

Agenda

Thames Valley Police and Crime Panel

Date: Thursday 19 July 2012

Time: 5.00 pm

Venue: Kennet Room, Reading Borough Council, Civic Centre, Reading RG1 7AE

Map and Parking

1 - 2

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5pm

1. **Election of Chairman**
To elect a Chairman for the ensuing year.
2. **Appointment of Vice-Chairman**
To appoint a Vice-Chairman for the ensuing year
3. **Apologies for Absence**
4. **Declarations of Interest**

5.15pm

5. **Rules of Procedure** 3 - 36
Item purpose: To agree the Rules of Procedure for the Police and Crime Panel.
Contributors:
Olwen Dutton, Partner, Bevan Brittan (Independent Legal Adviser)/Sara Turnbull, Scrutiny Manager
Papers:
Rules of Procedure

6pm

6. **Independent Co-optees Appointment** 37 - 48
Item purpose: To agree to form a Task Group to shortlist, interview and make a recommendation to the Panel on the appointment of the 2 Independent co-optees.
Contributors: Sara Turnbull, Scrutiny Manager
Papers:
Task Group Scope.

6.20pm

7. **Outline Work Programme** 49 - 52
Item purpose: To consider and comment upon the outline work programme for the Panel, to agree arrangements for meeting dates.
Contributors: Sara Turnbull

Papers: Outline work programme

- 7pm 8. **Draft Communications Plan** **53 - 68**
Item purpose: To discuss an early draft of a Communications Plan for the Police and Crime Panel
Contributors: Reece Bowman, Scrutiny Policy Officer
Papers: Draft Communications Plan
- 7.15pm 9. **Draft Budget for the Police and Crime Panel** **69 - 72**
Item purpose: To agree the draft Police and Crime Panel budget, subject to further updates from the Home Office on funding.
Contributors: Sara Turnbull
Papers: Draft Budget
- 7.30pm 10. **Date of Next Meeting**
To agree the date and venue for the next meeting.
- Please note that the Sub-Group to appoint Independent Co-optees will take place immediately upon the rise of the Panel meeting, 7.30 - 8.30 pm.**

Committee Members

Councillor Mark Booty (West Oxfordshire District Council), Noel Brown (Chiltern District Council), David Carroll (Wycombe District Council), Councillor Anita Cranmer (South Buckinghamshire District Council), Trevor Egleton (Buckinghamshire County Council), Councillor Peter Geary (Milton Keynes Council), Councillor Jesse Grey (Royal Borough of Windsor and Maidenhead), Councillor Bill Jones (Vale of White Horse District Council), Councillor Kieron Mallon (Oxfordshire County Council), Councillor Iain McCracken (Bracknell Forest Council), Councillor Tony Page (Reading Borough Council), Cllr Barrie Patman (Wokingham Borough Council), Councillor Pam Pearce (Aylesbury Vale District Council), Councillor George Reynolds (Cherwell District Council), Councillor Bill Service (South Oxfordshire District Council), Councillor Mohammed Sharif (Slough Borough Council) and Cllr Dee Sinclair (Oxford City Council)

Title: Rules of Procedure

Date: 19 July 2012

Author: Sara Turnbull, Scrutiny Manager, Buckinghamshire County Council

Purpose of Report

For the Police and Crime Panel to agree its Rules of Procedure as proposed in Appendix 1.

Summary

The Police Reform and Social Responsibility Act 2011 sets out requirements on the production of two documents in order for the Police and Crime Panel to function—Panel Arrangements and Rules of Procedure.

On 19 April 2012 the Panel Arrangements for the Thames Valley were agreed unanimously at a Joint Committee meeting. This document sets out the overarching framework under which the Panel will operate.

In addition, the Panel needs to agree its operational rules of practice as set out in a 'Rules of Procedure' document. Tracked changes are included in this document to identify changes from the previous draft issued to all Authorities.

The Panel need to agree its Rules of Procedure at its first formal meeting in order to operate. The proposed Rules of Procedure are set out in Appendix 1 of this report.

It is likely that the Rules may need to reviewed and adapted during the first year of the Panel's operation in light of further regulations and the agreement of a 'Memorandum of Understanding' with the Police and Crime Commissioner (PCC).

Background

The proposed Rules of Procedure as set out in Appendix 1 have been developed in partnership with all 18 Authorities. The development process has been as follows:

- An early draft was circulated to all Authorities for comment via the lead officers working group (March 2012)
- A revised draft was circulated to the Member Steering Group for comment (March 2012)
- A further revised draft was considered by the Member Steering Group (19 April 2012)
- A further revised draft was circulated and comments invited from all authorities (deadline 31 May 2012)

Bevan Brittan has provided independent legal advice throughout the drafting process.

Overview of changes to the proposed Rules of Procedure

Feedback on the latest draft of the Rules of Procedure was received from the following Authorities:

- South Bucks
- Reading Borough Council
- Cherwell District Council
- West Oxfordshire
- Oxford City
- Slough Borough Council

In light of this feedback, the following substantive changes have been incorporated into the proposed Rules as set out in Appendix 1.

- *PCC Attendance*—This section has been redrafted to stress that in line with legal responsibilities it will be required that the PCC attend all Panel meetings, unless notified otherwise.
- *Public Participation*—The previous draft section in relation to public questions has been removed for the purposes of agreeing the Rules of Procedure at the meeting on 19 July. It is proposed that the Panel considers this issue further, in particular how the Panel can support the public involvement strategy of the Police and Crime Commissioner prior to a decision being taken on whether or not to have public questions.
- *Minority Reporting*—Where a Task Group is reporting to the Panel on a matter of policy development, for example; it is proposed that one minority report may be provided; minority reporting will not of course apply to the normal discussions and decision making by the Panel in carrying out its formal statutory roles.
- *Scheduling of ad-hoc agenda items*—the latest draft of the Rules (version 2) set out 2 options for the approach to the timetabling of ad-hoc agenda items. These were:
 - A request from 4 members;
 - A request by 1 member of the Panel.

Responses were inconclusive on which approach is best for the effective functioning of the Panel. On balance, it is proposed that all members are able to individually request agenda items. For this procedure to operate effectively there will need to be an informal understanding that the Panel will not be able to function effectively without consensus among the Panel members on its work programme

and core business. For instance, if each of the 20 Panel members requested one additional agenda item at each Panel meeting it would be impossible for it to function.

Recommendations

- 1. That the Thames Valley Police and Crime Panel considers and agrees the proposed Rules of Procedure as set out in Appendix 1.**
- 2. That the Thames Valley Police and Crime Panel agrees to review the proposed Rules of Procedure in light of any further regulations and development of a Memorandum of Understanding with the Police and Crime Commissioner.**

Appendix 1

THAMES VALLEY POLICE AND CRIME PANEL

RULES OF PROCEDURE

1.0 General

1.1 In this document:

- the “Panel” is the Police and Crime Panel for the Thames Valley Police Force;
- the “Secretariat” is the financial, administrative, scrutiny and other officer support to the Panel;
- the “Host Authority” is the council which is host to the Secretariat at the relevant time;
- the “Act” is the Police Reform and Social Responsibility Act 2011;
- the “Panel Arrangements Document” is the document which sets out the agreement of all 18 principle Authorities on the overarching framework for how the Panel will operate.
- the “Rules” are the rules as set out in this Rules of Procedure Document.

1.2 These Rules of Procedure (“the Rules”) are made by the Panel pursuant to Schedule 6, paragraph 25, of the Police Reform and Social Responsibility Act 2011 (the ‘Act’).

1.2 The Police and Crime Panel (‘the Panel’) will be conducted in accordance with the Rules. The Rules should be read and considered in conjunction with the Panel Arrangements. *[For ease of reference a copy of the Panel Arrangements is attached as Appendix 3]*

1.3 The Rules shall be reviewed annually at the Panel’s Annual meeting. In the first year of operation amendments may be made mid-year to take into account the Memorandum of Understanding between the Panel and the newly elected Police and Crime Commissioner; and at any time may be updated should regulations require.

1.4 The Rules shall not be amended unless written notification of the amendment/s required are received by the Panel Secretariat not less than fifteen working days prior to the Panel meeting. No amendment may be considered by the Panel which does not comply with the Act, relevant Regulations or statutory guidance.

1.5 If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail. The Monitoring Officer of the Host Authority will have the final ruling as to the interpretation of legal requirements, these Rules and the Panel Arrangements Document.

- 1.6 Where the Rules do not explicitly address an issue the Standing Orders from the Host Authority will apply.
- 1.7 All Panel members will be subject to a Member Code of Conduct which for elected members will be those of their own Council; co-opted members will be subject to the Code of Conduct of the Host Authority provided that the Panel may agree to adopt such [additional](#) protocols as it thinks fit.

2.0 Election of Chairman and Vice-Chairman

- 2.1 The Chairman and Vice-Chairman of the Panel shall be elected from amongst the members of the Panel. The election will take place annually at the Annual meeting of the Panel, which will normally be held in June of each year.
- 2.2 Save for the requirement for re-election; there is no maximum term length for the Chairman or Vice-Chairman positions.
- 2.3 The positions will be elected by those members present at the June Annual Meeting by a simple majority vote.
- 2.4 The Vice-Chairman will preside in the absence of the Chairman and if neither is present the Panel will appoint a Chairman from among the remaining Members for the purposes of that meeting.

3.0 Resignation and removal of the Chairman and Vice-Chairman

- 3.1 The Chairman and/or Vice-Chairman may be removed by a vote of no confidence by a simple majority vote at a formal meeting of the Panel.
- 3.2 In the event of the resignation or removal of the Chairman or Vice-Chairman an election for the position will be held at the next meeting of the Panel.

4.0 Panel Meetings

- 4.1 The Panel will hold at least six ordinary meetings per year to carry out its functions. The calendar of meetings will be agreed by the Panel at its Annual Meeting. Ordinary meetings will not be held in April or May.
- 4.2 Extraordinary meetings may also be called by the Chairman or by any four Members of the Panel by giving notice in writing to the Secretariat. The Monitoring Officer from the Host Authority may also call an Extraordinary meeting.

