibilities than those relating solely to the police force, namely—

- (a) a specific responsibility for the delivery of community safety and crime reduction;
- (b) the ability to bring together Community Safety Partnerships at the force level, except in Wales;
- (c) the ability to make crime and disorder reduction grants within their force area;
- (d) a duty to ensure that all collaboration agreements with other Local Policing Bodies and forces deliver better value for money or enhance the effectiveness of policing capabilities and resilience;
- (e) a wider responsibility for the enhancement of the delivery of criminal justice in their area.

### **The Chief Constable**

**21.** The Chief Constable is responsible for maintaining the Queen's Peace, and has direction and control over the force's officers and staff. The Chief Constable holds office under the Crown, but is appointed by the PCC except in London where the Commissioner and Deputy Commissioner of Police of the Metropolis are appointed by the Queen on the recommendation of the Home Secretary.

**22.** The Chief Constable is accountable to the law for the exercise of police powers, and to the PCC for the delivery of efficient and effective policing, management of resources and expenditure by the police force. At all times the Chief Constable, their constables and staff, remain operationally independent in the service of the communities that they serve.

**23.** The Chief Constable is responsible to the public and accountable to the PCC for—

- (a) leading the force in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts with impartiality;
- (b) appointing the force's officers and staff (after consultation with the PCC, in the case of officers above the rank of Chief Superintendent and police staff equivalents);
- (c) supporting the PCC in the delivery of the strategy and objectives set out in the Plan;
- (d) assisting the PCC in planning the force's budget;
- (e) providing the PCC with access to information, officers and staff as required;
- (f) having regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of their force's national and international policing responsibilities;
- (g) notifying and briefing the PCC of any matter or investigation on which the PCC may need to provide public assurance either alone or in company with the Chief Constable (all PCCs will be designated as Crown Servants under the Official Secrets Act 1989<sup>(a)</sup>, making them subject to the same duties in relation to sensitive material as Government Ministers);
- (h) being the operational voice of policing in the force area and regularly explaining to the public the operational actions of officers and staff under their command;

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(a) 1989 c. 6.

- (i) entering into collaboration agreements with other Chief Constables, other policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of their respective Policing Bodies;
- (j) remaining politically independent of their PCC;
- (k) managing all complaints against the force, its officers and staff, except in relation to the Chief Constable, and ensuring that the PCC is kept informed in such a way as to enable the PCC to discharge their statutory obligations in relation to complaints in a regular, meaningful and timely fashion. Serious complaints and conduct matters must be passed to the Independent Police Complaints Commission in line with legislation;
- (l) exercising the power of direction and control in such a way as is reasonable to enable their PCC to have access to all necessary information and staff within the force;
- (m) having day to day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the PCC.

### **The Panel**

**24.** The Panel provides checks and balances in relation to the performance of the PCC. The Panel does not scrutinise the Chief Constable – it scrutinises the PCC’s exercise of their statutory functions. While the Panel is there to challenge the PCC, it must also exercise its functions with a view to supporting the effective exercise of the PCC’s functions. This includes—

- (a) the power of veto (outside the Metropolitan Police District), by a two-thirds majority of the total Panel membership, over the level of the PCC’s proposed precept;
- (b) the power of veto (outside the Metropolitan Police District), by a two-thirds majority of the total Panel membership, over the PCC’s proposed candidate for Chief Constable;
- (c) the power to ask Her Majesty’s Inspector’s of Constabulary (“HMIC”) for a professional view when the PCC intends to dismiss a Chief Constable;
- (d) the power to review the draft Plan and make recommendations to the PCC who must have regard to them;
- (e) the power to review the PCC’s Annual Report and make reports and recommendations at a public meeting, which the PCC must attend;
- (f) the power to require relevant reports and information in the PCC’s possession (except those which are operationally sensitive) to enable them to fulfil their statutory obligations;
- (g) the power to require the PCC to attend the Panel to answer questions;
- (h) the power (outside the Metropolitan Police District) to appoint an acting Police and Crime Commissioner where the incumbent PCC is incapacitated, resigns or is disqualified; and
- (i) responsibility for complaints about a PCC, although serious complaints and conduct matters must be passed to the IPCC in line with legislation.

**25.** In order to reflect London’s unique governance arrangements, the powers of the London Assembly Police and Crime Panel are different to those outside London in the following ways—

- (a) the London Assembly has the power to amend the Mayor’s proposed budget for the Mayor’s Office for Policing and Crime by a two-thirds majority vote as part of the budget-setting process of the Greater London Authority (“GLA”);
- (b) in London, if the Mayor is incapacitated, resigns or is disqualified, the Deputy Mayor of London would occupy the office of Mayor, and thus the Mayor’s Office for Policing and Crime, under the provisions of the Greater London Authority Act 1999<sup>(a)</sup> (“the 1999 Act”);

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(a) 1999 c. 29.

- (c) the London Assembly Police and Crime Panel does not have a formal role in the appointment or dismissal of the Commissioner of Police of the Metropolis or other senior police officers;
- (d) the London Assembly Police and Crime Panel has the power to veto the appointment of a Deputy Mayor for Policing and Crime if the individual is not an Assembly Member, and has other statutory powers under the 1999 Act in relation to the Mayor's Office for Policing and Crime as a functional body of the GLA;
- (e) complaints against the holder of the Mayor's Office for Policing and Crime, and the Deputy Mayor for Policing and Crime if he is an Assembly Member, will be dealt with in accordance with the GLA's existing standards regime, which operates under local government legislation.

26. The Chief Constable retains responsibility for operational matters. If the Panel seek to scrutinise the PCC on an operational matter, the Chief Constable may be invited to attend alongside the PCC to offer factual accounts and clarity (if needed) of the Chief Constable's actions and decisions. The accountability of the Chief Constable remains firmly to the PCC and not to the Panel.

### **The Home Secretary**

27. The establishment of PCCs has allowed for the Home Office to withdraw from day-to-day policing matters, giving the police greater freedom to fight crime as they see fit, and allowing local communities to hold the police to account.

28. The Home Secretary is ultimately accountable to Parliament and charged with ensuring the maintenance of the Queen's Peace within all force areas, safeguarding the public and protecting our national borders and security. The Home Secretary has reserved powers and legislative tools that enable intervention and direction to all parties, if it is determined by the Home Secretary that such action is necessary in order to prevent or mitigate risk to the public or national security. Such powers and tools will be used only as a last resort, and will not be used to interfere with the democratic will of the electorate within a force area, nor seek to interfere with the office of constable, unless the Home Secretary is satisfied on the advice of Her Majesty's Inspectorate of Constabulary that not to do so would result in a police force failing or national security being compromised.

29. The Home Secretary retains the legal accountability for national security and the role that the police service plays within the delivery of any national response. The Home Secretary has a duty to issue a Strategic Policing Requirement that sets out what are, in her view, the national threats at the time and the appropriate national policing capabilities that are required to counter them.

### **Operational Matters**

30. The operational independence of the police is a fundamental principle of British policing. It is expected by the Home Secretary that the professional discretion of the police service and oath of office give surety to the public that this shall not be compromised.

31. The current arrangements are defined in part by the 2011 Act.

32. Section 2 of the 2011 Act provides that a police force, and the civilian staff of a police force, are under the direction and control of the Chief Constable of the force. Section 4 makes identical provision for the Commissioner of the Metropolitan Police.

33. The direction and control of a Chief Constable will include—

- (a) the ability to issue a warrant to an attested officer with which that officer may exercise their police powers;
- (b) decisions in relation to the appointment and dismissal of officers and staff;
- (c) decisions concerning the configuration and organisation of policing resources (or) the decision whether, or whether not, to deploy police officers and staff;

- (d) total discretion to investigate or require an investigation into crimes and individuals as he or she sees fit;
- (e) decisions taken with the purpose of balancing competing operational needs within the framework of priorities and objectives set by the PCC;
- (f) operational decisions to reallocate resource to meet immediate demand; and
- (g) the allocation of officers' specific duties and responsibilities within the force area to meet the strategic objectives set by the PCC.

