



HERTFORDSHIRE POLICE AND CRIME PANEL

REVIEW OF RULES OF PROCEDURE OF THE PANEL

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19 June 2014

RECOMMENDATIONS

That the Panel:-

- 1 Appoints Brian Jones and Malcolm Ramsay as independent co-opted members of the Panel**
- 2 Approves the work programme and dates of meetings for 2014/15**
- 3 Considers whether any revision to the rules of procedure should be made**
- 4 Suggests member training requirements for the year 2014/15**

Purpose of Report

To review the Panel's Rules of Procedure, including the membership of the Panel following the local elections held in May 2014, the work programme for the year ahead, public participation in meetings of the Panel and the training requirements for members of the Panel.

Background

The Panel is required to review its membership and ensure the balanced appointment objective is met. This is also the time of year that constituent councils confirm Panel representatives at their annual meetings. The Panel has previously been advised of the likely work programme so the dates of future meetings can be programmed. The Panel's Rules of Procedure were adopted in December 2012 and updated in June 2013. Members are invited to review the Rules of Procedure to consider whether any further amendments would be helpful.

Review of Membership

The Panel must achieve the balanced appointment objective set out in the Police Reform and Social Responsibility Act 2011. This means that the local authority members of the panel must, as far as practicable, represent all parts of the police area, represent the political make up of the constituent local authorities, and provide the skills, knowledge and experience necessary to discharge the functions of the Panel effectively. The Panel is required to review its membership to determine whether changing the number of co-opted members will better achieve the balanced appointment objective.

The elections in May resulted in no change to the political control of any constituent councils but a small change in the total numbers of councillors for the political parties. The current political make up is:

Political balance

	Conservative	Labour	Liberal Democrat	Other
Broxbourne	26	3		1 (UKIP)
Dacorum	43	1	7	
East Herts	45		2	3 (Ind)
Hertfordshire	46	15	16	
Hertsmere	34	5		
North Herts	34	12	3	
St Albans	29	10	17	2 (Grn/Ind)
Stevenage	3	33	3	
Three Rivers	13	3	23	
Watford	1	11	24	1 (Grn)
Welwyn Hatfield	31	14	2	1 (Ind)
Total	305	107	96	8

On 23 May 2013 there were a total of 516 councillors across the county.

516 / 11 = 46.9 Suggests for every 46.9 councillors a party ought to have one member of the PCP

305 / 46.9 = 6.5 Conservative

107 / 46.9 = 2.3 Labour

96 / 46.9 = 2.0 Liberal Democrat

8 / 46.9 = 0.2 Others

Appointments by the authorities are:

- 8 Conservative
- 1 Labour
- 2 Liberal Democrat

The Panel decided in 2012 to appoint an additional Labour party representative to better achieve political balance. The balanced appointment is still met, given constituent councils will want to nominate a member of their controlling group to represent the local authority on the Panel.

An independent member resigned at the end of last year. The panel agreed to delegate selection of a candidate to recommend for appointment to a sub-committee at its meeting in November. The position was advertised and 11 high quality candidates applied. The panel interviewed 4 selected candidates and decided that 2 should be recommended to the panel for appointment because of the range of experience and expertise they could bring to the panel.

Brian Jones is deputy chief officer of public health business management at Harrow Council. He leads on human resources, governance, risk and fraud and re-procurement of clinical and non-clinical services. He chairs 2 school governing bodies and is leader of governance with HCC's school governance service. He leads 2 research projects and has contributed to national policy and white papers. He lives in Letchworth.

Malcolm Ramsay is a retired civil service research officer with the Ministry of Justice and the Home Office before that. In the Home Office and Ministry of Justice he worked mainly in the criminal justice field having covered dangerous and severe personality disorder, criminal process research, alcohol and crime, fear of crime, street lighting and crime and prohibited drug use, prisons and prisoner resettlement. He lives in Hertford and works with the Hertford Civic Society.

Because the proposal is to appoint more than the statutorily required independent members the consent of the Home Secretary is required. This consent has been sought and granted.

It is recommended by the sub-committee that these 2 candidates should be appointed to the panel as independent co-opted members.

