



Durham Police and Crime Panel

22 October 2018

Appointment of Independent Co-opted Members

Joint Report of Lorraine O'Donnell, Director of Transformation and Partnerships, and Helen Lynch, Head of Legal and Democratic Services

Purpose of the Report

- 1 The purpose of the report is to seek approval on the appointment of two independent co-opted Members to the Panel.

Background

- 2 There is requirement under the Police Reform and Social Responsibility Act 2011 for the Panel to have two non-political independent members. The appointment of the two independent members provides the opportunity for the Panel, by carefully selecting individuals to complement the councillors nominated to the Panel, to satisfy the 'balanced appointment objective'. This requires the panel to have a membership, which when considered collectively, would be geographically and politically representative, and include the necessary experience, knowledge and skills to be effective.
- 3 Independent co-optees are full voting members of the Panel, and therefore have the same responsibilities and duties, and access to the same level of support as elected members on the Panel.
- 4 Following an advertisement in the press inviting applications, prospective candidates were interviewed, and two co-opted Members were appointed. Constituent authorities agreed that Mr N J H Cooke, and Mr D K G Dodwell would be appointed for a period from 1 November 2014 to 30 April 2017. At the Panel meeting in January 2017 where it was agreed to extend their term of office until 30 April 2019, it was also agreed that from 1 May 2019 one independent co-opted member be appointed for a period of two years and one independent co-opted member be appointed for a period of four years, which had been suggested would provide for continuity on the Panel.
- 5 Since that time and as a result of changes arising following local elections the membership of the Panel has changed significantly, and it is for the new Panel to determine the position going forward. There are a number of options open for the Panel to consider which include:-

- (i) to extend the contracts of the two members for a further period. The Panel would then need to determine the length of term of office, and whether the two appointments be for the same period or staggered. If the appointments were staggered it would be for the panel to determine the individual appointments. There is nothing in the Panel arrangements or guidance to indicate that existing members could not be re-appointed.
- (ii) to place an advertisement in the local press to seek new applications. The Panel would then need to determine the length of term of office, and whether the two appointments be for the same period or staggered.

6 If the Panel was minded to seek new applications the process would need to meet the following requirements, which are set out in the panel arrangements:-

- The selection process should include a reasonable period of advertising for the positions, with a closing date of at least 2 weeks' notice from date the advertisement was first placed.
- Information packs be prepared and sent to those requesting application forms.
- The applications will be considered against agreed eligibility criteria written to achieve the balanced appointment objective.
- Any Appointment Panel agreed by the Panel to make the appointment would comprise at least one member of each of the constituent authorities.
- Following the interviews, the Chairman and Vice- Chairman will make recommendations to the Panel about membership.

Term of Office

7 It is suggested that the term of office for any re-appointments or new appointments be for a four year term expiring on 30 April 2023. From that date, it is suggested that further appointments be made to the Panel every four years. At the end of a term, the Panel may decide whether to extend the appointment of existing Independent Persons or conduct a further recruitment exercise. This would mean any changes to the co-opted members' appointments from April 2023 onwards would fall into a cycle of being mid-term and therefore unaffected by any changes to the Panel following local elections for the County Council. This would provide the Panel with greater continuity.

Recommendation

8 The Panel either:-

- (i) Extend the appointment of the two independent co-opted Members to the Panel, and if so, determine the period of extension, with a suggestion that this expire on 30 April 2023, following which new appointments be made to the Panel on a four yearly basis.

OR:-

- (ii) Agree to make two new appointments to the Panel for a period until 30 April 2023, following which new appointments be made to the Panel on a four yearly basis. The requirements for appointment be as set out in paragraph 6 above together with:-
- appointing a selection panel comprising of 5 members, which would comprise of at least one member from each constituent authority, and one member as a reserve;
 - delegated authority be given to the Director of Transformation and Partnerships, and Head of Legal and Democratic Services in consultation with the Chairman and Vice Chairman of the Panel to agree the advertising arrangements, eligibility criteria, and drawing up a short-list of candidates;
 - following interview the Chairman and Vice- Chairman would make recommendations for appointment to the Police and Crime Panel.

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Appendix 1: Implications

Finance – Costs associated with undertaking potential recruitment exercise.

Staffing – None specific in this report

Risk – None specific in this report

Equality and Diversity / Public Sector Equality Duty – Potential recruitment process to be carried out in accordance with the Council's recruitment procedure.

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 – Potential Recruitment process to be carried out in accordance with the Council's recruitment procedure.

Legal Implications – As set out at paragraph 2 of the report, the Police Reform and Social Responsibility Act 2011 requires the Panel to appoint two non-political independent members.