



**Gloucestershire**  
COUNTY COUNCIL



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**AGENDA SUPPLEMENT –  
CONSTITUTION COMMITTEE  
12 MARCH 2012**

**POLICE AND CRIME PANEL –  
Amendments to terms of reference  
and IRP report**



# CONSTITUTION COMMITTEE AGENDA SUPPLEMENT

**TIME:** 3.00 pm  
**DATE:** Monday 12th March, 2012  
**VENUE:** Meeting Room 1 - Shire Hall, Gloucester

## A G E N D A

**ITEM TOPIC**

5. **Police & Crime Panels** (Pages 1 - 6)

**CONTACT**

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### GLOUCESTERSHIRE POLICE AND CRIME PANEL

#### TERMS OF REFERENCE

The functions of the panel are to be exercised with a view to supporting the effective exercise of the functions of the Police and Crime Commissioner. The panel is under a duty to support, as well as challenge, the commissioner.

- 1) To review the draft police and crime plan, or draft variation, given to the panel by the Police and Crime Commissioner. The panel must make a report or recommendations to the commissioner.
- 2) To review the annual report and make a report or recommendations to the commissioner. The panel is to ask the commissioner questions, as appropriate, on the annual report.
- 3) To hold a confirmation hearing and review, make a report, and recommendation of proposed senior appointments made by the Police and Crime Commissioner, this includes:
  - a) The commissioner's chief executive
  - b) The commissioner's chief finance officer
  - c) A deputy police and crime commissioner

The panel has the power to veto the appointment of the Chief Constable.

- 4) To review and make a report and recommendation (as necessary) on the proposed precept. The panel has the power to veto the proposed precept.
- 5) To review or scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of the commissioner's functions.
- 6) To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Panel by the Police Reform and Social Responsibility Act 2011.
- 7) To appoint an Acting Police and Crime Commissioner if necessary.

**GLOUCESTERSHIRE POLICE AND CRIME PANEL**

**PANEL ARRANGEMENTS**

**1 OPERATING ARRANGEMENTS**

- 1.1 Gloucestershire County Council shall act as the host authority in establishing the Police and Crime Panel and provide the necessary officer support.
- 1.2 The panel shall be made up of a minimum of 10 councillors and two independent members.
- 1.3 The elected membership shall be made up of a minimum of six district councillors and a minimum of four county councillors. Each council will appoint deputies equivalent to the number of members it has appointed to the panel.
- 1.4 Gloucestershire County Council as host authority shall promote the role of the police and crime panel through meetings held in public.
- 1.5 Any funding provided by the Home Office to meet the costs of establishing, supporting and running the panel will be managed by Gloucestershire County Council as host authority.

**2 ELECTED MEMBERSHIP**

- 2.1 All county councillors and district councillors in the county of Gloucestershire are eligible to be members of the panel.
- 2.2 Included in the panel's membership will be one councillor from each district council.
- 2.3 The 10 elected members of the panel will be appointed in May 2012 at the annual meeting of each council. Named deputies will be appointed for each member.
- 2.4 Future appointments will be made at each annual meeting, at the annual meeting following an election. Terms of office may not be for more than four years, but members may subsequently be appointed for more than one term.
- 2.5 The panel membership shall, as far as is reasonably practicable, meet the balanced appointment objective as set out in the Police Reform and Social Responsibility Act 2011.

- 2.6 The panel may resolve to co-opt additional elected members if, for example, the appointments made by each council do not meet the balanced appointment objective across the whole panel. The co-opted elected members may be drawn from the county council or the district councils and will be recommended to the panel by the Leader of Gloucestershire County Council following consultation with Leadership Gloucestershire. The appointment of co-opted elected members will be reviewed annually.
- 2.7 In accordance with the Police Reform and Social Responsibility Act 2011, any increase in the size of the panel as a result of the co-option of elected members will be subject to the approval of the Home Secretary. The maximum number of members of the panel including co-opted members shall not exceed 20.
- 2.8 All elected members, including co-optees, of the panel may vote in proceedings of the panel.