- 4.3 At least 10 working days notice will be given before an Extraordinary meeting (unless the Chairman agrees that there are special reasons for an urgent meeting) and the meeting must then be held within 20 working days of the Notice.
- 4.3 Any request for an Extraordinary Meeting must specify the particular item of business for which the Extraordinary Meeting of the Panel is to be called.
- 4.4 The Panel will determine the location and timing of its meetings, bearing in mind the principle that meetings should be rotated across the Thames Valley area.
- 4.5 Ordinary meetings will take place in accordance with a work programme agreed by the Panel, and will start at the time decided by the Panel. The maximum length of a meeting shall normally be three hours.
- 4.6 The agenda to be followed at ordinary meetings will be as follows:
- a) to receive apologies for absence
 - b) to receive any declarations of interest from members;
 - c) to approve the minutes of the last meeting;
 - d) to receive the minutes of sub-committees and task groups and any reports submitted to the Panel by those Sub-committees and task groups; and
 - e) to consider written and verbal reports from officers and Panel members;
 - f) items requested by members of the Panel in accordance with 4.10
- 4.7 The only business to be conducted at an Extraordinary Meeting of the Panel will be to choose a person to preside if the Chairman and Vice-Chairman are absent or otherwise unable to preside and to consider the matter specified in the request to call an Extraordinary Meeting. No other business may be conducted at the meeting unless the Panel otherwise resolve.
- 4.8 The Panel Agenda, and accompanying papers, will normally be issued to Panel Members at least 5 working days before the meeting. It will also be published on the Panel's website and by sending copies to each Panel member, and publicised by any other means the Panel considers appropriate. Papers will normally be sent by Email.
- 4.9 The Secretariat will endeavour to co-ordinate the circulation of papers as early as possible to enable members to have as much time as possible to consider the issues before the meeting.

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The scheduling of ad-hoc agenda items

4.10 Any Member of the Panel shall be entitled to give notice to the Secretariat that he or she wishes an item relevant to the functions of the Panel to be included on the agenda following the existing scheduled items of business. Items will normally be considered at the next ordinary meeting of the Panel, providing that the following conditions apply:

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- a) At least 15 working days written notice is given to the Secretariat (The PCC is required to be given 10 working days notice therefore this timing allows for discussions prior to this).
- b) The item must be relevant to the remit of the Panel, as set out in the Panel Arrangements Document.
- c) The item must not have been already considered within the last six months by the Panel.

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Deleted: If written papers are required from the Police and Crime Commissioner then consideration needs to be given to allow sufficient time for the preparation of these papers).

4.10 In the event of a dispute on whether the conditions listed above apply, the Monitoring Officer of the Host Authority will advise the Chairman and Panel. The Panel's decision shall be final.

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4.11 Where the conditions above apply and the agenda item is discussed, the Panel may consider at this point whether any further action is needed in terms of further agenda time; investigation outside of the meeting; or a written response or information from the PCC.

5.0 Quorum

5.1 A meeting of the Panel cannot take place unless at least one third (7) of the membership of the Panel is present.

6.0 Voting

6.1 A decision is taken by a majority of those present and voting.

6.2 Voting is generally by a show of hands unless a named vote is called for by a member of the Panel.

6.3 If a Panel Member arrives at the meeting before the casting of votes on any item has been commenced he/she is entitled to vote on that item.

6.4 Immediately after a vote is taken any Panel Member may ask for it to be recorded in the minutes that he/she voted for or against the question, or that he/she abstained.

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- 6.5 The Chairman of the Panel, or other person presiding, shall have a second and/or casting vote where votes for and against a proposal are equal. There shall be no restriction on the manner in which the casting vote is exercised.

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7.0 Public Participation

- 7.1 There will be provision for the public to raise issues directly with the Police and Crime Panel. The details of how this will operate are set out in a protocol on public involvement [To be developed later in the year following consideration of how the Panel's work will support the public engagement to be undertaken by the PCC and Police Force.]

Deleted: a public question time slot at the beginning of each ordinary meeting, excluding the first annual meeting to be held in June. Members of the public who live or work within the Thames Valley force area shall be able to ask questions. The details of the procedure for public questions are set out in Appendix One.

8.0 Work Programme

- 8.1 The Panel will be responsible for setting its work programme. In doing so it shall have regard to:
- a) the requirement to undertake the functions and responsibilities of the Panel as set out in the Act including consideration of the necessary timings to meet its legal responsibilities;
 - b) the priorities defined by the PCC;
 - c) the ascertainable views of the public on Police and Crime matters;
 - d) the views of key partners, including Probation, Health, Community Safety Partnerships;
 - e) the views of its members and advisers; and
 - f) the resources available to support the delivery of the work programme.

9.0 Sub-Committees

- 9.1 The Panel may set up sub-committees to undertake specified functions of the Panel. The role of sub-committees is to carry out delegated Panel functions, excluding those functions that are not able to be delegated under the Act. Sub-committees may formally take decisions as delegated to them by the Panel.
- 9.2 The work to be undertaken by a sub-committee will be agreed by the Panel. In commissioning the work the Panel will agree as part of the scoping document the following:
- a) terms of reference and delegations
 - b) purpose/objectives,
 - c) resources
 - d) timescales for completing the work and reporting back
 - e) membership

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- 9.3 The Panel shall appoint sub-committees. The Chairman of the Panel may make a recommendation to the Panel on Membership.
- 9.4 The maximum size of a sub-committee shall be seven members. The minimum size is three members. Size shall be determined on a case-by-case basis at the point that the review is commissioned.
- 9.5 The membership of sub-committees shall be confined to members of the Panel.
- 9.6 In determining the membership of a sub-committee the Panel shall give so far as practicable, consideration to the duties in the Act to consider political balance; geographical balance; and the skills and expertise of members.
- 9.7 Sub-Committees shall report back to the Panel; and the minutes of the Sub-committee shall be received by the Panel.

10 Task Groups

- 10.1 The role of Task Groups is to undertake time-limited investigations into particular issues, such as a scrutiny topic review. They are informal working groups, and as such have no decision-making power. Task Groups will report back upon the completion of their work with a report and recommendations to the Panel.
- 10.2 The work to be undertaken by a Task Group will be agreed by the Panel. In commissioning the work the Panel will agree as part of the scoping document the following:
- a) terms of reference;
 - b) purpose/objectives;
 - c) approach to gathering evidence;
 - d) resources to support the review;
 - e) timescales for completing the work and reporting back; and
 - f) membership.
- 10.3 Task Groups can only make reports or recommendations to the Panel. The Panel will consider reports it receives, and if agreed, such reports may be adopted as the Panel's report.
- 10.4 The Panel will appoint Task Groups. The Chairman of the Panel may make a recommendation to the Panel on the membership.

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- 10.5 The maximum size of a Task Group shall be agreed by the Panel at the point that the review is commissioned. The minimum size is three members.
- 10.6 The Panel shall appoint a Chairman of the Task Group from within the membership of the Panel. The Chairman of the Panel may make a recommendation on whom to appoint.
- 10.6 The composition of a Task Group will be determined by the role it is to perform. Whilst issues of political and geographical balance may be taken into account, to help the effectiveness of the group consideration may also be given to:
- a) skills and expertise
 - b) availability of members to undertake the work
 - c) interest and commitment
- 10.7 The Panel may choose to co-opt non-Panel members onto a Task Group if it is considered that they possess skills, expertise, or a perspective which will assist the Group in its work. Co-opted members on a Task Group are non-voting members of the Group.
- 10.8 The following eligibility rules will apply to non-voting co-opted members of Task Groups:
- a) must live and/or work in the Thames Valley Police Force area; and
 - b) must be able to provide expertise/layperson's perspective to assist the group in carrying out its scrutiny function.

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11.0 Panel Reports and Recommendations—General

- 11.1 Where the Panel makes a report to the PCC it will publish the report or recommendations on its website, except where the information is exempt or confidential as defined in the Local Government Act 1972 (as amended).
- 11.2 The Panel may require the PCC within 20 working days (or within such other period as is indicated in these Rules) of the date on which s/he receives the Panel's report or recommendations to:
- a) consider the report or recommendations;
 - b) respond to the Panel indicating what (if any) action the PCC proposes to take;
 - c) where the Panel has published the report or recommendations, publish the response from the PCC.

- 11.3 The Panel will formally make requests to the PCC or issue other statements by way of reports and recommendations. As the Panel is a scrutiny body, rather than an executive decision-making committee, motions or resolutions will not be considered by the Panel.

Procedure for Agreeing Reports and Recommendations

- 11.4 Recommendations to the PCC from the Panel will be made as an outcome of a scrutiny review or as a result of an agenda item discussion.
- 11.5 As a cross-party scrutiny committee reports and recommendations to the PCC should normally be agreed by consensus rather than a formal vote. Where this is not possible a vote may be taken, under the voting procedure outlined above. This includes the option of a Panel member requesting a named vote is taken at the meeting to ensure that views are minuted.

Minority Reporting

- 11.6 In exceptional circumstances, one minority report in relation to reports prepared by Task Groups may be prepared and submitted for consideration with the majority report to the PCC. Where a member or members wish to submit a minority report the Chairman of the Panel and Secretariat should be notified as soon as possible in advance of the Panel meeting, normally 10 working days notice should be given depending on the timing of the Task Group's consideration of its majority report.

- 11.7 The PCC's responsibilities and remit relate to the Committee as a whole, therefore the PCC will respond to the Committee as a whole and not to individual members of the Panel. This means that for the purposes of communication to the public, stakeholders and the PCC the majority report represents the viewpoint of the Panel and the PCC will be required only to respond to the majority report.

12.0 PCC and others giving account

- 12.1 The presumption will be that the PCC will be required to attend all formal Police and Crime Panel meetings (ordinary and extraordinary) to answer questions which may be necessary to assist the Panel in discharging its functions, unless the Panel decides that this is not necessary and informs the PCC that they will not be required.
- 12.2 The PCC shall be notified on the Annual Work Programme of the Panel including meeting dates. The Secretariat of the Panel and PCC will liaise informally in developing the proposed annual work programme to co-ordinate.

12.3 In setting the Annual Work Programme the Panel should identify and consider where possible what papers will be required, and if any supporting staff from the Secretariat, Police or otherwise are likely to be needed in addition to the PCC, in order to give as much notice as possible.

12.2 Where a new agenda item is scheduled for a meeting that is not included within the work programme and the PCC (and staff/or Chief Constable) is required to attend, the Secretariat will inform the relevant persons of the nature of the agenda item and any written information that is required as soon as possible.

12.3 At least 15 working days notice will be given of the new agenda time to the PCC and any requirement to provide a written information (owing to the access of information requirements this equates to 10 working days notice for the provision of written information).

12.4 In exceptional circumstances, and where there is agreement between the PCC and Chairman of the Panel, shorter notice may be required for either attendance or papers.

12.4 If the Panel requires the PCC to attend before the Panel, the Panel may also request the Chief Constable to attend on the same occasion to answer any questions which appears to the Panel to be necessary in order for it to carry out its functions.

12.5 In undertaking its functions, the Panel may invite persons other than those referred to above to attend Panel meetings, to address the meeting, discuss issues of local concern and/or answer questions. This may, for example and not exclusively, include residents, stakeholders, Council Members who are not members of the Panel and officers from other parts of the public sector.