34. This list is not exhaustive and is by way of illustration only. The Chief Constable is expected to ensure that their PCC is regularly informed of their decisions and operational activity in a timely manner so that the PCC can hold the Chief Constable to account for the totality of policing within their force area, including the operational delivery of the police service. The direction and control of the Chief Constable does not just remain under the scrutiny of the PCC but is open to investigation and scrutiny by the Independent Police Complaints Commission within the parameters of their terms of reference.

35. The PCC and Chief Constable must work together to safeguard the principle of operational independence, while ensuring that the PCC is not fettered in fulfilling their statutory role. The concept of operational independence is not defined in statute, and as HMIC has stated, by its nature, is fluid and context-driven.

36. The relationship between the PCC and Chief Constable is defined by the PCC's democratic mandate to hold the Chief Constable to account, and by the law itself: primary legislation and common law already provide clarity on the legal principles that underpin operational independence and the Office of Constable.

37. In order to respond to the strategic objectives set by the PCC and the wide variety of challenges faced by the police every day, the Chief Constable is charged with the direction and control of the Force and day-to-day management of such force assets as agreed by the PCC.

38. This Protocol does not fetter the ability of the Independent Police Complaints Commission to issue separate guidance on the distinct meaning of 'direction and control' as it is used in Part 2 of the Police Reform Act 2002(a) in the context of police complaints.

### **Financial Responsibilities**

39. The PCC is ultimately accountable to the public for the management of the police fund. The PCC and Chief Constable share a responsibility to provide effective management of the policing budget and to secure value for money on behalf of the public that they both serve.

40. The Chief Constable has day to day responsibility for managing their allocated budgets after they have been approved by the PCC. The Chief Constable must ensure that the financial management of their allocated budget remains consistent with the objectives and conditions set by the PCC.

41. The working financial relationship between the PCC and their Chief Constable is set out in the Financial Management Code of Practice issued from time to time by the Home Secretary under statute.

### **Resolving differences**

42. The PCC is a publicly accountable individual who together with their Chief Constable will need to establish effective working relationships in order to deliver policing within England and Wales. Where differences occur they should be resolved where possible locally between the PCC and Chief Constable. Professional advice may be offered by HMIC.

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(a) 2002 c. 30.

## **Review**

43. The Home Secretary has a duty to issue the policing Protocol, to which all parties must have regard when discharging their functions. This Protocol will be subject to periodic review, in particular during the first term of office of the first PCCs.

44. When there is a need to vary or replace this Protocol, the Home Secretary is under a duty to consult with those parties bound by this Protocol, and any other person that the Home Secretary sees fit before any changes are made.

### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Section 79 of the Police Reform and Social Responsibility Act 2011 requires the Secretary of State to issue a Policing Protocol, namely a document setting out, or otherwise making provision about, the ways in which relevant persons should exercise or refrain from exercising functions so as to encourage, maintain or improve working relationships or limit or prevent the overlapping or conflicting exercise of functions. “Relevant persons” for these purposes are the Secretary of State (in the exercise of her policing functions), elected local policing bodies (namely police and crime commissioners and the Mayor’s Office for Policing and Crime), chief officers of police forces maintained by elected local policing bodies, and police and crime panels. These persons must have regard to the Policing Protocol in exercising their functions.

This Order issues the Secretary of State’s Policing Protocol.

# Agenda Item 6

## **POLICE AND CRIME PANEL**

Meeting to be held on 31<sup>st</sup> July 2012

### **APPOINTMENT OF ADDITIONAL INDEPENDENT CO-OPTED MEMBERS TO THE POLICE AND CRIME PANEL**

(Appendix 'A') refers

Contact for further information: Mike Neville 01772 533431, Office of the Chief Executive [mike.neville@lancashire.gov.uk](mailto:mike.neville@lancashire.gov.uk)

#### **Executive Summary**

This report sets out required arrangements for the appointment of two independent members of the Panel.

#### **Recommendation**

The Panel is asked to consider the report and agree arrangements for the appointment of two co-opted independent members, including the establishment of a Selection Panel.

#### **Background and Advice**

##### **Process for identifying and appointing co-optees.**

As reported elsewhere on the agenda it is a requirement that the Police and Crime Panel for Lancashire will have to appoint and co-opt on to the Panel two independent persons.

The Local Government Association has produced guidance on how Police and Crime Panels should go about appointing independent co-opted members, a copy of which is attached as Appendix 'A' to this report. Once appointed the two co-opted Independent persons will have equal voting rights, and will be appointed for a 12 month term.

The current membership of the Panel has been determined in accordance with the 'balanced appointment objective' and as such is intended to reflect the geographical and political makeup of the Lancashire Police area. The Panel as a whole should also have the skills, knowledge and experience necessary for the Police and Crime Panel to discharge its functions effectively.

Whilst membership of the Panel is considered to comprise the necessary skills, knowledge and experience to be effective, as the guidance points out the appointment an additional two independent co-opted persons presents an



opportunity to consider any potential gaps in terms of the experience, knowledge and skills represented such as

- The age range of existing Panel members
- The male/female ratio
- Faith and ethnic groups
- Sexuality

The previously approved Panel Arrangements, as referred to at item , and as set out at Appendix ' ', set out the process for the appointment of the two Independent Persons. This provides for a small Selection Panel, comprising the Chairman, Deputy Chairman and 3 other members of the Panel to meet to consider applications and interview candidates, in accordance with the 'balanced appointment objective'. It will then be necessary to advertise the vacancies and seek nominations in accordance with statutory requirements and as identified in the Panel arrangements with the Lead Authority undertaking this process. Suggested wording for use in advertisements, the personal specification and application form are also included in the Guidance at Appendix 'A'.

The Guidance confirms that traditional paid for adverts in newspapers are not required and opportunities should be taken to secure 'free' advertising through press releases, existing local authority and police websites and publications and existing mailings to parish/town councils and to voluntary organisations. Using a broad range of media should help maximise the likelihood of securing a strong and diverse field of suitable candidates.

The assessment of candidates will depend on the experience, knowledge and skills comprised in the Panel and what would best complement the existing Panel membership. Candidates wishing to be independent co-opted members should not be assessed against their personal political interests.

The Selection Panel should seek to agree a balanced shortlist to ensure that a representative range of social groups are included, particularly in relation to minority ethnic communities, women, people with disabilities and young people.

Interviews will be undertaken by the Selection Panel who , will then make a recommendation to the Police and Crime Panel in October for consideration and a final decision. The successful candidates will then be informed of the decision and invited to attend the subsequent meeting of the Panel for formal appointment.

The Panel is asked to consider and agree the arrangements proposed for the appointment of the two Independent Persons.

## **Consultations**

### **Implications:**

This item has the following implications, as indicated:



## **Risk management**

The provision of an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Directorate/Tel
LGA Guidance on appointing Independent co-opted members	April 2012	M Neville, Office of the Chief executive 01772 533431
Reason for inclusion in Part II, if appropriate		
N/A		





# Police and crime panels

## Guidance on appointing independent co-opted members









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# Introduction

The appointment of independent co-optees provides an opportunity to readjust the experience, knowledge and skills available across the membership of a police and crime panel. By carefully selecting individuals that complement the councillors nominated to the panel, independent co-optees can be used to fill experience, knowledge and skills gaps to help make the panel more effective.

This guide builds on several other pieces of LGA advice designed to assist host authorities to establish and operate police and crime panels in liaison and partnership with the other authorities in their police force area. It should be read alongside the LGA's advice on panel terms of reference and rules of procedure, and also its guidance on panel arrangements and political balance, which deals with the appointment of councillor co-optees to create geographical and political balance.

Additional councillor co-optees can be sought through well established local authority communication channels, and hence this guidance just deals with independent co-optees.