### **3 CASUAL VACANCIES**

- 3.1 A vacancy on the panel arises when a county councillor, a district councillor or an independent member resigns from the membership of the panel.
- 3.2 Each council will fill vacancies for elected members in accordance with the arrangements in their constitution. Vacancies for co-opted elected members and independent members will be filled in accordance with the selection processes outlined in sections 2.5 and 4.

### **4 INDEPENDENT MEMBERS**

- 4.1 The panel shall co-opt two independent **non-elected** members onto the panel for a term of four years, starting in July 2012.
- 4.2 The selection process for co-opting independent members should include a reasonable period of advertising for the positions. A closing date for the receipt of applications should be given of at least two weeks from the date the advert is first placed.
- 4.3 Information packs should be prepared and sent to those requesting application forms.
- 4.4 The applications will be considered against agreed eligibility criteria and then the chairman and vice-chairman of the panel will be invited to meet to consider applications and interview candidates. At all times consideration should be given to the balanced appointment objective.

- 4.5 The 'balanced appointment objective' referred is the objective that local authority members of a police and crime panel (when taken together):
- a) represent the political make-up of the relevant local authorities;
  - b) represent all parts of the relevant police area;
  - c) have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.
- 4.6 Following the interviews, the chairman and vice-chairman will make recommendations to the panel about membership for the panel to confirm.
- 4.7 Independent members may vote in all proceedings of the panel.

## **5 REMOVAL OF MEMBERS**

- 5.1 An Authority may decide in accordance with their procedures to remove their appointed member from the panel at any point and on doing so shall give notice to the Chief Executive of Gloucestershire County Council as host authority.
- 5.2 An appointed member may resign from the panel by giving written notice to the Chief Executive of Gloucestershire County Council as host authority and the Authority they represent on the panel.
- 5.3 In the event that any appointed member resigns from the panel, or is removed from the panel by an Authority, the Authority shall immediately take steps to nominate and appoint an alternative member to the panel. The validity of the proceedings of the panel is not affected by a vacancy in the membership.



**REPORT OF THE INDEPENDENT REMUNERATION PANEL MEETING  
ON 8 MARCH 2013**

**Gloucestershire Police and Crime Panel - Allowances**

**1. Introduction**

1.1 The Independent Remuneration Panel (IRP) met on 8 March 2012 and received a briefing on the role of the Police and Crime Panel and considered the arrangements for establishing a Gloucestershire Police and Crime Panel.

1.2 The IRP noted that Leadership Gloucestershire had agreed in principle that Gloucestershire would act as the host authority in establishing the Panel which would be a joint committee between the seven Gloucestershire Councils and would comprise:

- 4 County Councillors
- 6 District Councillors (1 Councillor from each of the District Councils)
- 2 Independent (non-elected) Members
- A minimum number of co-opted Councillors to achieve political proportionality

1.3 The Panel considered the level of the special responsibility allowance in respect of the Chair of the Police and Crime Panel. The Panel acknowledged that until the Panel was operational it was very difficult to predict the workload and time commitment and therefore agreed that the special responsibility allowance for the Chair should be the same as for the Chair of the Planning Committee and the Scrutiny Committee Chairs.

1.4 The Panel considered whether an allowance should be paid to individual members of the Police and Crime Panel and agreed that in line with other Committees, only the Chair should receive a special responsibility allowance in recognition of the additional responsibilities associated with being a Chair.

1.5 The Panel considered the position of the Independent Members and agreed that in order for Independent Members to play a full role on the Panel, they needed to have access to the same level of IT equipment and consumables as elected members for the duration of their term of office.

1.6 The Panel also agreed that Independent Members should be able to claim for travel, subsistence and the carers' allowance in accordance with the Members Allowance Scheme.

**2. Recommendations**

2.1 The Independent Remuneration Panel agreed to recommend to the Constitution Committee that:

- A Special Responsibility Allowance of £5,808 per annum be paid to the Chair of the Police and Crime Panel.
- No additional allowances be paid to members of the Police and Crime Panel.
- The two Independent Members should be able to claim travel, subsistence and the carers' allowance in accordance with the Members Allowance Scheme.
- The two Independent Members should be offered the same level of computer equipment and consumables as provided for elected members.