13.0 Special Functions

13.1 The Special Functions of the Panel, as set out in the Panel Arrangements, are those functions which are conferred on the Panel in relation to:

- a) the review of the Police and Crime Plan as required by Section 28(3) of the Act;
- b) the review of the Annual Report as required by Section 28 (4) of the Act;
- c) the review of senior appointments in accordance with Paragraphs 10 and 11 of Schedule 1 of the Act;
- d) the review and potential veto of the proposed precept in accordance with Schedule 5 of the Act;

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<#>Where the PCC, a member of the PCC's staff or Chief Constable, is required to attend the Panel in accordance with this provision, the Panel will endeavour to give as much notice as possible. The annual work programme of the Panel, including dates of ordinary meetings, will be set in June of each year. Where possible, the work programme should specify whether the PCC or other persons are required to attend and if papers are needed. ¶

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<#>Where this is not possible to specify in the annual work programme, the PCC (and staff and/or Chief Constable) will be given at least 15 working days written notice of the requirement to attend, and the notice shall state the nature of the item in respect of which s/he is required to attend. ¶

¶
<#>Where the attendance of the PCC (and staff and/or Chief Constable) and a written paper is required then at least 10 working days notice should be given (this equates to 20 working days prior to the Panel meeting where the paper is to be discussed as papers will be published at least 10 working days in advance of the meeting). ¶

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<#>In exceptional circumstances, and where there is agreement between the PCC and Chairman of the Panel, less notice may be required for either attendance or papers. ¶

¶
12.4 Where, in exceptional circumstances, the PCP is unable to attend on a required date then an alternative date for attendance shall be arranged with the agreement of the Chairman of the Panel. ¶

- e) the review and potential veto of appointment of the Chief Constable in accordance with Part 1 the Act.

14.0 Police and Crime Plan

14.1 The Panel is a statutory consultee on the development of the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.

14.2 The Panel will:

- a) hold a meeting to review the draft Police and Crime Plan (or a variation to it); and
- b) report or make recommendations on the draft Plan which the PCC must take into account.

15.0 Annual Report

15.1 The PCC must publish an Annual Report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the Panel for consideration.

15.2 The Panel must comment upon the Annual Report of the PCC, and for that purpose must:

- a) arrange for a meeting of the Panel to be held as soon as practicable after the Panel receives the Annual Report;
- b) require the PCC to attend the meeting to present the Annual Report and answer such questions about the Annual Report as the Panel think appropriate;
- c) make a report and/or recommendations on the Annual Report to the PCC.

16.0 Proposed precept *[this section will be updated in light of forthcoming regulations]*

16.1 The Panel will receive notification from the PCC of the precept that they are proposing to issue for the coming financial year. The Panel will arrange for a meeting of the Panel to be held as soon as practicable after the Panel receives the proposed precept and make a report including recommendations.

16.2 Having considered the precept, the Panel will:

- a) support the precept without qualification or comment; or
- 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 and present at the time when the decision is made).

- 16.3 If the Panel vetoes the proposed precept, the report to the PCC must include a statement that the panel has vetoed the proposed precept and give reasons for that decision. The Panel will require a response from the PCC to the report and any such recommendations.

17.0 Senior Appointments

- 17.1 The Panel must review the proposed appointment by the PCC of the Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime PCC.
- 17.2 The Panel will receive notification of the proposed appointment from the PCC, which will include:
- a) the name of the candidate;
 - b) the criteria used to assess suitability of the candidate;
 - c) why the candidate satisfies the criteria; and
 - d) the terms and conditions proposed for the appointment.
- 17.3 The Panel must hold a confirmation hearing for all proposed senior appointments within 15 working days of receipt of notification by the PCC. It must also report to the PCC at the same time with its recommendations. The 15 working days will not include the post-election period.
- 17.4 The confirmation hearings will be held in public and the candidates will be questioned in relation to their appointment. Candidates must attend, either in person or by video link.
- 17.5 Following the hearing, the Panel will make a report and/or recommendations to the PCC on the proposed appointment. The PCC must respond in writing within the usual 20 working days confirming whether the recommendation has been accepted or not.
- 17.6 In relation to the proposed appointment of the Chief Constable, the Panel is required to make recommendations to the PCC and has the power to veto the appointment. Following the hearing, the Panel will be asked to:
- a) support the appointment without qualification or comment;
 - b) support the appointment with associated recommendations, or
 - c) veto the appointment of the Chief Constable (a two thirds majority is required of those members present at the time when the decision is made).¹

¹ Subject to change following HO regulations

- 17.7 If the Panel vetoes an appointment, it must set out its reasons for doing so in a report to the PCC and the PCC must not then appoint that candidate as Chief Constable.

18.0 Suspension of the Police and Crime Commissioner

- 18.1 The Panel may suspend the PCC if it appears to the Panel that:

- a) the PCC is 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.

- 18.2 [This decision will be taken at a formal Panel meeting via a vote.](#)

- [18.3](#) The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:

- a) the charge being dropped;
- b) the PCC being acquitted of the offence;
- c) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act 2011 by virtue of the conviction; or
- d) the termination of the suspension by the Police and Crime Panel.

- 18.4 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.

19.0 Suspension and Removal of the Chief Constable

- 19.1 The Panel will receive notification if the PCC suspends the Chief Constable.

- 19.2 The PCC must also 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.

- 19.3 The PCC 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.

- 19.4 If the PCC is still proposing to call upon the Chief Constable to resign, she/he must notify the Panel accordingly (the 'further notification').
- 19.5 Within 30 days from the date of receiving the further notification the Panel must make a recommendation in writing to the PCC as to whether or not s/he should call for the retirement or resignation. Before making any recommendation the Panel may consult the chief inspector of constabulary, and must hold a meeting.
- 19.6 The scrutiny hearing which must be held by the Panel is a Panel meeting in private to which the PCC 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 video link.
- 19.7 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
- (a) at the end of 30 days from the Panel having received notification if the Panel has not by then given the PCC a recommendation as to whether or not she/he should call for the retirement or resignation; or
 - (b) the PCC notifies the Panel of a decision about whether she/he accepts the Panel's recommendations in relation to resignation or retirement.
- 19.8 The PCC must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

20.0 Appointment of an Acting Police and Crime Commissioner

- 20.1 The Panel must meet to appoint a person to be acting PCC if:
- a) no person holds the office of PCC;
 - b) the PCC is incapacitated (i.e. unable to fulfil the functions of PCC) which is a matter for the Panel to determine; or
 - c) the PCC is suspended.
- 20.2 In the event that the Panel has to appoint an acting PCC it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.

- 20.3 The Panel may appoint a person as acting PCC only if the person is a member of the PCC's staff at the time of the appointment.
- 20.4 In appointing a person as acting PCC in a case where the PCC is incapacitated, the Panel must have regard to any representations made by the PCC in relation to the appointment.
- 20.5 The appointment of an acting PCC will cease to have effect upon the earliest of the following:
- a) the election of a person as PCC;
 - b) the termination by the Panel, or by the acting PCC, of the appointment of the acting PCC;
 - c) in a case where the acting PCC is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated; or
 - d) in a case where the acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.
- 20.6 Where the acting PCC is appointed because the PCC is incapacitated or suspended, the acting PCC's appointment does not terminate because a vacancy occurs in the office of PCC.

21.0 Complaints

- 21.1 Serious complaints which involve allegations which may amount to a criminal offence by the PCC or senior office holders are dealt with by the Independent Police Complaints Commission (the 'IPCC').
- 21.2 The Panel may however be involved in the informal resolution of certain other complaints against the PCC and Deputy PCC, where they are not being investigated by the IPCC or cease to be investigated by the IPCC.
- 21.3 The Panel shall have a Complaints Procedure for complaint handling that shall be set out in a protocol. ***[The Complaints Procedure shall be developed and agreed by the Panel in Autumn]***

22 Further Guidelines/Protocols

- 22.1 The Panel may agree further guidelines/protocols to assist it in carrying out its business so long as these are in accordance with the Rules of Procedure, Panel Arrangements and legal requirements. Further guidance and protocols will cover:
- a) Memorandum of Understanding between the PCC and Panel

- b) Communications Protocols (including media handling)
- c) Public Involvement
- d) Complaints Procedure
- e) PCP and local scrutiny committees Protocol



ACCESS TO INFORMATION STANDING ORDERS [Annex to the Rules of Procedure]

[These Standing Orders are taken from Buckinghamshire County Council's Constitution and could be adopted as part of the Rules of Procedure to aid transparency]

SCOPE

These standing orders apply to all meetings of the Police and Crime Panel.

These rules do not affect any additional rights to information contained elsewhere in this Constitution or granted by law.

RIGHTS TO ATTEND MEETINGS

Members of the public may attend all meetings subject only to the exceptions in these standing orders.

NOTICES OF MEETING

The Secretariat will give at least ten clear days notice of any meeting by posting details of the meeting at the principal offices of the Host Authority and on the Internet.

ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

The Secretariat will make copies of the agenda and reports open to the public available for inspection at the designated offices at least five clear days before the meeting. If an item is added to the agenda later, the Monitoring Officer of the Host Authority shall make each report available to the public as soon as the report is completed and sent to members, and will ensure that it will be open to inspection from the time the item was added to the supplementary agenda.

SUPPLY OF COPIES

The Secretariat will supply copies of:

- a) any agenda and reports which are open to public inspection;
- b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- c) if the Monitoring Officer of the Host Authority thinks fit, copies of any other documents supplied to members in connection with an item to any person on payment of a charge for postage and any other costs under the Host Authority's Charging Policy. Under the Freedom of Information Act, information would be supplied free until these costs go over the threshold of £450, when a charge would be levied.

ACCESS TO MINUTES ETC AFTER THE MEETING

The Secretariat will make available copies of the following for six years after a meeting:

- a) the minutes of the meeting, or, where appropriate, records of decisions taken, together with reasons, for all meetings of the Panel excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;

- b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- c) the agenda for the meeting; and
- d) reports relating to items when the meeting was open to the public.

BACKGROUND PAPERS

List of background papers

Reports will include a list (prepared by the Secretariat) of those documents (called background papers) relating to the subject matter of the report which in their opinion disclose any facts or matters on which the report or an important part of the report is based; and which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information.

Public inspection of background papers

The Council will make available for public inspection for six years after the date of the meeting one copy of each of the documents on the list of background papers.

Use of media technology at Panel Meetings

At the discretion of the Chairman of the Panel recording of meetings and use of media technology will be permitted provided that it does not release information that the Secretariat has identified as being confidential under the Access to Information Regulations.

The Secretariat supports the use of networking sites to disseminate information during their meetings, provided that confidential information as outlined above is not deliberately or inadvertently disclosed.

SUMMARY OF THE PUBLIC'S RIGHTS

A written summary of the public's rights to attend meetings and to inspect and copy documents is available for inspection at the Principal offices of the Host Authority.

EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS

Confidential information – requirement to exclude public

The public must be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.

Meaning of confidential information

Confidential information means information given to the Panel by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by reason of a Court Order or any enactment.

Exempt information – discretion to exclude public

The public may be excluded from an item at a meeting whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed.