## Scope of this guidance

This guidance focuses on the two types of external independent co-optees illustrated in **figure 1**, with reference to Schedule 6 of the Police Reform and Social Responsibility Act 2011, and covers:

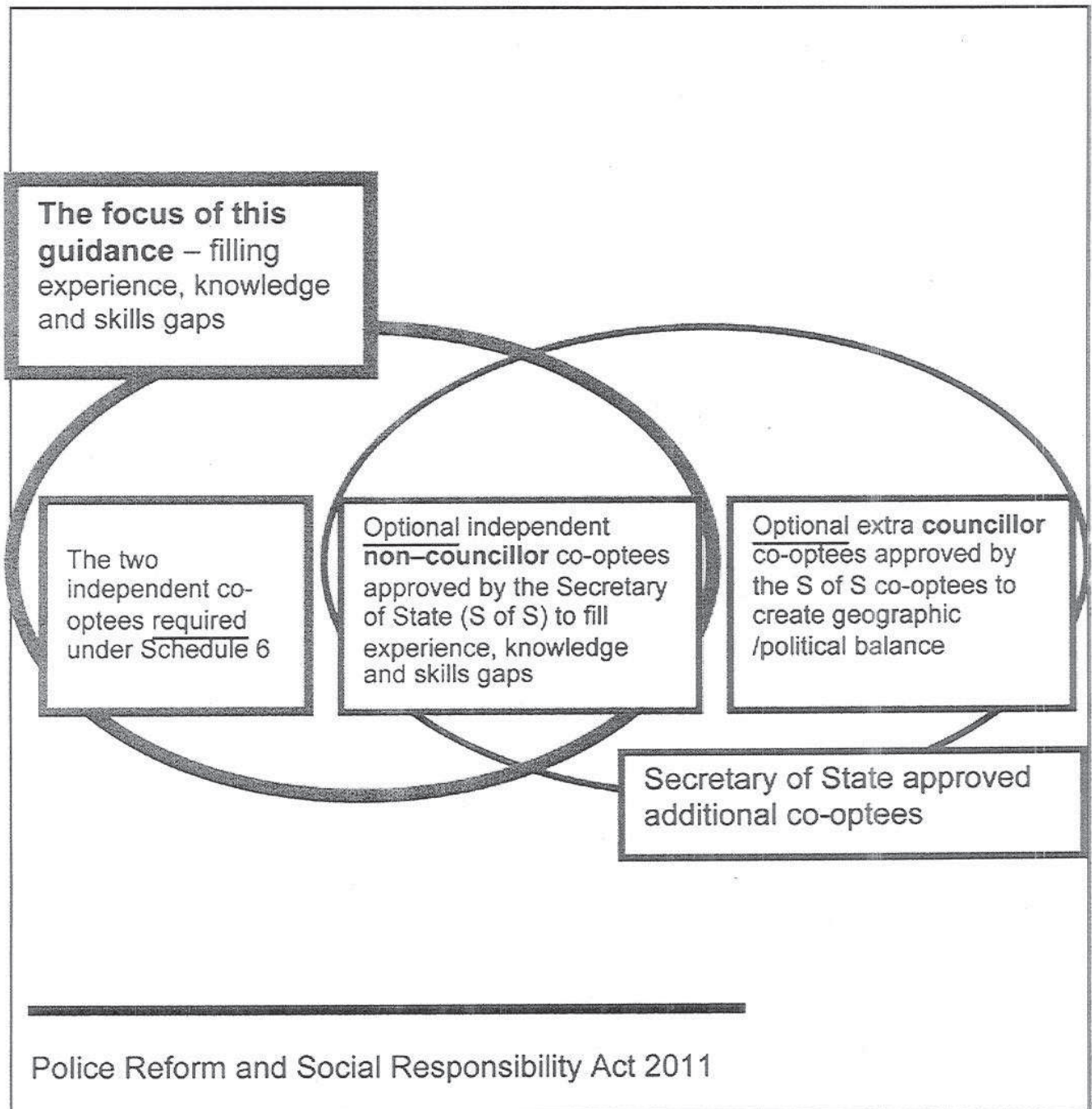
- the two compulsory non-political independent members required by Schedule 6 Part 2 Section 4(3)(a) and
- the optional additional non political co-opted members which may be specified by resolution (and subsequent agreement by the Secretary of State) under Schedule 6 Part 2 Section 4(4).

Thanks go to North Yorkshire County Council and Buckinghamshire County Council for sharing some of their documentation on establishing police and crime panels and allowing the LGA to use some of their text in this document.



Figure 1

Diagram showing types of co-optees and their functions on the panel



# Advice on timetabling

## General

It is desirable, where possible to appoint all co-optees in a time frame which allows them to be inducted and trained together with the rest of the panel members. This would save time and resources by avoiding the need to arrange separate induction and training events.

Advanced planning to integrate co-optees early on also has the advantage of allowing the membership to gel and hence function effectively as soon as possible. Planning for the appointment of co-optees must take account of the fact that the panel will need to be involved at key points in the process of seeking, short-listing and appointing co-optees.

The timetable set out in **figure 2** is not intended to be seen as the only approach, but is instead a suggested plan, which will need to be considered and varied as necessary to reflect local circumstances.

## Seeking co-optees early

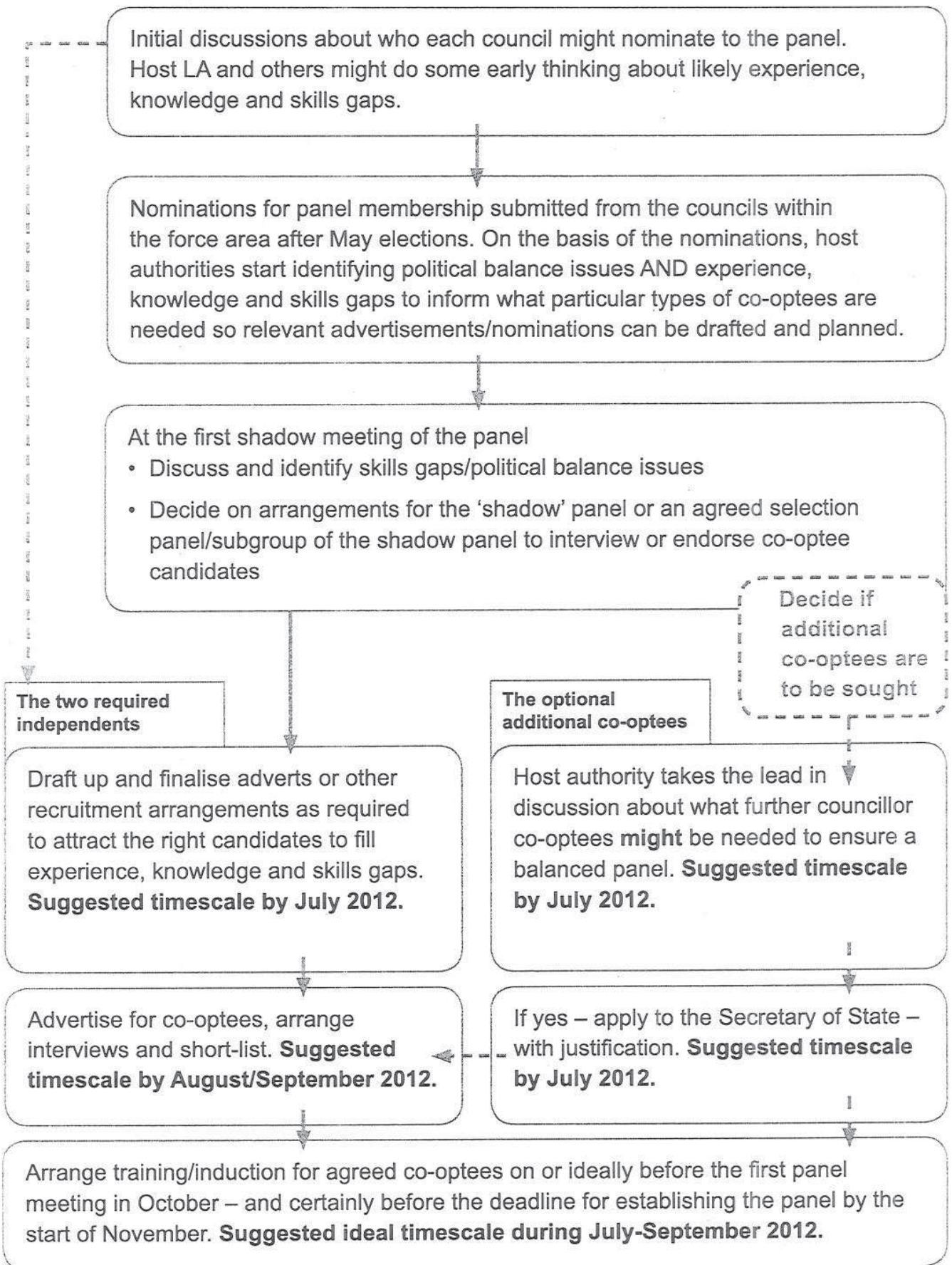
Where any gaps in the panel's experience, knowledge and skills can be identified earlier than suggested in the diagram, arrangements for seeking co-optees could be brought forward from the scheduling indicated in the diagram.

