

Avon and Somerset Police and Crime Panel
13th December 2018

Title of Report: Proposal to amend the Panel Rules of Procedure

RECOMMENDATION

The Panel is invited to consider a proposal to amend paragraphs 2.1, 2.2 and 2.3 of the Panel's Rules of Procedure, which if agreed, will open up the Panel's charring arrangements to the Independent Members of the Panel.

1. Summary

The initial set up arrangements for the Avon and Somerset Police and Crime Panel were overseen by a Joint Selection Committee of all Avon and Somerset Council Leaders (LJSC). The Panel's Rules of Procedure agreed in 2012 emerged from the requirements stated in the Police Reform and Social Responsibility Act 2011, the discussions of the LJSC and guidance issued by the LGA in relation to the Panel's governance arrangements. The rules guide how business is conducted and ensure that the Panel meets its statutory requirements.

The Panel is invited to consider a proposal to amend the rules. If agreed, this will open up the Panel's Charring arrangements to the Independent Members.

2. Background

The rules were last revisited on 1st February 2018 when the Panel was asked to consider a number of amendments to the rules based on experience since 2012. These were agreed by the Panel and a copy of the revised document is attached as Appendix 1 to this report. No changes were made to the rules in relation to the appointment of Chair or Vice-Chair at that time. The rules specify that where a decision has been made by the Panel, that decision should not be reconsidered for 6 months. Accordingly, the constitutionally sound and preferred good governance route was to deal with the election of Chair at the AGM under the existing rules and the proposal to amend the rules at that time was deferred.

The rules currently require the Chair and Vice-Chair to be appointed from within the elected membership. The relevant paragraphs are 2.1, 2.2 and 2.3. There is no legal restriction in opening up either the Chair or Vice-Chair appointments to the Independent Members of the Panel, but it does require a Panel decision to enable this to happen.

3. Issues for Consideration

Paragraph 25 of Schedule 6 of the 2011 Act sets out specific provisions which must be included in the Rules of Procedure. This includes the Panel's chairing arrangements, including the appointment, removal and resignation of the Chair. The Act does not prescribe where the Chair should be drawn from membership wise. This was considered and agreed subsequently by the LJC along with the arrangements for Vice-Chair, in line with the Government's intention that arrangements would be developed locally. LGA guidance states – *"It is for each area to decide on their own chairing arrangements, which will be set out in the rules of procedure."*

<https://www.local.gov.uk/sites/default/files/documents/police-and-crime-panels-g-9d4.pdf>

Composition wise and by law, Independent Members are not prevented from being appointed to the role of Chair or Vice-Chair, and this model has been adopted by several Panels across the country.

4. Conclusion

If the Panel choose to vote in favour of this proposal, nominations for Chair and Vice-Chair will be sought from the whole Panel membership in advance of the AGM in 2019/20.

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