Meaning of exempt information

Subject to, and to the test of the Public Interest set out in paragraph below, information is exempt information where it falls within any of the following categories:

- 1 Information relating to an individual.
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the public authority holding the information), except where the information is required to be registered under certain prescribed statutes including the Companies Act 1985 and the Charities Act 1993. "Financial or business affairs" includes contemplated, as well as past or current activities.
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the Authority. "Labour relations matter" means any matter which may be the subject of a trade dispute, or any dispute about any such matter (ie a matter specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the Authority proposes:
 - a) to give under any enactment a notice, under or by virtue of which requirements are to be imposed on a person; or
 - b) to make an order or direction under any enactment.
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Public interest test

Information falling within any of categories 1-7 set out above, which is not prevented from being exempt because it falls within category 3, and is required to be registered under the prescribed enactments is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

The Monitoring Officer of the Host Authority may exclude access by the public to a report which, in his or her opinion, relates to an item during which, in accordance with this Access to Information Standing Order, the meeting is likely not to be open to the public; or, as the case may be, was not open to the public. Such reports will be marked "Not for publication", together with the category of information likely to be disclosed.

RECORD OF DECISIONS

After any formal meeting of the Panel, the Secretariat will produce a record of every decision taken at that meeting as soon as practicable. The record will include a statement of the reasons for each decision and, where appropriate, any alternative options considered and rejected at that meeting.

Appendix 2

THAMES VALLEY POLICE AND CRIME PANEL ARRANGEMENTS

Published: 26 April 2012²

This document was agreed by a Joint Committee on 19 April 2012 on behalf of the following Authorities:

- Aylesbury Vale District Council
- Bracknell Forest Council
- Buckinghamshire County Council
- Cherwell District Council
- Chiltern District Council
- Milton Keynes Council
- Oxford City Council
- Oxfordshire County Council
- Reading Borough Council
- Royal Borough of Windsor and Maidenhead Council
- Slough Borough Council
- South Bucks District Council
- South Oxfordshire District Council
- Vale of White Horse District Council
- West Berkshire Council
- West Oxfordshire District Council
- Wokingham Borough Council
- Wycombe District Council

As agreed by the Joint Committee, this document will be updated in light of Home Office regulations expected to be published in late Spring 2012.

In this agreement:

- the above Authorities are referred to singularly as ‘Authority’ and together as ‘the Authorities’;
- the “Panel” is the Police and Crime Panel for the Thames Valley Police Force;
- the “Secretariat” is the financial, administrative, scrutiny and other officer support to the Panel;
- the “Host Authority” is the council which hosts the Secretariat at the relevant time;
- the “Act” is the Police Reform and Social Responsibility Act 2011;
- the “Thames Valley Local Authority Chief Executives” are the chief executive officers of the “Authorities”;

²

http://www.buckscc.gov.uk/assets/content/bcc/docs/overview_scrutiny/FinalPanelArrangements.pdf

- the “Panel Arrangements Document” is this document, as amended from time-to-time; and
- the “Rules of Procedure” are the Rules of Procedure as agreed by the Panel from time to time.

1.0 Background

- 1.1 This Panel Arrangements Document will normally be reviewed every four years (with the next review will take place in April 2016) by all Authorities, alongside a review of the Rules of Procedure. Proposed changes to the Panel Arrangements Document will be referred to the Thames Valley Local Authority Chief Executive Officers (or to other such arrangement as may be agreed by all Authorities) for comment prior to the decision by the Panel.
- 1.2 The Police Reform and Social Responsibility Act 2011 (‘the Act’) introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.
- 1.2 The Act provides for the election of a Police and Crime Commissioner (‘PCC’) for a police area, responsible for securing an efficient and effective police force for their area, producing a Police and Crime Plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.
- 1.3 The Act requires the Authorities to establish and maintain a Police and Crime Panel (‘the Panel’). It is the responsibility of the Authorities for the police area to make arrangements for the Panel (‘Panel Arrangements’).
- 1.4 The Thames Valley is a multi-authority police area (‘the police area’) as defined in Schedule 1 of the Police Act 1996. All the Authorities, as the relevant local authorities within the police area must agree to the making and modification of the Panel Arrangements. If the Authorities are not able to agree the Panel Arrangements the Secretary of State is able to establish a Police and Crime Panel for the Police Area.
- 1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.
- 1.6 The functions of the Panel—to be known as the “Thames Valley Police and Crime Panel”—are to be exercised with a view to supporting the effective exercise of the functions of the PCC for that police area.

- 1.7 The Panel must have regard to the Policing Protocol issued by the Home Secretary, which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel 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.
- 1.8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police area.
- 1.9 The Panel is a Joint Committee of the Authorities and as such is subject to the requirements of the Local Government Act 1972 and subsequent legislation.
- 1.10 The Authorities by being parties to this Agreement signify their agreement to the Panel Arrangements.

2.0 Terms of Reference and Functions

- 2.1 The overarching role of the Panel is to scrutinise the work of the PCC in the discharge of the PCC's functions in order to support the effective exercise of those functions.
- 2.2 To undertake this scrutiny role the Panel will carry out the functions set out in the Act. These functions relate to the scrutiny of the Police and Crime Plan, PCC's Annual Report; confirmation hearings of appointments; issuing of precepts; and the appointment of the Chief Constable. These functions may not be discharged by a sub-committee of the Panel.
- 2.3 The Panel is a statutory consultee on the development of the **PCC's Police and Crime Plan** and must:
 - a) review the draft Police and Crime Plan (or a variation to it); and
 - b) report and/or make recommendations on the draft Plan which the PCC must take into account.
- 2.4 The Panel must comment upon the **Annual Report** of the PCC, and for that purpose will:
 - a) question the PCC on the Annual Report at a public meeting;
 - b) make a report and/or recommendations on the Annual Report to the PCC.

- 2.5 The Panel must hold **confirmation hearings in respect of proposed senior appointments** made by the PCC. This includes the posts of the PCC Chief Executive; Chief Finance Officer and Deputy Police and Crime PCC in accordance with the requirements set out in Schedule 1 of the Act. The Panel will review the appointments and make a report and/or recommendations to the PCC.
- 2.6 The Panel must hold a **confirmation hearing in respect of the appointment of the Chief Constable** by the PCC. The Panel has the right of veto for the appointment of this post in accordance with the Act and regulations.³
- 2.7 The Panel must review the **precept** proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act, and will have a right of veto in respect of the precept in accordance with the Act and Regulations made thereafter.
- 2.8 The right of veto will require that at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision.⁴
- 2.10 The Panel may appoint an Acting PCC if necessary.
- 2.11 The Panel may suspend the PCC if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.
- 2.12 The Panel will have any other powers and duties set out in the Act or Regulations made in accordance with the Act.
- 2.13 The Panel may carry out in-depth reviews into the work of the PCC. This work may be delegated to a Sub-Committee or Task Group.

3.0 Membership

Elected Members

- 3.1 The Panel comprises 18 elected members: one from each of the Authorities.
- 3.2 Appointments of elected Members to the Panel shall be made by each of the Authorities in accordance with their own procedures and in making their appointments to the Panel each individual authority shall have regard to the requirement in the Act that appointments shall be made with a view to ensuring that the 'balanced appointment objective' is met so far as is

³ Subject to Home Office regulations

⁴ Ibid.

reasonably practicable. It is recognised that each Authority may choose to appoint from within the membership of the majority group.

- 3.3 The balanced appointment objective requires that the Panel should (when taken together), and as far as is reasonably practicable:
- a) represent all parts of the police area;
 - b) represent the political make-up of the Authorities (when taken together);
 - c) have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
- 3.4 In the event that an Authority does not appoint a Member in accordance with these requirements, the Secretary of State will appoint a Member from the Authority to the Panel in accordance with the provisions in the Act.

Term of Office

- 3.5 A member shall be appointed annually to the Panel to hold office for the following municipal year, and all such appointments shall be notified to the Secretariat no later than 31 May in each year, subject to the following proviso that he or she:
- a) shall cease to be a member of the Panel if he or she ceases to be a member of the Authority (and does not on the same day again become a member of the Authority).
- 3.6 Each Authority will give consideration to the 'balanced objective requirement' in its annual appointment process. Where possible, an Authority will give consideration to continuity of membership to enable the Panel's expertise and skills to be developed for the effective scrutiny of the PCC.

Resignation and removal of elected members on the Panel

- 3.7 An Authority may decide in accordance with its procedures to remove its Member from the Panel at any time and upon doing so shall give written notice to the Secretariat of the change in its Member.
- 3.8 A Member may resign from the Panel at any time by giving notice to the appointing Council who will inform the Secretariat.
- 3.9 In the event that any Member resigns from the Panel, or is removed from the Panel by his or her Authority, the Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel, applying the considerations given in paragraph 3.2-3.3 above.

- 3.10 Where a Panel Member fails to attend meetings of the Panel over a six month period then the Secretariat shall recommend to the relevant Authority that due consideration is given to removing the member from the appointment to the Panel and the appointment of a replacement member from that Authority.

Co-opted Members

- 3.11 Two independent co-optees shall be appointed by the Panel. This is the maximum number permissible under the legislative requirement for the Panel size to be an overall maximum of 20.

- 3.12 The independent co-optees shall:

- a) be disqualified from being appointed if:-
 - i) he or she has not yet attained the age of eighteen years, or
 - ii) neither his or her principal or only place of work, nor his or her principal or only place of residence, has been in the police area during the whole of the period of twelve months ending with the day of appointment.
- b) be disqualified from being a member so appointed if, at any time, neither his or her principal or only place of work, nor his or her principal or only place of residence, is within the police area.

- 3.13 The following shall be disqualified from being appointed, and from being a co-opted Member if so appointed:

- a) the PCC for the police area;
- b) a member of staff of the Police and Crime PCC for the area;
- c) a member of the civilian staff of the Police Force for the area;
- d) a Member of Parliament;
- e) a Member of the National Assembly for Wales;
- f) a Member of the Scottish Parliament;
- g) a Member of the European Parliament;
- h) a member of the uniformed Police Force for the area;
- i) a member of a principal council within the Thames Valley Police Authority area.

- 3.14 A co-opted Member shall be a Member of the Panel for four years. The maximum time length that a co-opted member may serve for is two terms.

- 3.15 The appointments of co-opted Members are undertaken in accordance with the following principles:
- a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel.
 - b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria.
 - c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised.
 - d) The selection process will endeavour to encourage applications from candidates which reflect the breadth of communities in the Thames Valley and will welcome applications from all eligible people irrespective of gender, ethnic origin, religious belief, sexual orientation, disability, age or other factor.
- 3.16 Costs of the recruitment process shall be met from within the existing budget approved by the Panel as set out in section 5. Costs will be minimised by utilising existing networks and advertising online through the national public appointments website, rather than by paid advertisement in newspapers.
- 3.17 A co-opted Member of the Panel may resign from the Panel by, giving at least three months written notice to the Secretariat. In exceptional circumstances the Panel may agree to a shorter notice period.
- 3.18 The Panel may at any time terminate the appointment of a co-opted Member of the Panel by notice in writing with immediate effect if:
- a) he or she has been convicted of a criminal offence but not disqualified in accordance with 3.21(c); or
 - b) reasonably satisfied that the member is otherwise unable or unfit to discharge his functions as a member; or
- 3.19 In the event that a co opted member fails to attend the meetings of the Panel over a six month period the Panel shall give due consideration to the termination of the appointment of the co opted member.

