



## Suffolk Police and Crime Panel

### Panel Arrangements

1. These Panel Arrangements relate to the establishment of the Police and Crime Panel for Suffolk (referred to in this document as the Panel) to meet the requirements of the Police Reform and Social Responsibility Act 2011 (the Act) in relation to providing regular public scrutiny of the Police and Crime Commissioner (PCC) for Suffolk.
2. The Panel is a Joint Committee for Suffolk and is supported and operated on behalf of Suffolk local authorities by Suffolk County Council as the 'host' Council for the purposes of the Act. The rules of procedure within the Suffolk County Council's Constitution will apply unless otherwise stated. Councillors will be subject to the code of conduct operated by their authority and the independent co-optees will be subject to the County Council code.

### Membership

3. The Panel in Suffolk must have at least 10 councillors and 2 independent co-optees. Any additional members, whether councillors or independent members, may only be appointed up to a maximum of 20 and with the approval of the Secretary of State and the Panel.
4. Part 4 of Schedule 6 of the Act 2011 imposes a duty on local authorities collectively to produce a balanced Panel. This means that the membership of the Panel as a whole should:
  - a) represent all parts of the police area (by having at least one elected member from each authority);
  - b) represent the political make-up of the relevant local authorities (membership to be politically proportionate across the whole of Suffolk); and
  - c) have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.
5. The Panel will include:
  - a) Eleven local authority councillor representatives appointed to achieve political proportionality across Suffolk. The agreed approach for achieving this is:
    - four from Suffolk County Council;
    - two each from East Suffolk Council and West Suffolk Council;
    - one each from Babergh District Council, Ipswich Borough Council, and Mid Suffolk District Council;
    - the councillor's term of office must not extend beyond their term of office with the appointing authority;
    - political representation will initially be apportioned on the basis of the number of councillors for all local authorities in Suffolk against each councillor's declared political affiliation at 8 May 2012, and reviewed annually following May elections;

- for each nominated member, each authority shall also appoint a named substitute of the same political affiliation;
- the Panel's primary role is as a scrutiny function to challenge and support the PCC, and the appointments to the Panel should be made on the basis that his or her other responsibilities within that local authority, or for it, do not make it inappropriate to do so.

Note: As statute only provides for 10 elected members for Suffolk, the permission of the Secretary of State has been sought and subsequently obtained to allow the Panel to include an additional elected member in order to achieve political balance. This also required the agreement of the Panel.

- b) Two independent co-opted members, who cannot be elected members, will be recruited through an open recruitment process involving Panel members. Independent Co-opted Members of the Panel must live or work in Suffolk, and will be confirmed by the Panel having regard to the following factors:
- skills and experience in spheres relevant to police and crime;
  - experience which complements the knowledge and experience of the political membership of the Panel;
  - experience of resource utilisation across a range of policy and service/business objectives and performance targets; and
  - knowledge of the voluntary and community sector.
- c) The term of office of independent co-opted members shall be for an initial period of four years, extendable by a further 4-year term on the approval of the Panel. Following either the end of this second 4-year term, or the resignation of any Independent Co-opted Member, an open recruitment process shall take place.
6. The following are excluded from membership of the Panel by law:
- the PCC;
  - staff of the PCC of Suffolk;
  - civilian staff of Suffolk Police;
  - Members of Parliament and Members of the Scottish or European Parliament or the National Assembly of Wales; and
  - serving police officers (on the grounds that the Home Office regards co-option to the Panel for the purpose of scrutinising an elected PCC as taking part in politics).

### **Attendance at meetings**

7. Every effort should be made to ensure nominated members attend scheduled meetings of the Panel. However, in the event of a member not being able to attend, the named substitute appointed in accordance with paragraph 5 above will participate fully, including voting on decisions.

### **Terms of Reference of the Panel**

8. The Panel provides checks and balances in relation to the performance of the PCC. In doing so it may challenge the PCC but it must also exercise its functions with a view to supporting the effective exercise of the PCC's functions.
9. The Panel's powers and duties include:
- a) Requiring the PCC and members of the Commissioner's staff to attend the Panel to answer questions at a Panel meeting.

- b) Asking His Majesty's Inspectorate of Constabulary and Fire and Rescue Services for a professional view when the PCC intends to dismiss a Chief Constable.
  - c) Reviewing the draft Police and Crime Plan, or draft variation, and making recommendations at a Panel meeting which the PCC must attend.
  - d) Reviewing the PCC's Annual Report and making reports and recommendations at a Panel meeting which the PCC must attend.
  - e) Requiring relevant reports and information in the PCC's possession (except those which are operationally sensitive) to enable it to fulfil its statutory obligations.
  - f) Appointing an acting PCC where the elected PCC is incapacitated, resigns or is disqualified.
  - g) Responsibility for complaints about a PCC, although serious complaints and misconduct must be passed to the Independent Office for Police Conduct.
  - h) Powers of veto by a two thirds majority of the total Panel membership over:
    - the level of the PCC's proposed precept; and
    - the proposed appointment of a Chief Constable.
10. The Panel must hold a confirmation hearing for a proposed appointment of a Chief Constable by the PCC within three weeks of notification by the PCC of the proposed appointment.
11. The Panel must hold confirmation hearings for proposed senior appointments by the PCC within three weeks of notification by the PCC of the proposed senior appointment. Senior appointments include the Commissioner's Chief Executive, the Commissioner's Chief Finance Officer, or the Deputy PCC (in accordance with the requirements set out in Schedule 1 of the Act.)
12. Where the Panel makes reports and recommendations it shall include:
- a) an explanation of the matter reviewed or scrutinised;
  - b) a summary of the evidence considered;
  - c) a list of the participants involved in the review or scrutiny;
  - d) any recommendations on the matter reviewed or scrutinised; and
  - e) other information as may be prescribed by legislation or statutory guidance.
13. Copies of the reports and recommendations must be sent to each local authority in the Suffolk policing area and will be made available on the County Council's website.
14. The Panel may also establish a sub-committee, or a scrutiny task and finish group of up to five members. In commissioning a sub-committee or a working party, the Panel will have regard to the relevant Rules of Procedure.