Some councils have decided to seek co-optees before the panel membership has been clarified, using a generic advert, as indicated by the dotted line on the left-hand side of **figure 2**. It has been suggested that this approach would generate a wide range of applicants who can be short-listed in line with the gaps in the panel membership which become known, or at least confirmed, later in the process.



Figure 2

Advice on timetabling



## Further considerations

The arrangements and the time scheduling for seeking co-optees will need to be separately assessed in each police force area as different issues and circumstances may apply, for example:

- In some police areas the draft panel arrangements might state that the only co-optees will be the two required independent non-political appointments.
- Once the two required co-optees have been identified, a subsequent assessment of the need for further co-optees may be undertaken (if the total number on the panel is less than 20). This might show that there are still significant gaps in experience knowledge/skills etc.
- The draft panel arrangements in some areas might state at the outset that additional independent non-political co-optees will be needed. In such cases where the Secretary of State has endorsed the additional co-optees, these could be sought at the same time as the two required independent co-optees.
- As and when the panel membership changes as a result of, for example, members stepping down or being replaced, a review of panel membership and co-optees will be needed.



# Determining gaps in panel membership

## General

Gaps in panel membership should be determined against the overall objective to create a panel that satisfies the 'balanced appointment objective'. This has been covered in the guidance produced by the LGA entitled 'Panel arrangements and the balanced appointment objective' and so is not repeated here in detail.

A panel that meets the balanced appointment objective would have a membership which, when considered collectively, would be geographically and politically representative, and crucially would include the necessary experience, knowledge and skills to be effective.

It is possible that the balanced appointment objective may not be achieved after the first round of councillor nominations to the panel. This may be because these initial nominations were decided on the basis of identifying suitable and representative nominee(s) from the perspective of each individual council, rather than in the wider interests of whether the make-up of the panel overall is balanced.

As councils nominate members, and the make-up of the panel starts to emerge, it will be important to analyse what gaps might exist in experience, knowledge and skills. It is suggested that the 'gap analysis' should be carried out on a holistic basis, which recognises that the councillor panel nominees will (in addition to providing their political input) also have some very useful and relevant experience, knowledge and skills.

This guidance does not seek to dictate exactly how gaps in the panel are determined, but it is hoped that the framework provided here will assist.

## Experience, knowledge and skills across the panel

**Experience:** The experience of individuals is often linked with relevant knowledge and skills they might have. Exploring the experience of individuals is therefore a good starting point in assessing the likely effectiveness of the panel.

The following provides some suggestions of the kinds of experience/and background of individuals which may indicate that individuals have relevant knowledge and skills to offer. It is not a comprehensive or exclusive list, but suggests a range of relevant experience which would be useful to draw on from individuals across the whole panel.



### **Suggested useful experience for panel members:**

- previous experience in the health sector eg work with PCTs, or future involvement with the local Health and Wellbeing Board or a clinical commissioning group
- voluntary or paid work and experience with victim support groups
- involvement and experience of restorative justice
- work with the police and resultant awareness of policing issues from both a strategic and delivery perspective
- community involvement with, for example, neighbourhood watch or a parish and town council
- work with the criminal justice system
- youth work and youth justice work
- work as a magistrate
- work in management of a business
- prominent people in the community working in the area of community safety
- experience with the voluntary and community sector generally
- fire and rescue services
- experience in the education sector
- experience of drug and alcohol issues
- relevant current academic experience in policing and crime and anti-social behaviour issues
- work with the probation service and links to the local probation trust, or other relevant knowledge or experience in this area
- reformed ex-offenders who might offer a valuable perspective on policing and crime and anti-social behaviour issues, and possibly restorative justice

- experience of challenging and scrutinising from other fields.

**Skills:** The following skills should collectively be well enough represented so as to create a panel culture which results in:

- **Strategic thinking:** To have breadth of vision, to rise above detail, and to see problems and issues from a wider, forward-looking perspective and to make appropriate linkages.
- **Good judgements:** To take a balanced, open-minded and objective approach, for example, in evaluating the priorities of the police and crime commissioner, assessing candidates for top level appointments or considering complaints against the police and crime commissioner (PCC).
- **Supportive approaches:** To be able to support the PCC and the other members of the panel in delivering their duties.
- **Effective scrutiny and challenge:** To be able to rigorously scrutinise and challenge constructively without becoming confrontational, using appropriate data, evidence and resources.
- **Effective analysis:** To interpret and question complex written material, including financial and statistical information and other data such as performance measures, and identify the salient points.
- **Effective communication:** To be able to communicate effectively both verbally and in writing – and to interact positively with other members of the panel, the PCC and the public.



The above experience and skills lists might be used as the criteria on which to base an analysis of existing 'shadow' panel members and for seeking co-optees to fill any gaps identified. As part of the process, it should be recognised that individual panel members will not have experience, knowledge and skills in equal measure.

Some individuals lacking in particular areas will make up for this with other experience, knowledge and skills they may have. The objective to consider in identifying gaps in the membership is: which would affect the effective functioning of the panel?

**Training and knowledge:** Before coming to conclusions about the significance of any gaps identified, it would also make sense to consider whether, for example, gaps, particularly in knowledge, might be addressed by training and on-the-job experience, rather than necessarily by seeking additional further co-optees.

## Gaps in the panel associated with diversity

The panel membership should, where possible, reflect the diversity of the community they serve, for example in terms of:

- age
- gender
- faith
- ethnicity
- sexuality
- disability.

Whilst these matters would be considered when councillor nominations are submitted by individual authorities, the collective panel membership result might not be representative of the overall diversity of the population in the force area. It is suggested that the host authority should take a lead in monitoring the situation and determining what adjustment might be needed, and whether that could be addressed by the appointment of co-optees.

## Further considerations

The first meeting of a shadow panel provides an opportunity for members to both get to know each other and to share areas of expertise to help analyse against the suggested framework above whether there are any significant gaps in the panel's collective experience.

It is worth noting that gaps in experience, knowledge and skills will change over time, particularly after elections and resignations of panel members. Regular gap analysis reviews will be needed to ensure the panel continues to have the right experience, knowledge, and skills to be effective.



# The process for finding and appointing the right co-optees

Once the gaps on the panel have been identified, the next stage is to advertise and then seek nominations for independent co-optees as required. The candidate specification requirements used locally and targeting of adverts should be considered in the light of the gap analysis referred to in the previous chapter. Any additional councillor co-optees being sought should also be considered, in case their experience, knowledge and skills may affect the position.

It is suggested that officers from the host authority will normally manage the administration of the recruitment process on behalf of the panel. The process should not be dissimilar to that involved in seeking independent co-optees for standards and audit committees which officers working in democratic services will already be familiar with. The following therefore just highlights some issues which are particularly pertinent to police and crime panels.

## Setting up a selection panel

At an early point in the process in establishing a police and crime panel, thought should be given to how the independent candidates will be short-listed, interviewed and selected (see **figure 2**). Whilst this is a function of the police and crime panel (or before November the panel in shadow format) there are some different options for how this can be carried out.

The default option is that the police and crime panel (or 'shadow' panel) carries out this function itself. However not all areas have established a shadow panel, and where they do exist, there is a risk that the work involved would be overwhelming (ie due to the time necessary to sift applicants, short-list and interview).

Alternatively these matters might be delegated to an agreed selection panel or sub-committee of the (shadow) panel. For example this might consist of the panel chair and perhaps two or three others, working to a clear framework ideally agreed by the whole panel. The selection panel/sub committee would, if possible, have some experience of selection procedures, but would also be supported by officers from the host authority.

