

DEVON AND CORNWALL POLICE AND CRIME PANEL

Subject: Panel Arrangements and Rules of Procedure

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Executive Summary:

Schedule 6 of the Police Reform and Social Responsibility Act 2011 (“the Act”) provides that a Police and Crime Panel must make Panel Arrangements and Rules of Procedure for the Panel. The first Draft Panel Arrangements and Rules of Procedure were developed by the Host Authority in consultation with all 13 local authorities in Devon, Cornwall and the Isles of Scilly.

The first draft, prepared by the Host Authority, was subsequently presented to and adopted by the Shadow Police and Crime Panel when it met in July this year, with only a few minor amendments which have been incorporated.

The Shadow Panel was advised that, at the time, some sections were subject to further regulations and guidance, some of which have now been received and incorporated.

The updated Panel Arrangements and Rules of Procedure are attached (Appendix I).

Implications: Police and Crime Plan, Annual Report, Peninsula Partnership Strategic Assessment, Panel Functions, Panel Arrangements and Rules of Procedure:

Agreement of revisions and updates to Panel Arrangements and Rules of Procedure is fundamental to the work of the Panel and its ability to influence key decisions which will be taken by the new Police and Crime Commissioner after their election.

Implications: resources including finance, human and IT:

The Panel Arrangements and Rules of Procedure include arrangements for scrutinising the precept, which is a key resources issue, and section 22 has been updated in the light the latest relevant Regulation.

Recommendations & Reasons for recommended action:

It is recommended that the Devon and Cornwall Shadow Police and Crime Panel:

1. Adopts the revised Panel Arrangements and Rules of Procedure set out in the Appendix.
2. Agrees to review/update the document in light of further advice and Home Office regulations, as required.

Agreeing these recommendations will allow the Panel to operate effectively and ensures the Panel becomes fully constituted in order to scrutinise and support the Police and Crime Commissioner, when elected, with the effective exercise of their functions.

Alternative options considered, and reasons for recommended action:

If the Panel does not agree Panel Arrangements and Rules of Procedure including revisions, this would reduce the Panel's ability to influence key decisions which will be taken by the new Police and Crime Commissioner soon after their election.

Background Papers:

1. Police Reform and Social Responsibility Act 2011¹
 2. Devon & Cornwall Police & Crime Panel Arrangements and Rules of Procedure (draft)
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1.0 Introduction

1.1 Schedule 6 of the Police Reform and Social Responsibility Act 2011 (“the Act”) provides that a Police and Crime Panel must make Panel Arrangements and Rules of Procedure for the Panel. The purpose of the Panel Arrangements and Rules of Procedure are to set out clearly the operations and conduct of the Panel. As required by law, the Panel Arrangements and Rules of Procedure make provision for carrying out the functions (including special functions) of the Panel, including the scrutiny of the police and crime plan, the scrutiny of the annual report, the scrutiny of senior appointments and the issuing of precepts. They also detail the procedures relating to the handling of complaints and conduct matters.

1.2 In accordance with the requirements of the Act, the first draft of Panel Arrangements and Rules of Procedure was prepared by the Host Authority in consultation with all 13 local authorities. These were subsequently presented to, and adopted by, the Shadow Police and Crime Panel when it met in July this year, with only a few minor amendments which have been incorporated.

2. Adopting Revisions to Panel Arrangements and Rules of Procedure

2.1 Following the adoption of the first draft of the Panel Arrangements and Rules of Procedure, a number of amendments have been made to the document in light of new Regulations and guidance and a general ‘tidying up’, the most significant of being:

- Recruitment and Selection of independent members
- Substitutions of Panel Members
- Code of Conduct for Panel Members (now Guiding Principles)
- Voting
- Meetings of the Panel
- Regulations covering the exercise of the veto powers of the panel over the precept and appointment of the chief constable
- Rules of Debate
- Public Participation
- Annex 3 “Guiding Principles” has been removed and incorporated into Annex I “Guiding Principles”.

2.2 Further amendments/updates may still be needed in the future because advice and guidance is expected on:

- Role of Panel as ‘scrutiny’ body, and links to Overview and Scrutiny Committees for Community Safety and Panels working across force borders.
- Confirmation Hearings (of senior staff other than the Chief Constable)
- Guidance on the handling of non-criminal complaints (however, this is likely to be very ‘light touch’).

2.3 Proposed amendments will be brought to the Panel as required.

3.0 Conclusion

Adopting revisions to Panel Arrangements and Rules of Procedure will enable the Shadow Panel to comply with the law and to carry out its functions (including special functions), and scrutinise and support the Police and Crime Commissioner, when elected, with the effective exercise of their functions.