- 3.20 Where, in accordance with Paragraphs 3.17 and 3.18 a co-opted Member resigns from the Panel or is removed from the Panel following a decision of the Panel, the Panel shall ensure that a replacement is sought as soon as possible in accordance with the principles set out in paragraph 3.15.
- 3.21 Subject to the exemptions set out in paragraphs 3.21 and 3.22, a person shall be disqualified from being appointed as or being a member of a Panel if:
- a) a bankruptcy order has been made against him or her or his or her estate has been sequestrated or he or she has made a composition or arrangement with, or granted a trust deed for, his creditors;
 - b) he or she is subject to a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986, to a disqualification order under Part II of the Companies (Northern Ireland) Order 1989, to a disqualification undertaking accepted under the Company Directors Disqualification (Northern Ireland) Order 2002 or to an order made under section 429(2)(b) of the Insolvency Act 1986(failure to pay under county court administration order); or
 - c) he or she has within five years before the date of appointment or since appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of an offence, and has had passed on him or her a sentence of imprisonment (whether suspended or not) for a period of not less than three months.
- 3.22 Where a person is disqualified under paragraph 3.20(a) by reason that a bankruptcy order has been made against him or her or his or her estate has been sequestrated, the disqualification shall cease:
- a) unless the bankruptcy order is previously annulled or the sequestration of his estate is recalled or reduced, on his obtaining a discharge; and
 - b) if the bankruptcy order is annulled or the sequestration of his estate is recalled or reduced, on the date of that event.

- 3.23 Where a person is disqualified under paragraph 3.20(a) by reason of having made a composition or arrangement with, or granted a trust deed for, creditors and pays debts in full, the disqualification shall cease on the date on which the payment is completed, and in any other case it shall cease at the end of the period of five years beginning with the date on which the terms of the deed of composition or arrangement or trust deed are fulfilled.
- 3.24 For the purposes of paragraph 3.20(c) the date of a conviction shall be taken to be the ordinary date on which the period allowed for making an appeal or application expires or, if an appeal or application is made, the date on which the appeal or application is finally disposed of or abandoned or fails by reason of its non-prosecution.

4.0 Host Authority

- 4.1 The Panel shall agree a Host Authority for the Secretariat for the Panel, which shall provide such scrutiny, legal, financial, administrative and other support as is reasonably required to enable the Panel to undertake its functions within the resources agreed by the Panel.
- 4.2 Buckinghamshire County Council shall act as the initial Host Authority until such time as either:
- a) The Panel resolves at its annual meeting (held in June of each year) that another Authority should carry out this function, provided that such other Authority agrees. In which case, the function will be transferred six months after the Panel decision unless a shorter period is agreed between Buckinghamshire County Council (or the existing Host Authority) and the new Host Authority; or
 - b) Buckinghamshire County Council serves notice that it no longer wishes to be the Host Authority and this function is transferred to another Authority in which case, a six month notice period will apply, unless a shorter period is agreed between Buckinghamshire County Council and the new Host Authority; or
 - c) In the event that no Authority comes forward to act as Host Authority the home Council of the current Chairman of the Panel shall be expected to be the Host Authority.

- 4.3 The staff employed to support the Panel will be employed by the Host Authority. Should the Host Authority change the TUPE legislation which is in force at the time shall apply as necessary.

5.0 Budget and Costs of the Panel

- 5.1 An annual draft budget for the operation of the Panel shall be drawn up each year by the Host Authority and approved by the Panel. All monies (which are not ring-fenced) provided by the Home Office to support the operation of the Panel shall be taken into account in preparing the Budget.
- 5.2 For the first year of operation (until April 2013), the Host Authority will provide a level of service to the Panel within the resources granted by the Home Office, excluding some of the on-costs which will be covered by the Host Authority.
- 5.3 If in subsequent years, the Panel considers that the Budget is insufficient to support the functions of the Panel, the Panel may make a funding request to all Authorities, which request shall be made via the Thames Valley Local Authority Chief Executives.
- 5.4 Any additional costs arising under paragraph 5.3 shall be borne between the Authorities in equal shares.

6.0 Allowances and Expenses

- 6.1 Each Authority has the discretion to pay its representatives on the Panel Special Responsibility Allowances, and to reimburse reasonable expenses incurred. No allowance or expenses payments will be made by the Panel itself to elected members. Any allowances or expenses which may be made to elected members arising out of Panel Membership shall be determined and borne by the appointing Authorities for each Panel Member individually.
- 6.2 The Host Authority, on behalf of the Panel will reimburse reasonable expenses to co-optees provided that this is agreed as part of the annual budget approved by the Panel.

7.0 Promotion of the Panel

7.1 The Panel shall be promoted and supported by the Host Authority and the Secretariat through:

- a) The inclusion of dedicated webpages on the work of the Panel, with the publication of meeting agendas; minutes; and papers where those papers are public, in line with the rules of procedure and legal obligations under the Local Government Act 1972. All reports and recommendations made, with responses from the PCC will be published. Information on member attendance and other publications will be included.
- b) Media and communications support provided by the corporate communications team, this includes the issuing of press release where required.
- c) Clerking support to be provided for all public Panel meetings. This includes sending out agendas; minutes; procedural advice.
- d) Legal advice where required for the Panel to carry out its duties effectively.
- e) Independent policy advice to the Panel through a dedicated scrutiny officer, this includes written and oral briefings to Panel members.

7.2 The costs of the promotion work identified above will be identified as part of the annual budget approved by the Panel. Costs will be met as set out in section 5 above.

7.3 The Panel shall be promoted and supported by each Authority through:

- a) Ensuring that briefings take place for local stakeholders on the work of the Panel. This includes officer briefings to respective members in each authority to support the work of the Panel (executive/non-executive members including Panel member) on a regular basis to ensure that members are fully informed about local relevant matters.
- b) Information on each respective website about the work of the Panel and links to the main web-pages.

- c) Sharing of information on the work of the designated statutory Crime and Disorder Scrutiny Committee in order to ensure that the work programme of the Panel complements local scrutiny work and vice-versa.

8.0 Validity of Proceedings

- 8.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or a defect in appointment.
- 8.2 All Panel members (including co-opted members) must observe the Members Code of Conduct and any related Protocols as agreed by the Panel [*further regulations may follow on this issue*].

9.0 Rules of Procedure

- 9.1 The Panel shall determine its Rules of Procedure (in accordance with the statutory requirements and regulations).
- 9.2 The Rules of Procedure shall include arrangements in relation to:
 - a) the appointment, resignation and removal of the Chairman and Vice-Chairman;
 - b) the appointment of sub-committees;
 - c) the appointment of Task Groups;
 - c) the making of decisions;
 - e) the circulation of information;
 - f) the frequency, timing and place of meetings;
 - g) public participation; and
 - h) minority reporting.

Title: Independent co-optees

Date: 19 July 2012

Author: Sara Turnbull, Scrutiny Manager, Buckinghamshire County Council

Purpose of Report

To provide an overview of the recruitment process for independent co-optees and establish a Task Group to undertake the selection.

Background

1. The Thames Valley Police and Crime Panel requires two independent co-optees. The Independent co-optees are required in law and will have full voting rights on the Panel.
2. It was agreed by the Member Steering Group on 19 April 2012 that the co-optees would be recruited via an open application process, followed by a Task Group of the Panel being appointed to undertake the selection. The Panel will be then invited to ratify the appointment of the co-optees at its next formal meeting.

Progress to date

3. The Steering Group agreed to maximise the publicity for the role through each council and local networks and approved the application pack, including person specification for the role. Buckinghamshire County Council produced an application pack and application form available online and advertised the opportunity at a Thames Valley level through:
 - Force wide press release
 - Each Local Authority given:
 - Press release copy (for using in local press releases/publicity)
 - Advert text (template for local use)
 - Application pack and form (downloadable online)
 - Checklist of suggested routes for promotion
 - Information shared with Police Authority,
 - Thames Valley Police (to promote awareness with Advisory Support Groups)
 - Community Safety Partnerships
4. Lead link officers to support the Police and Crime Panel and all Council communications teams in each council have been contacted and invited to advertise the role locally. Appendix 1 sets out the information on local activity to promote the opportunity where this has been reported back (the councils not listed may also have conducted local promotion).
5. There is a good field of applications and it is recommended to select as soon as possible in order that the independent co-optees can participate in planning and induction activity in the Autumn.
6. The candidates will be selected on the basis of the person specification criteria set out in the published application pack for Independent Co-optees. The Panel may wish to discuss the collective skills and experiences on the Panel in relation to the person

specification criteria to inform whether any particular criteria should be given additional weight to fill any skills & experience gaps on the Panel composition.

Recommendations

- 1. To consider the collective skills and experiences of elected members on the Panel against the person specification for Independent Co-optees.**
- 2. To appoint a Task Group to shortlist and interview co-optee candidates that will report back to the Panel with a recommendation for its ratification.**
- 3. To agree for the membership of the Task Group to include the Chairman and Vice-chairman of the Panel.**
- 4. To agree for the Task Group to meet immediately upon the rise of the Panel's meeting to shortlist candidates [approximately 7.30-8.30 pm, 19 July]**
- 5. To agree for the Task Group to interview candidates in August, in order that the Panel is able to ratify appointments at its next meeting in September.**

Appendix 1: Local Promotion Activity

Milton Keynes	Article in e-bulletin to members (also read by parish councils); news release sent to local media; featured on website homepage 'slideshow' (for duration of application period); written to leaders of diversity and faith groups; posted on twitter.
Wokingham	News release sent to local media; raised with local community safety partners; notified all staff; posted on social media channels
Cherwell	News release sent to local media; article in resident magazine (goes to all domestic properties in the district); local radio interview carried out by deputy leader.
Chiltern	News item on website; posted on twitter.
South Bucks	Circulated to parish councils, community groups and councillors; news release sent to local media.
Bucks CC	News release sent to local media and parish councils; circulated to members; featured on website homepage 'slideshow' for a number of weeks; notified all staff via intranet homepage news item; posts on facebook and twitter; circulated to community safety groups; circulated to all parishes and local area forums; voluntary search facility (Community Impact Bucks).
Wycombe DC	Website; twitter
South Oxon/VoWH	News release sent to local media; article in town and parish newsletters; posted on twitter; news item on website homepage
Slough	News release sent to local media; news item on website; posted on twitter
Aylesbury Vale	Article in newsletter to parishes
Reading	Press Release
RBWM	Press Release; Internal promotion
Oxford City	News item on website

Thames Valley Police and Crime Panel Independent Co-optees

Introduction

Thank you for your interest in becoming an Independent Co-opted member of the Thames Valley Police and Crime Panel. The Panel will be part of the new governance and accountability arrangements for policing in the Thames Valley. The Panel's role will be to maintain a regular check and balance on the work of the Police and Crime Commissioner (to be elected on 15 November 2012).