The make-up of the selection panel/sub committee need not be politically balanced as the selection of independent co-optees should not be linked to political allegiance. It is envisaged that a selection panel/sub committee would refer any key issues back to the panel for discussion before the panel formally appoints successful candidates.



## Advertising for independent co-optees candidates

It is not the role of this guide to advise on how advertising is carried out. Whilst traditional options include paid-for adverts in newspapers, this is not required and may not be the best approach. It is suggested the most appropriate and effective advertising arrangements, particularly in terms of targeting, will depend on what type of candidates are being sought.

Opportunities should be taken for 'free' advertising through press releases; existing council and police websites and publications; existing mailings to parish councils and voluntary organisations. This should help to maximise the likelihood of a strong and diverse field of suitable candidates. Applications from candidates in underrepresented groups should be encouraged through this process.

There is a requirement for the selection procedures to be fair and transparent. There is a precedent for this to be an open application process, as this is the approach that has been taken for police authorities and standards committees.

Within an open recruitment process, likely candidates and organisations that have an interest and expertise could still be targeted to ensure that suitable candidates come forward.

Given there are no resources available for paid targeted advertising, it is suggested that costs might be minimised through each local authority undertaking the following, where possible:

- advertisement by local promotion of the opportunity via local community, safety partnerships and voluntary and community sector organisations
- advertisement through use of free externally-focused publications
- utilising existing mailing lists to parish councils and other local voluntary groups.

The host authority could also seek to generate interest through:

- advertisement via the police authority
- advertisement on the national public appointments website
- advertisement via volunteering networks.

## Application forms

Text which might be used or adapted for a potential advert is included in **Annex 1**.

### **Criminal record checks**

It is suggested that an opportunity should be given on the form for applicants to flag-up criminal or other issues which might cause embarrassment or conflicts of interest.



The application form used for independent co-optees might, for example, include a declaration in relation to any past criminal activity or integrity issues as follows:

"Is there anything in your private or working life, or in your past, or, to your knowledge, in that of any member of your family or close friends, which, if it became generally known, might bring you or the ['anywhere Blogshire'] Police and Crime Panel into disrepute, or call into question your integrity, authority or standing as a member of the Panel? If yes, please give details".

### **Disabled candidates**

The form should include a reference to disabled applicants, which asks for example, if they have any particular requirements in order to attend an interview.

## Information for candidates

Some suggestions for information that candidates may find useful have been provided in annex 2.

Standard information about welcoming applicants from a range of diverse backgrounds should be included.

## Short-listing and assessing candidates

The assessment of candidates will depend on the experience, knowledge and skills in the panel make-up, and what would best complement the councillor panel members. The following are more general issues to consider.

Although the independent co-optees may be sought for something they can bring to the panel to fill a particular gap, they should also be able to draw on wider, more general, experience. A factor in the assessment of independent candidates might be their involvement in community activities, such as volunteering as school governors, with their trade association, or as youth workers.

Candidates wishing to be independent co-opted members would not be assessed against their personal political interests.

The selection panel should ensure that candidates short-listed reflect a wide range of people in the community. It is suggested that where possible this would include those who have direct experience of crime, either as victim or someone who might have some understanding of those who commit crime and their relationship with the police. In this context a reformed criminal might be considered.

The selection panel should avoid simply resorting to people that the authority or panel members already know, for example ex-councillors who previously served on the police authority. On the other hand, if the panel membership does not already include any ex-police authority members, candidates with some police authority experience may have much to offer. They would however need to apply fresh thinking and not simply default to re-creation of police authority practice.

Selection panels should seek to agree a balanced short-list to ensure that a representative range of social groups are included, particularly, ethnic minority communities, women, people with disabilities, and young people.



## Some key checklist points to consider when short-listing

Matters which are prerequisites to panel membership

Satisfies eligibility criteria below?

Where further independent co-optee nominees are to be sought, it will be important at the outset to be clear about who cannot be considered for a position on the panel, namely:

- anyone under 18-years-old
- the PCC or a member of their staff
- MPs
- members of the National Assembly for Wales or the Scottish Parliament
- members of the European Parliament
- members of the local authorities in the region
- police officers<sup>1</sup>
- persons who do not live or work in the police force area
- civil servants engaged in political activity.

**Criminal record checks ok**

**Satisfies person specification (see annex 2 appendix 4)**

Matters which might complement the existing panel membership

Effect on existing panel membership	Improves balance	Makes no difference	Detrimental effect
Experience			
Particular knowledge			
Particular skills			
Ideally, lives and works in the area			
Effect on diversity balance of panel			

<sup>1</sup> Police officers are not covered by the restrictions on membership of the panel in Section 22 in Schedule 6. Also police officers do not fall within Section 22 (a) as members of staff of the PCC as this category covers people appointed under Section 6 of Schedule 1. However, under section 1(2)(a) of Schedule 1 to the Police Regulations 2003 (S.I. 2003/527) a member of a police force may not "take any active part in politics". The Home Office would regard co-option to a panel, for the purpose of scrutinising an elected PCC, as taking an active part in politics, and accordingly as being prohibited for police officers.



## Interviews

It is envisaged that interviews would be carried out by the whole panel or by a sub-committee or a selection panel. Those interviewing should be persons who are also members of the police and crime panel itself. It is suggested that relevant officers from the host local authority would also attend to provide the necessary human resources and administrative support.

The relevant competency criteria at interview will be the same as that identified at an early stage in the information to potential candidates, see **Annex 2**.

The panel may identify the key areas they would like to bring out in answers to questions on competencies which are particularly relevant to any currently identified gaps in the panel's experience, knowledge and skills. The interview might also explore with the candidate some of the 'desirable' matters identified in the person specification in **Annex 2 appendix 4**.

Recommendations for appointment should be made on merit and ability judged against a competency based framework of criteria with any specific additional elements that are needed to complement the panel membership.

## Final selection

It is suggested that the final selection decisions will be discussed, if necessary, by the wider panel and endorsed before notification to the candidate and subsequent formal appointment by the wider panel.

## Feedback to candidates

This guidance does not attempt to prescribe how feedback should be given. However, authorities should note the recommendation in a Home Office review from 2003 around the appointment of co-opted members which suggests that procedures need to be put in place to ensure feedback is available in a fair and balanced way to all candidates seeking appointment.

Where possible unsuccessful candidates might be provided with alternative suggested options for local voluntary work.

## Allowances for co-optees

It is envisaged that all co-optees will be paid the same expenses as for any other joint scrutiny committee. Some information about allowances and expenses for operating panels is available in a letter circulated from the Home Office dated 23 January 2012. This stated that there would be £53,000 for support and training costs. In addition, £920 will be made available per member of the panel (including additional co-optees) to fund the same expenses as the other members of the panel.

There is no requirement to pay allowances to co-opted members and it is left to authorities to decide if they should be paid. If the decision is made to pay the co-opted members an allowance for this needs to be reflected in the panel arrangements.

## Complaints

Host authorities should establish or identify an existing complaints procedure for dealing with any complaints about the candidate application arrangements. It is envisaged that established procedures will be used for this, with any amendments if necessary.

It has been suggested that complaints about the conduct of independent co-optees once in post are not covered by councils' codes of conduct under the Localism Act. A solution would be to ensure the independent co-optees are covered by the Nolan principles and associated procedures applicable to the host authority. This would require the independent members to specifically sign an agreement to that effect as part of their appointment.

## Standardised suggested application documentation

Some of the administration for achieving the above might be standardised on the basis of the advice and models suggested in this guidance. The information in the following annexes may be helpful in providing a template for candidate information packs. It should be noted however that the detail will have to be considered and amended carefully to make it relevant locally.



# Annex 1– Draft text for generic advert to encourage potential applicants

## Advert

On the 15 November 2012, the XXXX will be electing its first police and crime commissioner who will be responsible for setting the priorities and resources for XXXX Police, as well as supporting broader community safety activities across the region.

In addition to this a police and crime panel will also be established to scrutinise the work of the PCC. The purpose of this role is to assist the PCC through providing independent challenge as a critical friend.

The panel will be made up of one representative from each of the XX local authorities in the force area, and two independent co-opted members.

The commissioner will be required to consult with the panel on their plans and budget for policing, as well as the level of council tax and the appointment of a chief constable.

