

# **Shadow Durham Police and Crime Panel**

**22 August 2012**

## **The Panel Arrangements**



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### **Report of Colette Longbottom, Monitoring Officer**

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#### **Purpose of the Report**

1. To present the Panel arrangements to be endorsed by the Panel.

#### **Background**

2. Under the Police and Social Responsibility Act 2011 the two constituent authorities of the Durham Police area: Durham County Council and Darlington Borough are obliged to approve arrangements for the Police and Crime Panel.
3. Provisional terms were agreed between officers and key members of the two respective authorities, to be put to the respective councils. Darlington Borough Council approved the arrangements on the 19 July. Durham County Council approved the arrangements on the 25 July.
4. Panel arrangements are attached at Appendix 2.
5. They are arrangements prepared from guidance provided by the Local Government Association which took the lead on providing guidance and draft documentation to councils following the passage of the Act.
6. These arrangements will need to be endorsed by the Panel once it is formally constituted.

#### **Recommendation**

7. The Panel is asked to endorse the Panel arrangements and authorise the Monitoring Officer to present their approval, at a future meeting, when the Panel is formally constituted.

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**Appendix 1: Implications**

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**Finance** – The Home Office will provide (October 2012) £53,000 for the support and development of the Police and Crime Panel

**Staffing** – None specific in this report

**Risk** – None specific in this report

**Equality and Diversity / Public Sector Equality Duty** – None specific in this report

**Accommodation** - None specific in this report

**Crime and Disorder** - None specific in this report

**Human Rights** - None specific in this report

**Consultation** – None specific in this report

**Procurement** - None specific in this report

**Disability Issues** – None specific in this report

**Legal Implications** – Within the body of the report

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## **Appendix 2: Durham Police and Crime Panel - Panel Arrangements**

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### **Durham Police and Crime Panel Panel Arrangements**

1.1 Durham 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 10 councillors, and two independent members.

1.3 The elected membership shall be made up of councillors of Durham County Council and Darlington Borough Council.

### **2 Membership**

2.1 All councillors on the two authorities are eligible to be members of the Police and Crime Panel, exceptions may apply within each authorities own Constitution.

2.2 The Panel's membership will be made up of 7 elected representatives of Durham County Council and 3 elected representatives of Darlington Borough Council.

2.3 The Panel membership shall, as far as possible, be politically balanced.

2.4 All members of the Police and Crime Panel may vote in proceedings of the panel.

### **3 Casual vacancies**

3.1 A vacancy on a Police and Crime Panel arises when an elected representative 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 independent members will be filled in accordance with the selection process outlined in section 4.

### **4 Independent members**

4.1 The Police and Crime Panel shall co-opt two independent members onto the panel for a term of 2 years commencing October 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 written to achieve the requirement of the balanced appointment objective referred to in paragraph 5 beneath. Any appointment Panel agreed by the Panel to make the appointment, will comprise at least one member of each of the constituent authorities.

4.5 Following the interviews, the Chairman and Vice-Chairman will make recommendations to the panel about membership.

## **5 Appointment of elected members**

5.1 Members will be appointed at the Annual General Meeting of each Council. It is recognised that each Authority may wish to appoint from within the membership of the majority group, and politically balance within their own authorities, however authorities must have regard to the requirement in the Act that appointments shall be made with a view to ensuring that the 'balanced appointment objective' is met so far as is reasonably practicable. Authorities must appoint to the political seats they agreed in advance of the Panel arrangements being determined. If the overall political make-up of the Authorities changes when taken together, further discussions between the authorities must take place.

## **6 Term of Office**

6.1 A member shall be appointed annually to the Panel to hold office for the following municipal year, and all such appointments shall be notified to the Secretariat of the host authority no later than 31 May in each year, subject to the following proviso that he or she shall cease to be a member of the Panel if he or she ceases to be a member of the Authority (and does not on the same day again become a member of the Authority).

6.2 Each Authority will give consideration to the 'balanced objective requirement' in its annual appointment process, bearing in mind the balance objective of both authorities taken as a whole. Where possible, an Authority will give consideration to continuity of membership to enable the Panel's expertise and skills to be developed for the effective scrutiny of the PCC.

## **7 Resignation and removal of elected members on the Panel**

7.1 An Authority may decide in accordance with its procedures to remove its Member from the Panel at any time and upon doing so shall give written notice to the Secretariat of the host authority, of the change in its Member.

7.2 A Member may resign from the Panel at any time by giving notice to the appointing Council who will inform the Secretariat.

7.3 In the event that any Member resigns from the Panel, or is removed from the Panel by his or her Authority, the Authority shall immediately take steps to nominate and appoint an alternative Member to the Panel, in accordance with the agreed arrangements.

7.4 Where a Panel Member fails to attend meetings of the Panel over a six month period then the Secretariat shall recommend to the relevant Authority that due consideration is given to removing the member from the appointment to the Panel and the appointment of a replacement member from that Authority.

## **8 Allowances and Expenses**

8.1 Each Authority has the discretion to pay its representatives on the Panel Special Responsibility Allowances, and to reimburse reasonable expenses incurred. No allowance or expenses payments will be made by the Panel itself to elected members. Any allowances or expenses which may be made to elected members arising out of Panel Membership shall be determined and borne by the appointing Authorities for each Panel Member individually.

## **9 Validity of Proceedings**

9.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the Membership of the Panel or a defect in appointment.

9.2 All Panel members must observe the Members Code of Conduct and any related Protocols as agreed by the Panel.