The Panel is looking for two committed and energetic people to serve as Independent co-optees from autumn 2012 for a four year term. This is an exciting opportunity to be involved from the start of new and very different arrangements for reducing crime and disorder.

The role offers an opportunity to:

- Support the Police and Crime Commissioner (PCC) in their role in helping tackle crime and disorder.
- Support public accountability and transparency through the work of the Panel
- Gain experience working with a wide range of stakeholders – senior councillors from different local authorities as well as the PCC and Police.
- Gain a strategic understanding of policing and community safety.
- Experience working on a committee and effective scrutiny.

This is an important and high profile role. As a new role the exact time commitment is not known, but expected to be on average one day a month, including preparation time and travel. Meetings will be held at varying locations throughout the Thames Valley (in the historic county areas of Berkshire, Buckinghamshire and Oxfordshire). All Panel members will receive induction and other appropriate training as needed. Reasonable travel and subsistence expenses will be paid.

The closing date for applications is **Friday 13 July**, after which the local authority Panel members will consider and assess all applications received.

It is expected that shortlisted candidates will be invited for interview in early September 2012 and that co-optees would take up office from mid-October 2012 onwards.

The Panel wishes to reflect the breadth of communities in the Thames Valley 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 Clare Gray,
Buckinghamshire County Council, on 01296 383610 or cgray@buckscc.gov.uk

Background

The Police Reform and Social Responsibility Act 2011 introduces significant changes in police governance and accountability, in particular replacing the Police Authorities by directly elected Police and Crime Commissioners (PCCs).

In summary, the public accountability for the delivery and performance of the police service within each force area 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 Police and Crime Panel (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 Police and Crime Commissioner (PCC)

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

The PCC is the recipient of all funding related to policing and crime reduction. How this money is allocated is a matter for the PCC, with advice and recommendations from the Chief Constable.

In addition to setting the budget, the PCC will set the strategic direction and objectives of the force through their Police and Crime Plan. They will hold the Chief Constable to account for the performance of the force's officers and staff, and will have powers to appoint and remove the Chief Constable.

The first PCCs will be elected on 15 November 2012, take office seven days later (on 22 November 2012) and serve at least until the next election in May 2016; thereafter PCCs will normally hold office for four years.

The Police and Crime Panel (the Panel)

The Panel provides checks and balances on the work of the PCC. The Panel does not scrutinise the Thames Valley Police; it scrutinises the PCC's exercise of their statutory responsibilities. While the Panel is there to constructively challenge the PCC, it also has a key role in supporting the Commissioner in their role in enhancing public accountability of the Police Force.

The key functions of the Panel include:

- Review and make recommendations on the draft Police and Crime Plan
- Scrutinise the PCC, inviting the Chief Constable to attend before the PCP where appropriate
- Review the PCC's appointment of Chief Executive, Chief Financial Officer and Deputy PCC where one is appointed.
- Make reports and recommendations on matters relating to the PCC.

- Monitor all complaints against the PCC and the informal resolution of such complaints where necessary.
- Question the PCC on the annual report in a public meeting.
- Veto powers on the PCC's proposed annual council tax precept and appointment of Chief Constable.

In the Thames Valley an agreement has been reached across all 18 principle authorities on how the Panel will operate. This agreement is set out in a 'Panel Arrangements Document'. The Agreement covers the following local authority areas:

- Aylesbury Vale District Council
- Bracknell Forest Council
- Buckinghamshire County Council
- Cherwell District Council
- Chiltern District Council
- Milton Keynes Council
- Oxford City Council
- Oxfordshire County Council
- Reading Borough Council
- Royal Borough of Windsor and Maidenhead
- Slough Borough Council
- South Bucks District Council
- South Oxfordshire District Council
- Vale of White Horse District Council
- West Berkshire Council
- West Oxfordshire District Council
- Wokingham Borough Council
- Wycombe District Council

The Panel will be made up of one elected member from each of the 18 local authorities, together with two independent co-opted members. Buckinghamshire County Council is the host local authority for the Panel and, within the overall budget agreed, will provide administrative and other support to the Panel and its members.

The first formal meeting of the Panel will take place in July 2012. Further information about the Panel, including a copy of the Panel Arrangement Agreement, can be found at: www.buckscc.gov.uk/scrutiny

Eligibility

To be eligible to apply to be an Independent Co-optee on the Panel member you must:

- Be over the age of 18
- Have your principal residence and/or principal place of work within the Thames Valley Police Force Area, and must have done so for at least 12 months prior to appointment
- If employed, you should check with your employer that your terms of employment do not prohibit them from membership of the Panel.

In addition, those holding the following roles are restricted from application:

- the PCC for the police area;
- a member of staff of the Police and Crime PCC for the area;
- a member of the civilian staff of the Police Force for the area;
- a Member of Parliament;
- a Member of the National Assembly for Wales;
- a Member of the Scottish Parliament;
- a Member of the European Parliament;
- a member of the uniformed Police Force for the area;
- a member of a principal council within the Thames Valley Police Force area.¹

¹ http://www.buckscc.gov.uk/assets/content/bcc/docs/overview_scrutiny/FinalPanelArrangements.pdf

Person Specification

This is a voluntary role and no specific professional knowledge or experience is required. Applicants might have a professional background in an area such as community safety, criminal justice or victim support. Alternatively, a strong track record of community work or business skills would be just as valuable. An interest in policing/community safety issues is expected.

Candidates will be assessed against the following competencies and personal qualities.

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 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.

The following personal qualities are also 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.

Other Requirements and Considerations

- Candidates must be able to attend meetings at varying locations throughout the Thames Valley 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 around 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*).

Roles and Responsibilities

All Independent 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.

Responsibilities

A co-opted member of the Police and Crime Panel is expected to:

- Attend all formal meetings of the Panel (approx. 6 per year)
- Establish good relations with other members, officers and co-optees.
- Attend additional meetings e.g. 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.
- At the meetings you will need to listen carefully, 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 Thames Valley 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 Thames Valley area.

Co-optees will be expected to adhere to the Member Code of Conduct of the Host Authority for the Panel, Buckinghamshire County Council. The Code can be found in section 5.1 of Buckinghamshire County Council's constitution, available at:

http://www.bucksc.gov.uk/assets/content/bcc/docs/constitution/constitution_constitution.pdf

Title: Developing a Work Programme

Date: 19 July 2012

Author: Sara Turnbull, Scrutiny Manager, Buckinghamshire County Council

Purpose of Report

To provide an overview of the issues involved in developing a work programme to ensure that the Panel can scrutinise effectively.

Context

1. The Police and Crime Panel is a new entity. To be successful in holding the Police and Crime Commissioner to account and adding value the Panel's work programme (including meeting dates) will need to be developed to achieve this.
2. The Panel Arrangements document set out a commitment that the Panel would hold 'at least six ordinary meetings' per year. In addition to 'ordinary meetings' the Panel will need to hold extraordinary meetings for confirmation hearings for senior appointments of the Police and Crime Commissioner.
3. Police and Crime Panels are defined in legislation as a Joint Council Committee and its formal meetings will thereby normally be held in public. It is envisaged that formal committee meetings would on the whole operate in a similar manner to Parliamentary select committees as their function would be to hold the Police and Crime Commissioner to account through questioning he/she on their role.
4. Further Home Office regulations are awaited which will set out legal requirements in regard to the number of meetings needed for the Panel to use its veto powers. This will impact on the number and timing of Panel meetings, particularly in January/February.

Issues to consider

5. The Panel's work programme will to a large extent depend on what the Panel wants to achieve. The key issues that the Panel will need to consider in agreeing its work programme are set out below:
 - a) **Meeting legal requirements**—Further regulations are expected on the detail of the Panel's veto powers. It is anticipated that timescales will be laid out on when and how the Panel should consider whether to use its veto power on the PCC's proposed precept level. How will the Panel take into account its legal responsibilities in planning its meeting schedule?
 - b) **Pro-active scrutiny**—The Panel has a role in supporting the PCC. One way to do this would be to help the PCC with policy development and delivery through commissioning in-depth scrutiny reviews by a Task Group. How and when will the Panel set-up Task Groups?

- c) **Set-piece meetings**—The Panel has a number of legal requirements to meet, including holding set-piece meetings during the year. For example, consideration of the PCC’s annual report and confirmation hearings. The Panel could choose to decide to use these meetings as opportunities to assist with Task Group investigations or draw out key issues of public interest. How will the Panel ensure that set-piece meetings are useful rather than just meeting legal responsibilities?
- d) **Informal planning meetings**—Given that the Panel comprises 20 members, the Panel will need to consider how it can be effective in questioning the PCC at its public sessions. Should the session be an open forum for members to raise any issues with the PCC? How will the PCC, and others, be able to prepare to answer the Panel’s questions effectively without notice of the issues/topics? Does the Panel want to agree lines of questioning/topics in advance to provide a focus to the session? If so, will the Panel have regular private planning meetings?
- e) **Briefings**—The Thames Valley is diverse and large. For members to question the PCC and others effectively in public session; as well as conduct effective scrutiny reviews members will need to be informed and updated regularly. The time constraints mean it is unlikely for briefings and updates to be possible at Panel evidence sessions. How will the Panel therefore collectively receive oral briefings on key issues?
- f) **Time commitment**—The size of the Thames Valley means that inevitably some members will have to travel considerable distances to attend meetings. How can travel time for members be minimised? Would Task Groups with a smaller number of members help with this? Could briefings and formal meetings be arranged on the same day to reduce travel time?
- g) **Meeting venues**—The principle of rotating meetings venues across the Thames Valley has previously been agreed, with the cost of refreshments met by that Authority. For some meetings, possibly informal ones, the Panel might consider using some venues that are in a central location in the Thames Valley to minimise travel, or investigate the possibility of utilizing the Police Force Headquarters.
- h) **Timing of Meetings**—The Panel will need to decide whether to normally hold day or evening meetings. And, whether to attempt to have a regular day of the week to schedule meetings. The issues to consider in relation to this are: Will the Panel be able to scrutinise the Police and Crime Plan and budget in the space of time of an evening meeting? Given that meeting venues will be rotated, are members content with travelling long distances late in the evening? When will the Panel receive briefings or have pre-meeting to discuss lines of questioning? Does the Panel need to have flexibility to extend its meeting length if urgent business arises (for example the need for Confirmation Hearings)?