### **Monitoring Officer**

15. The County Council's Monitoring Officer will provide procedural advice and support to the Panel.

### **Officer Support**

16. Suffolk County Council's Head of Legal Services will provide legal advice to the Panel.

17. Suffolk County Council's statutory designated Scrutiny Officer will ensure the provision of appropriate scrutiny officer support, scrutiny advice and guidance to the Panel and facilitate the provision of information for the Panel.
18. Suffolk County Council will also be responsible for ensuring that the role of the Panel is promoted and that support and guidance is given to members, executive members and officers of the Suffolk local authorities.
19. Each local authority will provide a local officer contact for their councillor member and substitute member.
20. Each local authority may provide staffing support to assist with holding meetings at different locations across Suffolk. This support would include, for example, reception, provision of refreshments and technical support.

### **Maintaining Knowledge and Understanding**

21. Each member and substitute member of the Panel will be expected to develop and maintain awareness of issues in relation to the remit of the Panel and good scrutiny practice. This will include, among other things:
  - the role of the PCP;
  - exercising the right to veto;
  - how the Police and Crime Plan is developed;
  - relationships with the PCC, staff and the force; and
  - an understanding of the practice and operation of effective scrutiny.

### **Review of the Panel Arrangements, Rules of Procedure and operation of the Panel**

22. The Panel should review the Panel Arrangements, Rules of Procedure and the operation of the Panel:
  - approximately 6 months after it has been formed; and
  - approximately 6 months prior to the election of a new PCC.
23. The Panel should make a report of their review to the Suffolk Public Sector Leaders and include any recommendations for changes to either the Panel Arrangements, the Rules of Procedure or the operation of the Panel, or relating to the skills and knowledge balance of the membership.

### **Financial Arrangements**

24. The Home Office will provide funding of £53,000 for each Panel each year to cover the support and running costs. The Home Office will also make available up to £920 per member of the Panel (including additional co-optees) to fund necessary expenses. This funding will be paid to the 'host' authority.
25. Funding for 2012-13 will be about half of the amount specified above to reflect that the Panel will only be in place for 6 months of the financial year.

### **Travel and Subsistence Allowances**

26. All Panel members shall be eligible to receive travel and subsistence allowances:
  - a) For representatives of local authorities these allowances should be at a rate set out in their respective local authority's Members' Allowance Scheme. Each local authority in Suffolk should be reimbursed for the costs of travel and subsistence allowances paid to Panel members and substitute members financed from the Home Office Police and Crime Panel Grant.

- b) For independent co-opted members the relevant travel and subsistence allowances are those set out in Suffolk County Council's Members' Allowance Scheme.
27. All named substitute members shall also be eligible to receive travel and subsistence for attendance at training and information update sessions specifically in relation to the role or work of the Panel.

### Other allowances

28. An attendance allowance will be paid to independent co-opted members in accordance with the Members' Allowance Scheme in operation at Suffolk County Council at that time.
29. The Chairman of the Suffolk Police and Crime Panel will receive a Special Responsibility Allowance of 0.5 of the Basic Allowance of County Councillors.
30. The Chairman's allowance will be paid with effect from 1 April 2014 and is irrespective of whether or not the Chairman is a local authority member.

### Code of Conduct

31. All parties will be expected to abide by the seven principles as set out in Standards in Public Life: First Report of the Committee on Standards in Public Life (known as "the Nolan Principles") and as referred to in the Suffolk Code for Members.
32. Any alleged breaches relating to representatives of district and borough councils will be referred to the relevant Monitoring Officer of their nominating authority. All other alleged breaches will be referred to the County Council's Monitoring Officer.

### Document History

Issue	Date	Details
1	July 2012	Panel Arrangements agreed by the Suffolk Public Sector Leaders and Suffolk Local Authorities.
2	March 2013	Section 26 updated, following the Suffolk Public Sector Leaders meeting on 22 March 2013.
3	April 2014	Sections 29 and 30 amended, following the Suffolk Public Sector Leaders meeting on 14 March 2014.
4	October 2015	Panel Arrangements reviewed by Police and Crime Panel at its meeting on 9 October 2015.
5	October 2019	Section 5 amended to reflect the establishment of East Suffolk and West Suffolk Councils in April 2019. Approved by Police and Crime Panel at its meeting on 4 October 2019. Suffolk Public Sector Leaders approved the constitution of the Panel in June 2019 to achieve political proportionality.
6	October 2022	Paragraph 5c added following consideration by the Police and Crime Panel on 7 October 2022 and Suffolk Public Sector Leaders and the Monitoring Officer of each constituent council during February 2023.
7	July 2023	Paragraph 29 typographical error amended (0.5% should have read 0.5).
8	June 2024	Requirement added at Paragraph 5b that Independent Co-opted Members of the Panel must live or work in Suffolk.