



HERTFORDSHIRE POLICE AND CRIME PANEL

PROJECT PLANNING WORKING PAPER

WORK PLANNING

Gavin Miles, Head of Legal Services,
Broxbourne Borough Council

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RECOMMENDATIONS

That the Panel:-

- 1 **Considers the meeting schedule for the Panel.**
- 2 **Agrees to seek a protocol with the Police and Crime Commissioner to schedule meeting dates.**
- 3 **Agrees to seek a protocol with the Police and Crime Commissioner on the handling of complaints against the PCC.**

Purpose of Report

For the Panel to determine its work plan for the year.

Background

- 1 The PCP has specific statutory roles many of which have prescribed timescales which may make work planning difficult, particularly to spread evenly through the year. The Panel needs to consider its rules of procedure dealt with in another report on the agenda, and how it wishes to plan the workload for the year. It also needs to make arrangements for working the Police and Crime Commissioner to ensure work is efficiently dealt with.

Statutory Requirements

2 The Act requires the Panel to carry out the following roles:

- Review the draft police and crime plan. This must be issued as soon as practicable after the commissioner takes office, must be in the financial year that the elections for the PCC are held and may be amended or issued at any time. The Panel must make a report or recommendation to the PCC on their plan. This function is a 'special function' so must be carried out by the whole Panel.

It is suggested that a protocol be agreed with the PCC to cover the issue of the police and crime plan in draft and its consideration by the Panel. This will include how the PCC will be available to the Panel to discuss the plan. It will also cover how draft reports may be considered and finalised and how they will be published. It is likely that at least in the first year the draft plan will be issued at around the time that the budget is being considered in January or February 2013.

- Hold a public meeting to question the PCC on their annual report, review the report and make a report or recommendations to the PCC on it. The report must cover the exercise of the PCC's functions in the financial year and the progress in that year on achieving the police and crime objectives. This is also a special function.

Again, this could be covered in a protocol for working with the PCC. The first annual report should be published in the summer of 2013.

- Review the proposed precept proposed by the PCC. Naturally, this will come out for consideration early in the New Year. The Panel must make a report to the PCC on the proposed precept and may include recommendations and may veto the proposed precept. This again is a special function.

This topic has to be considered in good time to allow proper consideration, report to the PCC, a response from the PCC and potentially a revised precept in accordance with regulations to be made by the Home Secretary. This work is likely to be necessary in January of each year.

- The Panel must review proposed senior appointments by the PCC (the PCC's chief executive, their chief finance officer and any deputy PCC) and hold a confirmatory hearing in public to question the candidate proposed prior to making a report and recommendation to the PCC on whether to confirm the appointment or not. This again is a special function. Incumbents at commencement are not subject to this procedure so it may be necessary for an appointment of a Deputy PCC but otherwise may not be required this year.

Clearly this function will occur when an appointment is proposed so can be at any time.

- The Panel must review a proposed appointment of a Chief Constable by the PCC and hold a confirmatory hearing in public to question the candidate proposed prior to making a report and recommendation to the PCC on whether to confirm the appointment or not. The Panel may instead veto the proposed appointment. Again, this is a special function.

Again, this will occur only when an appointment is required and so is likely to be infrequent.

- The Panel must review or scrutinise decisions made or actions taken by the PCC in connection with the discharge of his functions make a report to the PCC and appointing local authorities on that topic. This is not a special function so can be delegated to a committee of the Panel.

This could be covered in a regular report to each meeting of the Panel by the PCC in an agreed format that mirrors to an extent the Annual Report. Specific areas of work considered necessary by the Panel could be carried out by a committee.

- The Panel must carry out functions in relation to complaints about the PCC. This is not a special function so can be delegated to a committee of the Panel.

These may occur from time to time and if they cannot be appropriately delegated in accordance with the statutory provisions will need to be resolved by the Panel.

- 3 **Timing and Location of Meetings** Meetings of the Panel can be held at any time to suit the workings of the Panel. It may be that experience will provide a good guide to what is required. Meetings generally do need to be open to the public. It is suggested that to facilitate public access as well as to emphasise that the Panel is a Hertfordshire-wide body the meetings could be held at different venues around the county. Members are also asked to consider whether evening meetings or day time meetings would be more appropriate.

The Home Office considers that 4 meetings of the full panel will be necessary to carry out the basic statutory functions. More may then be required depending on appointments in any year. However, the timing of the required work does not allow the meetings to be spread evenly and the work will be particularly required when members need to be involved in the budgeting process for their own authorities. Accordingly it is proposed that the PCC's office be approached to agree a protocol for approval by the PCC when elected and the Panel to try to smooth the process and ensure everyone knows what is due when. Meetings need to be scheduled for January and early February to deal with the budget. Another is required in approximately June to consider the annual report. It may be the January/February meetings could consider the police and crime plan in the first year but subsequently it would be helpful if that could move to consideration of an initial draft in autumn. Performance figures for the first 6 months of the year would be available for a report in late October so a meeting then or early November would appear appropriate to consider the annual report and achievement against the police and crime plan.

Summary

Members are requested to consider requirements for scheduling meetings. In particular:

- Is an evening meeting the best option?
- Is a particular day and time preferred for meetings?

- Should the panel meet in different locations around the county?

It is proposed that the first meeting of the Panel should be scheduled in early December as soon as practicable after the election of the PCC.

- 4 **Complaints Handling** The Panel is given power in the Regulations to delegate its complaints functions with the exception of resolution of 'other' complaints. Other complaints are those which are not either referred to the Independent Police Complaints Commission because it appears to involve a criminal offence or because the IPCC require it to be referred or is within the Regulations as a complaint that can be handled in any way the Panel chooses. Other complaints must be informally resolved and the Panel must do this but may delegate to a committee or even an individual. It is suggested that it would be helpful to identify transparently the way the Panel will deal with complaints and a full report on the topic will be brought to an early meeting of the Panel. This topic will benefit from a detailed specific protocol with the PCC's chief executive as the Regulations permit delegation of initial handling of complaints. As there is likely to be an initial allocation issue depending on the nature of the complaint it is likely he or she will be best placed to carry out this function.