Preparation

6. At the Induction event held on 28 June, attendees discussed that for the Panel to operate effectively it would be important for all Panel members to collectively have a shared understanding of key policing and community safety issues. It was also discussed that having effective working practices in ensure that the Panel can operate as an effective scrutiny body would be important.

7. Prior to the election of the Police and Crime Commissioner it is suggested that the Panel prepares protocols for its working practices in relation to the following:
 - a) **Complaints Procedure (complaints against the PCC)**
 - b) **Memorandum of Understanding with the PCC**
 - c) **Public Involvement Strategy and Communications Protocols (between Councils/Police Force and PCC)**
 - d) **Relationship between the Panel and local crime & disorder scrutiny committees**

8. In addition, it is suggested that an Induction Programme for the Panel includes the following type of issues:
 - Overview of Thames Valley crime profile (including diversity of different areas)
 - Policing performance
 - Policing budgetary issues
 - Policing structures
 - Operational issues
 - Overview of Community Safety Partnerships
 - Crime and Disorder Strategic Assessments
 - Community Safety performance
 - Community Safety budgetary issues
 - Police and Crime Plan development
 - Best practice in scrutinising via public evidence sessions (Questioning Skills)
 - Budget Scrutiny practice
 - Conducting Scrutiny Reviews

Future Panel Meetings

9. Given the issues identified above, and awaited regulations, it is suggested that decisions on the future schedule of meetings for the Panel are taken in September/October after further detailed consideration of the issues above. Below is a proposed schedule for meetings for all Panel members in the Autumn.

Provisional Dates	Activity	Details
Pre-election of PCC		
Friday 14 Sept 2012 9.30-4.30 pm, venue tbc	Formal Panel meeting meeting/Informal Planning meeting (working practices)	Ratification of co-optees Work Programme Working Practices (Confirmation Hearings/Veto/Public Involvement)
Tues 25 Sept 2012 9.30-4.30 pm, Kidlington	Policing Familiarisation Day	Strategic Policing Requirement Police and Crime Plan Control Room Visit
Friday 5 Oct 2012 9.30-4.30 pm, venue tbc	Informal Panel Briefing – Community Safety & Scrutiny Skills	CSPs Briefings from probation; victim support Questioning skills
Sept/October	Optional Visits	House of Commons Select Committees/London Assembly
Friday 2 Nov 2012 9.30-4.30 pm	Informal Panel Briefing	Development of Police and Crime Plan (PA & Force) Financial Briefing
Friday 30 Nov 2012 9.30-4.30 pm	Stakeholder Conference (with new PCC) or first meeting of the Panel?	Raise understanding of the Panel; how partners can get involved.

Recommendations

- 1. To consider the preparation work schedule above and agree meeting dates.**
- 2. To consider whether Panel members wish to volunteer to help develop draft protocols in relation to:**
 - a) Complaints Procedure (complaints against the PCC)**
 - b) Memorandum of Understanding with the PCC**
 - c) Public Involvement Strategy and Communications Protocols (between Councils/Police Force and PCC)**
 - d) Panel and local scrutiny committees Protocol**

It is suggested that one member (In addition to the Chairman/Vice-Chairman) per topic area above could oversee the development of draft protocols by officers. The final protocols would be agreed by the Panel at a formal meeting (as well as partners as appropriate).

- 3. To consider meeting venues and give delegated authority to the Chairman and Vice-Chairman to agree meeting venues for the dates identified above.**

Title: Police and Crime Panel Communications Strategy

Date: 19 July 2012

**Author: Ann-Marie Poulton, Communications Projects Officer,
Buckinghamshire County Council**

Purpose of Report

This is a discussion paper to introduce a draft Communications Strategy for the Thames Valley Police and Crime Panel. This draft is being presented for Panel members to discuss the key messages, objectives and audiences and to reach agreement on them so the document can be further refined into a workable, rolling communications plan for the Panel.

Context

1. The role of the Thames Valley Police and Crime Panel is to publically hold the Police and Crime Commissioner to account between elections. It is a scrutiny rather than executive function and as such will require the Panel to influence the Police and Crime Commissioner to accept its recommendations.
2. To be effective in its scrutiny role, the Panel will need to consider how it communicates with key stakeholders and the wider public both in the run up to the election of the Commissioner and going forward. The Panel could chose to operate as a 'behind the scenes' committee and meet statutory legal obligations. However, to do so would limit its ability to influence change effectively and represent the views of the residents of the Thames Valley. If stakeholders and the public have no awareness or engagement with the Police and Crime Panel it is not clear why the Police and Crime Commissioner should listen to its views. The document presented provides a plan for how a Communications Strategy can help the Panel to be effective in its role. It is a working draft plan with scope to be expanded and refined as the work and direction of the Panel takes shape.

Issues

3. The following issues will need to be considered in developing and delivering the Communications Strategy.

- **Communications Networks**—Given the limited Home Office funding, the ability of the Police and Crime Panel to communicate effectively will be dependent upon developing strong networks and utilising existing communications channels of Councils and other partners. This requires co-ordination and co-operation from partners. Currently there is limited awareness of the Panel, and one way to address this might be to hold a Thames Valley conference for stakeholders.
- **Media attention**—The Host Authority can issue press releases on behalf of the Police and Crime Panel, however given the size of the Thames Valley area it will have greater impact if Council communications teams locally also promote the work of the Police and Crime Panel where needed. Some ground rules will be needed on media handling to avoid confusion and to maximise impact.
- **Branding**—The Panel will need to consider if and how it wants to brand itself. Branding could help to promote a clear identify of the Panel to stakeholders and residents, as well as reinforce the message that the Panel is for the whole of the Thames Valley not one specific council or area.
- **Website**—Currently information about the Panel is hosted on Buckinghamshire County Council’s website (www.buckscc.gov.uk/scrutiny) . Other alternatives might be to host website information on the Thames Valley Police Force or Commissioner’s sites, however this might not be helpful in conveying the independence of the Panel’s role. A further alternative is for new website to be created for the Panel. Costs for this would need to be met from the Panel’s budget (see separate agenda item on the budget).
- **Evaluation**—Measuring the impact of the Communications Strategy is difficult. The level of interest and engagement by stakeholders and the public in the work of the Panel may be one way to explore this, as well as monitoring outputs such as media coverage.

Key Discussion Questions

- 1. What are the Panel's views on the communications objectives identified (see section 4 of the Communications Strategy)?**
- 2. How can the Panel effectively raise understanding and awareness among key stakeholders to help it scrutinise effectively?**
- 3. Does the Panel wish to host an event to help develop a shared understanding of the respective roles and issues of the Panel and PCC following the election of the PCC?**
- 4. Should a communications/media protocol between the Panel and individual local authorities Councils be agreed?**

Next steps

The Draft Communications Strategy will be revised and updated to reflect feedback from the Panel. If agreed, separate communications protocols will be drawn up for the agreement by the Panel as a whole.

Thames Valley Police & Crime Panel
Communications Strategy
(Draft – June 2012)

Prepared by Ann-Marie Poulton
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1. Purpose

The purpose of this communications strategy is to help raise the overall profile of the new Thames Valley Police and Crime Panel to all relevant parties and to help ensure that its role and remit is made clear to all relevant stakeholders and public.

This is a completely new way of working which will need to be explained – Why it is happening? How it will work? What is the aim of the changes? What impact will it have on the different audiences?

2. Background

In September 2011 the Coalition Government passed the Police Reform and Social Responsibility Act. As part of the new legislation the 43 Police Authorities throughout England and Wales will be replaced by a local directly-elected Police and Crime Commissioner (PCC). Each Commissioner will hold the Chief Constable of their region to account for the service delivered by the police force.

In addition, a Police and Crime Panel (PCP) will be set up in each region: *“Police and Crime Panels are being introduced in every force area to scrutinise the actions and decisions of Police and Crime Commissioners. Panels will support and challenge the Commissioners in the exercise of their functions, acting as a critical friend.”* – Home Office statement.

The changes are being brought about as part of the Government’s crime and policing reforms. The overall aim is to decentralise control and improve the democratic accountability of the police service to the public.

The new Commissioner will be elected by public ballot in November 2012. The Police and Crime Panel will be in place before this date so that it will be ready to start work as soon as the Commissioner is in post.

The Commissioner’s role will include:

- Publishing a five year Police and Crime Plan
- Setting out the local police and crime objectives
- Setting the local precept and annual force budget

The panel will have a scrutiny function and will have no direct executive powers.

The panel's tasks will include:

- Reviewing the draft Police and Crime Plan in terms of key priorities
- Overseeing complaints against the Commissioner
- Assessing the budget allocation for policing activities.

Within the Thames Valley region, covering Berkshire, Buckinghamshire, Oxfordshire and Milton Keynes, responsibility for setting up the Police and Crime Panel falls to the 18 local authorities in the area. Buckinghamshire County Council has taken position as the host authority, providing the secretariat support for the Panel.

The Thames Valley Police and Crime Panel will have one councillor from each of the 18 local authorities and two independent co-opted members.

3. Situational analysis

<p>Strengths</p> <ol style="list-style-type: none"> 1. Good existing working relationships with the Community Safety Partnerships and most other key interest groups. 2. Good working relations within the 18 authorities, agreement already in place for structure. 3. Each individual authority will bring different strengths and skills to the Panel. 	<p>Weaknesses</p> <ol style="list-style-type: none"> 1. Potential for difficulties in working with a large number of partner organisations for the first time. 2. Exact role of Panel is not yet clearly defined and will develop over time. 3. With so many local authorities involved, will need to ensure consistency in core messages and co-ordination. 4. Limited resources – only one full time member of staff and finite budget. 5. New way of working – it will take time to bed down
<p>Opportunities</p> <ol style="list-style-type: none"> 1. The changes are happening nationwide so there will be lots of general publicity helping to promote the new set up and raising overall awareness. 	<p>Threats</p> <ol style="list-style-type: none"> 1. Managing expectations – if the profile of the Panel is raised too much it may raise expectations on what the Panel can actually deliver.

<p>2. This is a completely new way of working – the new Commissioner will replace the 19 member Police Authority – it may be easier to deal with/build up a working relationship with one person as opposed to a whole committee.</p>	<p>2. Equally, if the Panel does not gain a high enough public profile it may lack power and influence.</p> <p>3. There are currently 17 Community Safety Partnerships in the Thames Valley Region. There will be a challenge involved in how the work of these groups fits in around the new set up.</p> <p>4. Large number of authorities involved, will need to ensure comms messages are consistent and united.</p>
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4. Communications Objectives

- a. To raise awareness of the new position of Police and Crime Commissioner and the new governance structures, specifically the Police and Crime Panel, it's functions, aims and limitations, to all relevant audiences to manage expectations. Also explaining and clarifying the Panel's relationship to the Commissioner.
- b. To raise the overall profile of the Thames Valley Police and Crime Panel with both key stakeholders and interested members of the general population within the region.
- c. Engaging with the public for them to get involved with shaping the work of the Panel and supporting the public involvement strategies of the Police Force and the Police and Crime Commissioner.