The panel is looking for two committed and energetic people who either live or work within the [name force area] to serve as co-opted independent members from summer 2012 for a four-year term. This is an exciting opportunity to be involved from the start with new and very different arrangements for reducing crime and disorder.

The role of a panel member will be an important and demanding one. The typical commitment required from a member of the panel is expected to average one day a month, including preparation time.

Meetings will generally be held in evenings at varying locations throughout the XXXX. All panel members will be able to claim reasonable travelling expenses. All panel members will receive induction and other appropriate training.

For a copy of the application pack see [www.#####.###.uk/#####](http://www.#####.###.uk/#####) or telephone ##### #######. The closing date for applications is XX XXXX 2012.

The panel wishes to reflect the breadth of communities in the XXXX area and welcomes applications from all eligible people irrespective of gender, ethnic origin, religious belief, sexual orientation, disability or any other factor.

# Annex 2 – Information pack for candidates

<b>Information pack for candidates to be members of police and crime panels including job description/associated text for panel members for discussion</b>	
<b>Contents:</b>	<b>Appendix</b>
Letter to potential applicants	1
Background to the post	2
Eligibility criteria for independent panel members:	3
Draft person specification for panel members	4
Roles and responsibilities of independent co-optees on the panel and the Nolan principles	5
Draft application form	6



## Appendix 1 – Letter to potential applicants

[Based on documentation from N Yorkshire – and shared with their permission]

Dear Applicant

Thank you for your interest in becoming a co-opted independent member of XXXX police and crime panel.

The panel will be part of the new governance and accountability arrangements for policing in XXXX. The panel's role will be to maintain a regular check and balance on the performance of the directly elected police and crime commissioner (to be elected on 15 November 2012).

The panel is looking for [XXXX eg two] committed and energetic people to serve as co-opted independent members from summer 2012 for a four year term. This is an exciting opportunity to be involved from the start of new and very different arrangements.

The role of a panel member will be an important and demanding one. In considering your application you should be aware that the typical commitment required from a member of the panel is expected to average one day a month, including preparation time. Meetings will generally be held during normal office hours at varying locations throughout XXXX.

All panel members will be able to claim reasonable travelling expenses and a small allowance (to be determined). All panel members will receive induction and other appropriate training.

Further information is attached:

- background to the post
- eligibility criteria
- person specification
- roles and responsibilities
- application form.

The closing date for applications is XXXX, after which the local authority panel members will consider and assess all applications received. It is expected that short-listed candidates will be invited for interview [amend as applicable] in the second half of June 2012 and that formal appointments will be made in early July 2012 [amend as necessary to reflect dates which are realistic locally].

You will note that the application form asks for details of two referees. We intend to take up references for short-listed candidates, prior to interview. If you would not wish us to contact your referees at that stage then please indicate with your application.

The panel wishes to reflect the breadth of communities in [XXXX police area] and welcomes applications from all eligible people – irrespective of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (ie gender), sexual orientation, marriage and civil partnership.

If you wish to discuss any aspect in more detail please contact ##### #####.

## Appendix 2 – Background to the post

The panel will be part of the new governance and accountability arrangements for policing in [xxx xxxxx]. The panel's role will be to maintain a regular check and balance on the performance of the directly elected police and crime commissioner (to be elected on 15 November 2012).

The panel requires energetic people to serve as panel members from summer 2012 for a four-year term. This is an exciting opportunity to be involved from the start with new and very different arrangements.

The role of a panel member will be an important and demanding one. In considering your application you should be aware that the typical commitment required from a member of the panel is expected to average one day a month, including preparation time.

Meetings will generally be held during normal office hours at varying locations throughout [xxxx xxxxx].

All panel members will be able to claim reasonable travelling expenses and a small allowance (to be determined). All panel members will receive induction and other appropriate training.



## Appendix 3 – Eligibility criteria for independent panel members

The following cannot be considered for a position on the panel, namely:

- anyone under 18 years old
- the PCC or a member of their staff
- MPs
- members of the National Assembly for Wales the Scottish Parliament
- members of the European Parliament
- police officers<sup>2</sup>
- persons who do not live or work in the police force area
- civil servants engaged in political activity.

Please also note:

Independent non-councillor co-optees (either those required and any optional independent co-optees added later) must not be local authority councillors.

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<sup>2</sup> Police officers are not covered by the restrictions on membership of the panel in Section 22 in Schedule 6. Also police officers do not fall within Section 22 (a) as members of staff of the PCC as this category covers people appointed under Section 6 of Schedule 1. However, under section 1(2)(a) of Schedule 1 to the Police Regulations 2003 (S.I. 2003/527) a member of a police force may not “take any active part in politics”. The Home Office would regard co-option to a panel, for the purpose of scrutinising an elected PCC, as taking an active part in politics, and accordingly as being prohibited for police officers.



## Appendix 4 – Draft person specification for panel members

For the appointment of panel members, including independent and councillor co-optees, on interview the assessors will consider potential candidates against the following criteria:

### Abilities/skills

As well as being of good character, candidates will need to possess most, if not all, of the following competencies:

- **The ability to think strategically:** To have breadth of vision, to rise above detail, and to see problems and issues from a wider, forward-looking perspective and to make appropriate linkages.
- **The ability to make good judgements:** To take a balanced, open-minded and objective approach, for example, in evaluating the priorities of the police and crime commissioner, assessing candidates for top-level appointments or considering complaints against the police and crime commissioner.
- **The ability to be supportive:** To be able to support the PCC and the other members of the panel in delivering their duties.
- **The ability to scrutinise and challenge:** To be able to rigorously scrutinise and challenge constructively without becoming confrontational, using appropriate data, evidence and resources.

- **The ability to be analytical:** To interpret and question complex written material, including financial and statistical information and other data such as performance measures and identify the salient points.
- **The ability to communicate effectively:** To be able to communicate effectively both verbally and in writing – and to interact positively with other members of the panel, the PCC and the public.

### Other requirements and considerations

- Candidates must be able to attend meetings in the evenings (Monday to Friday 9am to 5pm) at varying locations throughout the [xxxx] area at least six times a year, as well as attend any appropriate training sessions.
- Candidates should have the time, energy and commitment to prepare for and attend regular meetings. We suggest that they would need to allocate a minimum of one day per month to devote to this role.
- Candidates should have a willingness to learn.

**Note:** Candidates must be eligible for the role (see eligibility criteria separately listed in this job information pack).

The following personal skills and qualities are also very important:

- **Team working:** The ability to play an effective role in meetings through listening, persuading and showing respect for the views of others.

- **Self-confidence:** The skill to challenge accepted views constructively without becoming confrontational.
- **Enthusiasm and drive:** The ability to be proactive in seeking out learning and developmental opportunities to enhance knowledge and understanding (for example, on financial matters and statutory requirements).
- **Respect for others:** The capacity to treat all people fairly and with respect, to value diversity and respond sensitively to difference.
- **Integrity:** The necessity to embrace high standards of conduct and ethics and be committed to upholding human rights and equality of opportunity for all.
- **Decisiveness:** The ability to show resilience even in challenging circumstances, remaining calm and confident and able to make difficult decisions.

It is also important for candidates to:

**be able to:**

- consider their own biases and prejudices
- work with people from all areas within the police force area
- work with people from diverse backgrounds
- work with people with and without disabilities
- work with people from a variety of faiths and cultures
- work with people who may be gay, lesbian, bisexual or transgender.

It would also be useful if candidates:

**have experience of:**

- working with other people on issues of mutual interest over a period of time (eg voluntary work)
- situations where they needed to compromise
- interacting or working with people of all ages
- interacting or working with people who have different political views and/or religious beliefs
- interacting or working with people who are physically and/or mentally impaired.

**have an interest in:**

- policing issues and current affairs, specifically in respect of the ways in which they affect people locally
- challenging and combating institutional discrimination
- the issues associated with recruiting, promoting and retaining staff from under-represented groups
- engaging with and representing local people and/or specialists within their field of expertise.



## Appendix 5 – Roles and responsibilities of independent co-optees on the panel

Note: independent co-optees will be treated equally as other elected members on the panel and therefore have the same responsibilities and duties.