Work Programme

The main statutory roles of the panel require the schedule of meetings to follow the timetable of the Police and Crime Commissioner's key actions throughout the year. The Panel was advised previously that four meetings per annum are required to fulfil the statutory requirements of the Panel. The proposed schedule of meetings is as follows:

Date	Agenda
Thursday 13 November 2014	Consideration of the emerging precept and Police and Crime Plan issues. Review of the Commissioner's statutory appointments.
Thursday 29 January 2015	Consideration of the Commissioner's proposed budget and precept for 2015/16
Thursday 12 February 2015	Conclusion of the scrutiny of the Commissioner's proposed budget and precept for 2015/16 (if required) and consideration of the Commissioner's Police and Crime Plan.
Thursday 18 June 2015	Review of the Panel's membership, the annual report of the PCC and consideration of the annual complaints report

Further meetings will be required should any senior appointments be proposed by the Police and Crime Commissioner.

The Panel may wish to consider if further agenda items or additional meetings are needed to carry out work beyond the basic statutory requirements of the Panel.

Amendments to the Panel's Rules of Procedure

No amendments to the Rules of Procedure are required but the panel is invited to consider whether any should be made to assist with the better performance of the Panel's role. Issues that could be considered suitable for review are:

(1) **The quorum requirement.** Currently the Rules require a quorum of half of the members to be present. Attendance has at times been quite low and the meeting in April to consider the proposed appointment of a chief finance officer did not achieve the quorum so could not formally take place. Given the council, business and family commitments of members it may be considered appropriate to amend the quorum. The disadvantage of a lower quorum is that business transacted at a poorly attended meeting may not reflect the views of the panel as a whole. On the other hand, the views of those present may be better than none. With the current membership the quorum is 8 members. Options would be to reduce the requirement to one third (5 members) or one quarter (4 members).

(2) **Other steps to improve attendance.** In order to try to ensure high attendance participating authorities have been encouraged to appoint a substitute who is likely to be able to attend meetings if the nominated member is unable to (for example someone who is not a cabinet member) and some authorities have taken this step. Members may wish to review whether holding meetings on a Thursday evening remains appropriate, the time of meetings and whether to continue to rotate meetings around the county.

(3) **The public participation provisions.** The public participation provisions were amended last year to increase public participation. Other Police and Crime Panels have approached the clerk with a view to increasing their public participation to a similar level and advice and observations have been provided. In addition, it was remarked at the County Council Scrutiny Committee review of the panel referred to elsewhere on the agenda that the provision allowing public questions to the commissioner was a positive aspect of scrutiny of the commissioner. Members may wish to consider if the balance is correct, although the chairman does retain the ability to move on and the panel can move to go to next business if the public participation is considered to be taking too much time at a meeting.

Training Requirement

Panel members are invited to propose training that would be helpful in carrying out their roles on the Panel. The Local Government Association in association with the Centre for Public Scrutiny provided a session for the panel in November and members received briefings on the constabulary, office of the PCC and the role of the panel earlier this month. The panel is requested to consider what further training would assist. In particular it is suggested the panel consider whether the CFPS should be requested to develop the work with the panel in November. Future options considered at that session included; increasing engagement with the community safety functions of the councils in the county, improving on preparation and questioning of those attending the panel meetings and making the panel's role clearer and identifying outcomes and objectives for work.

Options to take this forward could include forming sub-committees to carry out some specific work. This could possibly be identified in consultation with councils or the PCC's office to see where the panel's input might add value. Another option could be to see if panel members could volunteer individually to undertake some work on areas within their

special interest or expertise. Areas of work might include work with victims of crime, further work on the statistical reporting mentioned elsewhere on the agenda, the impact of drugs and alcohol or other topics identified by members as relevant to their locality.

Financial Legal and Risk implications

The Panel is funded by the Home Office for at least a further 12 months. The cost of training will come from the budget held by the host authority. There are no other financial implications outlined in this report. There is no legal requirement to have public participation in the Panel's meetings. The Panel is required by law to meet the balanced appointment objective as far as practicable. Other legal and risk implications are set out in the report.

Background papers:

Consent of the Home Secretary to additional co-opted member.