5. Target audiences/stakeholders

- a. Commissioner
- b. General public
- c. Community Safety Partnerships

- d. Other external partners, including Victim Support, Neighbourhood Watch groups, crime forums, community groups/residents associations, probation services etc
- e. Councils – All Members and staff in each of the 18 local authorities
- f. Thames Valley Police Force
- g. Media – across the whole Thames Valley region – (Influencers)

6. Key messages

These will be refined by the Panel over time but will include the following:

- a. General public – Initial promotion and request for applications for co-opted member positions, explanation of the Panel and its role in relation to the Commissioner, why it is being set up, what it means for residents, how they can contact the Panel/get involved, how this new way of working benefits them.
- b. External partners – Explanation of the Panel and why it is being set up, what impact it will have for partners, how the Panel will work and how it will fit in with their own work
- c. Councils - (particularly Cabinet & Scrutiny) & relevant staff (heads of service etc) – Introducing new set up, what it means for each council, role of the elected member within the Panel
- d. Police – How we can work together with you to support the Commissioner and help communicate key messages
- e. Media – Overall promotion of the Panel, why it is being set up, how it will work, who is involved/key contacts, what it means for the Thames Valley region
- f. Commissioner – The Panel is there to support the Commissioner in their work, as a ‘critical friend’ but also to hold them to account.

7. Timeline (Phasing)

The communications plan will have two phases:

- a. Phase 1 – Pre-election of Commissioner – June to November
- b. Phase 2 – Post-election of Commissioner – November onwards (with input from Panel members on key messages going forward).

Phase 1 - Focus will be on:

- The setting up process, including appointment of the two co-opted members and new Scrutiny Officer
- Establishing the general role and workings of the Panel
- General awareness-raising with internal stakeholders and key partners

Phase 2 – Focus will be on:

- Further awareness-raising to wider publics and interest groups – emphasising their ability to influence the agenda/raise issues
- Explaining the exact role and remit of the Panel
- Promoting key forthcoming priorities

8. Action Plan – Phase 1 – Pre-election of Commissioner – June to November

Audience	Message	Communications Method
Councils - relevant staff	<ul style="list-style-type: none"> Awareness raising – what the changes are 	Delivery methods up to each Council, suggested methods are: <ul style="list-style-type: none"> Intranet Heads of Service briefings Staff magazines Intranet
Councils - Members	As above	<ul style="list-style-type: none"> Letter to members Cabinet member briefings All member briefings Scrutiny Committee briefing Member newsletters Intranet
External - Media	<ul style="list-style-type: none"> Request for applications for two co-opted Panel members Appointment of new co-opted members Appointment of new Chairman First meeting with the Police and Crime Commissioner 	<ul style="list-style-type: none"> Press releases Q&As Press webinar?
External Partners – Community Safety Partnerships	<ul style="list-style-type: none"> Background info How we can work together Who key contacts are 	<ul style="list-style-type: none"> Written briefings CSP newsletters/websites
Other external partners/ interest grps	As above	<ul style="list-style-type: none"> Media stories Info in parish newsletters & websites Panel member websites Relevant partner/interest group newsletters/websites
Thames Valley Police Force	<ul style="list-style-type: none"> How we can work together to support the Commissioner Key contacts 	<ul style="list-style-type: none"> Briefings Newsletters/e-newsletters
General public	<ul style="list-style-type: none"> Re-emphasis of new set up and role of Panel, including 	<ul style="list-style-type: none"> Media stories Info in parish newsletters & websites

	<p>how it relates to the Commissioner role</p> <ul style="list-style-type: none">• Key forthcoming priorities• How the public can get involved with the work of the Panel	<ul style="list-style-type: none">• Localities newsletters• Panel member websites• Twitter/Facebook/YouTube
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Phase 2 – Post election of Commissioner – November onwards

Audience	Message	Communications Method
Councils- relevant staff	<ul style="list-style-type: none"> • Further background details on Panel • Forthcoming developments 	Delivery methods up to each Council, suggested methods are: <ul style="list-style-type: none"> • Intranet • Heads of Service briefings • Staff magazines
Councils - Members	As above	<ul style="list-style-type: none"> • Regular updates to full council, cabinet members and Overview & Scrutiny Committees • Member newsletters • Member zones on Intranet
External -Media	<ul style="list-style-type: none"> • Commissioner elections/results – Panel looking forward to working with new appointee • Communicating Panel's forthcoming priorities 	<ul style="list-style-type: none"> • Press release • Press release
External Partners – Community Safety Partnerships	<ul style="list-style-type: none"> • Forthcoming priorities of Panel • How they can get involved & feed in their views on the Commissioner's Plan, priorities, budget and proposed precept level 	<ul style="list-style-type: none"> • Stakeholder Conference (all)
Other external partners/ interest grps	<ul style="list-style-type: none"> • Forthcoming priorities of Panel • How they can get involved and feed in their views 	
Commissioner	<ul style="list-style-type: none"> • Ways we can work together, support your work 	<ul style="list-style-type: none"> • Letters • Media • Website updates
Thames Valley Police force	<ul style="list-style-type: none"> • Forthcoming priorities of Panel • Re-emphasising ways we can 	

	work together	
General public	<ul style="list-style-type: none"> • Forthcoming priorities of Panel • How they can get involved/comment/feed in views 	<ul style="list-style-type: none"> • Press articles • Info in parish magazines • Panel member websites • Webcasting of meetings?

9. Evaluation

We need to be able to measure the impact of this communications strategy. Have the objectives been met –

- Are people aware of the changes that have taken place and what it means for them/their organisation/local area?
- Are the target audiences aware of the Panel's existence, role and limitations? Do they understand what the role of the Panel is in relation to the Commissioner?
- How far are the public involved in engaging with the Panel?

Tools/Methods

- Media coverage
- Webpage/website hits
- Social media comments/tweets
- Enquiries generated

Title: Resourcing the Thames Valley Police and Crime Panel

Date: 19 July 2012

Author: Sara Turnbull, Scrutiny Manager, Buckinghamshire County Council

Purpose of Report

To provide an overview of draft indicative costs for supporting the Police and Crime Panel for the Panel's agreement.

Background

1. The Home Office will provide funding to Host Authorities to support the running costs of Police and Crime Panels. The confirmed annual funding will be £53,000 per annum for running costs plus an additional £920 per annum per member to fund necessary expenses. **This will provide an annual budget for the Panel of £71,700 in a full year from 2013/14.**
2. For the financial year 2012/13 the Home Office has confirmed that it will be providing pro-rata funding from a start date of 1 October 2012. **The total budget provided by the Home Office for 2012/13 is expected to be £35,850. The Home Office has confirmed that the funding will be paid in one lump sum, including the notional allocation towards member expenses.** The funding notionally allocated towards member expenses is unringfenced and can therefore be used flexibly to support the Panel as it sees fit.
3. The Thames Valley Panel Arrangements, signed-off by all 18 Authorities, sets out that the Host Authority will provide a level of service to support the Panel within the resources granted by the Home Office. In subsequent years, Authorities could choose to top up the Home Office funding through its own resources, however this would need to be agreed by all Authorities (Panel Arrangements, para 5.0).

Budget Assumptions

4. Some decisions have already been made by the Member Steering Group which oversaw the initial set-up of the Panel and these have been factored into the indicative Budget Plan as set out in paragraph 8 below.
5. The funding from the Home Office is limited. A flat rate is being provided to Host Authorities with no account taken on the size or complexity of force areas. Given this constraint, steps have been taken to minimise costs wherever possible. This includes:
 - *Start-up Costs:* Buckinghamshire County Council is underwriting all of the initial start-up costs of the Police and Crime Panel as the Home Office funding only commences on 1 October 2012. These costs are therefore not included within the Budget Plan. This support has to date included a range of professional expertise from scrutiny, Legal and Democratic Services and Community Safety teams over a six month period. It has included backfilling the post of a Scrutiny Officer to provide capacity for this project. It

has also necessitated providing Independent Legal Advice from Bevan Brittan in relation to the Panel Arrangements and Rules of Procedure.

- *Expenses and Allowances:* The Member Steering Group agreed that each individual Authority should pay expenses and allowances of their representative on the Panel and that no allowance should be paid to co-optees. These points are reflected in the signed-off Panel Arrangements (para 6.0) and reflected in the Indicative Budget Plan. Reasonable expenses will be paid by the Host Authority for co-optees.

- *Meeting venue costs:* The Member Steering Group agreed the principle of rotating venues across the Thames Valley for Panel meetings. The Authority offering the facilities will meet the costs of providing the venue and refreshments.

6. The Member Steering Group agreed that the Home Office funding should be used to provide a full-time Scrutiny Policy Officer to support its work as this would be the core officer support needed to help the Panel conduct its business. On this basis the Host Authority has appointed to this position. Please note that the budget set out below is for a six-month period.

Indicative 2012/13 Budget Costs (1 October 2012–31 March 2013)

7. As a new entity there are inevitably uncertainties around the activity of the Panel which will impact on how the Home Office funding will be utilized. This includes the number of meetings to be held and the extent that legal and specialist expertise is needed. The table below sets out an overview of how the Host Authority proposes to utilize the Home Office funding to provide the necessary support to the Police and Crime Panel.

Service	Description	Indicative cost £
Scrutiny Services	1 FTE, policy support for the Panel & review groups; management support, ongoing procedural set-up in year one; organisational on-costs – NIC/Pensions/HR/ICT; recruitment costs for Scrutiny Officer position	26,000
Democratic Services Support	Clerking	2,200
Legal services	Complaints procedure, use of veto powers and other special functions	2,000
Communications	To deliver Communications Strategy, including media support & co-ordination; basic design support for communications; materials; annual stakeholder conference; webcasting	3,000
Co-optee expenses	2 Independents – travel/subsistence	920
Contingency	Options available for this expenditure pending Panel decisions on public engagement; website.	1,730
Total Budget 2012/13		35,850

8. The budget shows that there is little flexibility for additional expenditure to support more extensive public engagement activity; commission research or pay member allowances and expenses. It is suggested that the contingency of £1,730 is allocated at a later

point in the year by the Panel, once the Panel has had the opportunity for greater discussion on its work programme and activities.

Budget Monitoring Arrangements

9. The Host Authority is responsible for the sound financial management of the funds to support the Panel, including ensuring that the support provided is contained within the central government grant. Monitoring of actual spend against the grant funded budget will be carried out by the Host Authority and it is proposed that only significant variations will be reported to the Panel.

Recommendation

- 1. To consider and agree the indicative budget as set out above, subject to any significant variations to be reported back to the Panel for its agreement.**