All co-optees are full voting members and will have access to the same level of support and information as elected members on the panel. The core role of both elected members and independent co-optees on the panel is to:

- scrutinise the work of the PCC to ensure that the PCC is discharging its functions effectively
- bring any specialist knowledge, skills, experience and expertise they may have to the scrutiny work of the panel
- ensure that there is an effective independent challenge to the PCC and that this challenge is constructive to support the PCC in carrying out their role
- act as a non-party-political voice for those who live and/or work in the XXXX area.

## Responsibilities of co-optees

A co-opted member of the police and crime panel is expected to:

- attend all formal meetings of the panel (approx 4-6 per year)
- establish good relations with other members, officers and co-optees
- attend additional meetings eg working groups or evidence gathering sessions, as required
- prepare for each meeting by reading the agenda, papers and additional information to familiarise yourself with the issues to be covered during the meeting. Prior to the meeting consider the questions you may wish to put to the police and crime commissioner and other expert witnesses
- listen carefully at the meetings, ask questions in a way which is non-judgmental, respect confidentiality and help the panel to make practical suggestions for improvements in services
- assist in the preparation of reports and the formulation of recommendations; this may involve volunteering to participate in a task group to conduct a scrutiny review
- attend training and development events as needed
- abide by the panel arrangements and rules of procedure which set out how the police and crime panel will operate in the [xxxx] area
- keep abreast of the key issues in relation to the responsibilities of the police and crime commissioner and the priorities within the police and crime plan
- contribute to achieving an open, accountable and transparent decision-making process in relation to policing and community safety issues in the [xxxxx] area.

**Note:** all panel members would also be expected to adhere to the 'seven principles of public life' which are listed below:

### Nolan principles<sup>3</sup>

**Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership:** Holders of public office should promote and support these principles by leadership and example.

<sup>3</sup> Nolan Committee's First Report on Standards in Public Life from the First Report of the Committee on Standards in Public Life (1995).



# Appendix 6 – Application form

[Example documentation from N Yorkshire – shared with their permission to be amended and adapted by others as required]

## Confidential

### Application form to be a Co-opted Independent Member of North Yorkshire Police and Crime Panel

Please write in black ink or type. Do not include a CV or other information.

Please return this completed application form by 1 June 2012 either:

- by post to Assistant Director (Policy and Partnerships), North Yorkshire County Council, County Hall, Northallerton DL7 8AD; or
- by email as an attachment in Word format

Further information about North Yorkshire Police and Crime Panel is available on [www.nypartnerships.org.uk/pcp](http://www.nypartnerships.org.uk/pcp)

## 1. Personal details

The information in this section will not form part of the shortlisting process and will be separated from your application form upon receipt.

Title (Mr/Mrs/Ms etc)
Name in full (please also give any other names by which you have been known)
Permanent home address
How long have you lived at this address?
If less than five years at this address, please give details of your previous address(es)

Daytime telephone number	Evening telephone number

Mobile telephone number	Email address

Date of birth

Please say whether there is any special provision, equipment or assistance we can provide to help you attend an interview

References: Please give details of two people, not related to you, who have agreed to be contacted by us about your application. It would be helpful if one referee was familiar with your community activities. We intend to take up references for shortlisted candidates, prior to interview. If you do not wish us to contact your referees at that stage then please indicate this clearly.

Name		Name	
Address		Address	
Tel No:		Tel No:	
Email:		Email:	
Position:		Position:	

Please sign and date this form

I declare that the information I have given is true and complete.

Signed ..... Date .....



## 2. Equality monitoring questions

The information in this section will not form part of the recruitment process and will be separated from your application form upon receipt. The information provided will be used for monitoring purposes and to help us to develop our policies and practice. The information provided will be treated confidentially and be subject to the provisions under current equality and data protection legislation. You do not have to answer these questions. However, by answering the questions you will help us to make sure that our recruitment is fair and accessible to everyone.

Gender	
What is your gender? <input type="checkbox"/> Male <input type="checkbox"/> Female	
Age	
Which age category are you in?	
<input type="checkbox"/> 18-19	<input type="checkbox"/> 20-29
<input type="checkbox"/> 30-39	<input type="checkbox"/> 40-49
<input type="checkbox"/> 50-64	<input type="checkbox"/> 65-74
<input type="checkbox"/> 75-84	<input type="checkbox"/> 85 +
Disability	
Do you consider yourself to be a disabled person or to have a long-term, limiting condition?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
Ethnicity	
What is your ethnic group? Please choose one section from A – E, and then tick one box to best describe your ethnic group or background.	
<b>A White</b> <input type="checkbox"/> English/Welsh/Scottish/Northern Irish/British <input type="checkbox"/> Irish <input type="checkbox"/> Gypsy or Irish Traveller <input type="checkbox"/> Any other White background, please write in	<b>B Mixed/multiple ethnic groups</b> <input type="checkbox"/> White and Black Caribbean <input type="checkbox"/> White and Black African <input type="checkbox"/> White and Asian <input type="checkbox"/> Any other Mixed/multiple ethnic background, please write in
<b>C Asian</b> <input type="checkbox"/> Pakistani <input type="checkbox"/> Bangladeshi <input type="checkbox"/> Indian <input type="checkbox"/> Chinese <input type="checkbox"/> Any other Asian background, please write in	<b>D Black/African/Caribbean/Black British</b> <input type="checkbox"/> African <input type="checkbox"/> Caribbean <input type="checkbox"/> Any other Black/African/Caribbean background, please write in
<b>E Other ethnic group</b> <input type="checkbox"/> Arab <input type="checkbox"/> Any other ethnic group, please write in	

### 3. Personal history

What is your current employment status and occupation, if any?

Please give details of part-time and full-time employment, voluntary work, career breaks and any other work you do or have done in the local community. If you do not live in North Yorkshire or the City of York and/or have not done so during the past 12 months please include the main location of your work if this is different from your employer's address.

Name and address of organisation	Dates position held (from/to)	Positions held and nature of responsibility



Please give details of any involvement in local community activities not already mentioned above

--

Please list any academic, professional and/or vocational qualifications

Date obtained

Please list any academic, professional and/or vocational qualifications	Date obtained

## 4. Required competencies, personal skills and qualities

Please give brief examples to demonstrate how you meet the following competencies	
<p><b>1. The ability to think strategically</b> To have breadth of vision – to rise above detail, and to see problems and issues from a wider, forward-looking perspective – and to make appropriate linkages.</p>	
<p><b>2. The ability to make good judgements</b> To take a balanced, open-minded and objective approach – for example, in evaluating the priorities of the police and crime commissioner, assessing candidates for top level appointments or considering complaints against the police and crime commissioner.</p>	
<p><b>3. The ability to be open to change</b> To be able to challenge accepted views constructively without becoming confrontational, and to recognise and respond positively to the need for change.</p>	
<p><b>4. The ability to scrutinise and challenge</b> To be able to rigorously scrutinise and challenge constructively, using appropriate data, evidence and resources.</p>	
<p><b>5. The ability to be analytical</b> To interpret and question complex written material – including financial and statistical information and other data such as performance measures – and identify the salient points.</p>	
<p><b>6. The ability to communicate effectively</b> To be able to communicate effectively both verbally and in writing – and to interact positively with other members of the panel, the police and crime commissioner, and the public.</p>	

Please give brief examples to demonstrate the extent to which you possess the following personal skills and qualities	
<b>1. Team working</b> The ability to play an effective role in meetings through listening, persuading and showing respect for the views of others.	
<b>2. Self-confidence</b> The skill to challenge accepted views constructively without becoming confrontational.	
<b>3. Enthusiasm and drive</b> The ability to be proactive in seeking out learning and developmental opportunities to enhance knowledge and understanding (for example, on financial matters and statutory requirements).	
<b>4. Respect for others</b> The capacity to treat all people fairly and with respect, to value diversity and respond sensitively to difference.	
<b>5. Integrity</b> The necessity to embrace high standards of conduct and ethics and be committed to upholding human rights and equality of opportunity for all.	
<b>6. Decisiveness</b> The ability to show resilience even in challenging circumstances, remaining calm and confident and able to make difficult decisions.	

Please give details of your experience (in a paid or unpaid role) in community safety, victim support, criminal justice and related issues



## 5. Why do you want to be a co-opted independent member?

Please say why you are interested in becoming a co-opted independent member of the North Yorkshire Police and Crime Panel

## 6. Other information

If you are employed, is your employer willing to release you to carry out the duties of a co-opted independent member of the North Yorkshire Police and Crime Panel?

Do you hold, or have recently held, any of the following positions?

- The police and crime commissioner for North Yorkshire
- A member of the staff of the police and crime commissioner for North Yorkshire
- A member of the civilian staff of the North Yorkshire police force
- A Member of Parliament, the National Assembly for Wales, the Scottish Parliament or the European Parliament
- A Member of Craven District Council, Hambleton District Council, Harrogate Borough Council, North Yorkshire County Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council, Selby District Council or City of York Council
- A police officer

If yes, please give details.

Is there anything in your private or working life, or in your past, or, to your knowledge, in that of any member of your family or close friends, which, if it became generally known, might bring you or the North Yorkshire Police and Crime Panel into disrepute, or call into question your integrity, authority or standing as a member of the Panel? If yes, please give details.



**Local Government Association**

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please contact us on 020 7664 3000.  
We consider requests on an individual basis.



# Agenda Item 7

## **POLICE AND CRIME PANEL**

Meeting to be held on 31<sup>st</sup> July 2012

### **A PROGRAMME OF MEETINGS FOR THE POLICE AND CRIME PANEL**

Contact for further information: Mike Neville 01772 533431, Office of the Chief Executive [mike.neville@lancashire.gov.uk](mailto:mike.neville@lancashire.gov.uk)

#### **Executive Summary**

This report sets out a proposed programme of meetings for consideration by the Police and Crime Panel for Lancashire.

#### **Recommendation**

The Panel is asked to agree a programme of future meetings.

#### **Background and Advice**

It is for the Police and Crime Panel to determine its own cycle of meetings and to appoint any sub-committees or task groups as may be deemed necessary in order to carry out the functions of the Panel. It has been agreed by each constituent Council that each year following the May local elections the Panel membership will be appointed for a 12 month period with appointments being confirmed at each respective Annual General Meeting in order to enable any annual adjustment to the balance of the Panel arising from the Council elections.

A proposed programme of meetings for 2012/13 together with a suggested Work Plan for the Panel is set out below. The suggested work programme follows the statutory remit and functions of the Panel and the expected activities it will have to undertake in its first year of operation. The suggested meeting dates have been selected to meet required statutory deadlines and processes, and particularly in relation to the Panel's function in respect of the PCCs budget and proposed precept leave very limited scope for adjustment.

Date	Potential issues to be considered at individual meetings
Late September 2012 (Selection Panel) Date/time to be arranged	<ul style="list-style-type: none"><li>• To consider the appointment of an additional two independent co-opted members and make recommendations to the Panel.</li><li>• PCC complaints process?</li></ul>
1 <sup>st</sup> October 2012 10am County Hall, Preston	<ul style="list-style-type: none"><li>• To formally appoint the additional two co-opted members</li><li>• Briefing for PCP Members</li></ul>

Date	Potential issues to be considered at individual meetings
w/c 26 <sup>th</sup> November 2012	<ul style="list-style-type: none"> <li>• To note the appointment of the Police and Crime Commissioner (PCC)</li> <li>• Consider any additional appointments which may be proposed eg Deputy PCC.</li> </ul>
w/c 17 <sup>th</sup> December 2012	<ul style="list-style-type: none"> <li>•</li> <li>• Initial report on proposed PCC precept</li> <li>• Consideration of the Panel's work plan</li> </ul>
w/c 4 February 2013	<ul style="list-style-type: none"> <li>• Final meeting in connection with the PCC budget</li> <li>• Final report on proposed PCC precept.</li> </ul>
w/c 4 <sup>th</sup> March 2013	<ul style="list-style-type: none"> <li>• Draft Police and Crime Plan</li> <li>• Opportunity to meet with PCC to discuss performance – to 31 Dec 2012.</li> </ul>
w/c 8 <sup>th</sup> July 2013	<ul style="list-style-type: none"> <li>• Annual General Meeting</li> <li>• Opportunity to meet with PCC to discuss performance – to Mar 2013</li> </ul>

As the county Council is the lead/host Authority for the Police and Crime Panel it arrangements are in hand for all the above meetings to be held at County Hall, Preston though the Panel may wish to consider having some future meetings at venues across the Lancashire Police Force Area.

The Police and Crime Panel may be required to hold additional meetings in the following circumstances.

1. If the PCC chooses to appoint a new Chief Constable, Chief Executive, Chief Finance Officer or Deputy PCC
2. The PCC wishes to remove the current Chief Constable
3. The PCC varies the Police and Crime Plan or proposes to issue a new Plan
4. The Panel needs to consider any complaints against the PCC that are not of a criminal nature.
5. The Panel needs to appoint an acting PCC if the current PCC is incapacitated, suspended or resigns.

### **Consultations**

### **Implications:**

This item has the following implications, as indicated:

## **Risk management**

The provision of an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

### **Local Government (Access to Information) Act 1985 List of Background Papers**

<b>Paper</b>	<b>Date</b>	<b>Contact/Directorate/Tel</b>
LCC Calendar of meetings		M Neville, Office of the Chief executive 01772 533431
Potential work plan of the Police and Crime Panel		

Reason for inclusion in Part II, if appropriate N/A





## **POLICE AND CRIME PANEL**

Meeting to be held on 31<sup>st</sup> July 2012

## **PROMOTIONAL ACTIVITY FOR THE POLICE AND CRIME PANEL**

Contact for further information: Mike Neville 01772 533431, Office of the Chief Executive [mike.neville@lancashire.gov.uk](mailto:mike.neville@lancashire.gov.uk)

### **Executive Summary**

This report suggests ways in which the work of the Police and Crime Panel can be promoted in the future.

### **Recommendation**

The views of the Panel are requested.

### **Background and Advice**

Once the Police and Crime Panel for Lancashire is operational it is suggested that consideration should be given as to how the work of the Panel should be promoted in the future.

### **Access to Information Requirements**

As the Committee is a formal Joint Committee, existing legislation in relation to access to information, the publication and availability of Agenda to the public and press and the attendance at meetings of the public shall apply.

### **Branding**

In order to give the Panel a distinct identity it is an option that a definite brand, incorporating a specific colour scheme and logo be established which each individual local authority can then use when promoting the Panel. If appropriate a range of logos/colour schemes can be developed for future consideration by the Panel.

### **Use of media**

Traditionally press releases have been used to publicise the work of local authorities, though this has gradually been overtaken by the use of websites and more recently social media such as Facebook or Twitter. It is proposed that the primary means of promoting the work of the Police and Crime Panel should be done through the establishment of a webpage/website which would be created, to sit on the County Council's Website (as host Authority) to reflect the distinct identity of the Panel and could possibly initially feature the following information.

1. A welcome from the Chairman
2. Background information about the work of the Police and Crime Panel.
3. Details of the Panel membership, including independent co-optees.
4. Information as to when future meetings are to be held and links to where agenda/minutes are published.
5. Publication of news items regarding the work of the Panel.
6. Links from the Panel website to the websites of each of the constituent local authorities.
7. Similar links to the websites of the Community Safety Partnership, the Police and Crime Commissioner, Lancashire Constabulary, Parish/Town Councils and Voluntary groups.

With the approval of the Panel it is proposed, subject to available resources, to create a basic webpage/website to include the suggested content above, the contents of which will be shared with the members of the Panel in due course.

### **Webcasting**

The County Council currently webcasts the majority of its Cabinet/Committee meetings and future meetings of the Panel, which are held at County Hall, could also be webcast if the Panel felt it was appropriate, subject to available resources.

### **Consultations**

#### **Implications:**

This item has the following implications, as indicated:

#### **Risk management**

The provision of an independent Police and Crime Panel for Lancashire is in accordance with the provisions of the Police Reform and Social Responsibility Act 2011.

### **Local Government (Access to Information) Act 1985**

#### **List of Background Papers**

Paper	Date	Contact/Directorate/Tel
N/A		
Reason for inclusion in Part II, if appropriate		
N/A		