

# Public Document Pack

POLICE AND CRIME PANEL  
PANEL HEDDLU A THROSEDD



## North Wales Police and Crime Panel

Wednesday, 19th December, 2012 at 10.30 am  
Bodlondeb, Conwy

### AGENDA

1. **Apologies for absence**
2. **Declarations of Interest: Code of Local Government Conduct**  
Members are reminded that they must declare the **existence** and **nature** of their declared personal interests.
3. **Urgent matters**  
Notice of items which, in the opinion of the Chairman, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.
4. **Minutes of the meeting on 13 September 2012** (Pages 1 - 4)
5. **To consider the revised Terms of Reference** (Pages 5 - 24)
6. **To consider correspondence relating to co-options from the High Sheriff and the WCVA** (Pages 25 - 28)
7. **To consider the following reports from the North Wales Police and Crime Commissioner:** (Pages 29 - 38)
  - a) Verbal update from the Police Commissioner on his time in office
  - b) Formulating a Police and Crime Plan
  - c) Presentation on the Policing precept and finance for the Police Service

## **Membership of Panel**

Cllr William Knightly (Chair)  
Cllr Glenys Diskin (Vice-Chair)

Cllr Amanda Bragg  
Cllr Bill Cowie  
Cllr Terry Evans  
Cllr Chris Hughes  
Cllr William T. Hughes  
Cllr Charles Jones  
Cllr Colin Powell  
Cllr Gethin Williams

2 Co-opted Independent Members

Conwy County Borough Council  
Flintshire County Council

Flintshire County Council  
Denbighshire County Council  
Wrexham County Borough Council  
Conwy County Borough Council  
Ynys Mon County Council  
Gwynedd County Council  
Wrexham County Borough Council  
Gwynedd Council

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## SHADOW NORTH WALES POLICE AND CRIME PANEL AGENDA ITEM 4

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Thursday, 13 September 2012 at 2.00 pm  
North Wales Police HQ. St Asaph

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<b>PRESENT:</b>	Councillor William Knightly (Chair)	Conwy County Borough Council (CCBC)
	Councillor Amanda Bragg	Flintshire County Council (FCC)
	Councillor Bill Cowie	Denbighshire County Council (DCC)
	Councillor Glenys Diskin	Flintshire County Council (FCC)
	Councillor Terry Evans	Wrexham County Council (WCC)
	Councillor Chris Hughes	Conwy County Borough Council (CCBC)
	Councillor William T Hughes	Ynys Mon County Council (YMCC)
	Councillor Charles Jones	Gwynedd Council (GC)
<b>In attendance:</b>	Councillor Nia Evans	Vice Chair – North Wales Police Authority
	Liz Ward	North Wales Police Authority
<b>Officers:</b>	Ken Finch	Strategic Director (Democracy, Regulation and Support) - Conwy County Borough Council
	Dawn Hughes	Senior Committee Services Officer - Conwy County Borough Council
	Richard Jarvis	Solicitor – Conwy County Borough Council
	Sali Morris	Administration Assistant - Conwy County Borough Council

### 1. WELCOME AND INTRODUCTIONS

The Strategic Director (Democracy, Regulation and Support) for Conwy County Borough Council welcomed all to the meeting and introductions were made.

### 2. APPOINTMENT OF CHAIR

It was proposed and seconded that Councillor William Knightly (CCBC) be appointed as the Chair of the North Wales Police and Crime Panel for 2012/13.

#### RESOLVED

**That Councillor William Knightly (CCBC) be appointed as the Chair of the North Wales Police and Crime Panel for 2012/13.**

### 3. APPOINTMENT OF VICE-CHAIR

It was proposed and seconded that Councillor Glenys Diskin (FCC) be appointed as the Vice-Chair of the North Wales Police and Crime Panel for 2012/13.

## **RESOLVED**

**That Cllr Glenys Diskin (FCC) be appointed as the Vice-Chair of the North Wales Police and Crime Panel for 2012/13.**

### **4. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors E. Selwyn Griffiths (GC), Colin Powell (WCC) and Anna Humphreys (North Wales Police Authority).

### **5. DECLARATIONS OF INTEREST: CODE OF LOCAL GOVERNMENT CONDUCT**

None.

### **6. ROLE AND RESPONSIBILITY OF THE POLICE AND CRIME PANEL**

The Panel received a presentation on the role and responsibilities of the Police and Crime Panel.

It was explained that the role of the Panel was 'to hold the Police and Crime Commissioner to account for decisions and actions'.

The following points arose during the presentation:

- The quorum for the Panel would be 4 members.
- A majority of two thirds was required to veto a decision in relation to the precept
- Co-opted members would have the same status as elected members and would have an equal vote
- The Panel would have the powers to review the Commissioner's proposed appointment of the Chief Constable, the Chief Executive, the Chief Finance Officer, and the Deputy Police and Crime Commissioner; and the Panel would be required to hold public confirmation hearings for these posts
- The Panel would have the power to suspend the Commissioner
- The Commissioner would have to consult with the Panel prior to suspension or removal of the Chief Constable

The Panel also sought clarification on the following points:

- The term of office for the Police and Crime Commissioner - as there appeared to be a conflict between the term of office of the Panel and the next local authority elections in Wales
- The process for appointing an Acting Police and Crime Commissioner, if the Commissioner was suspended
- Should the first page of the Terms of Reference under paragraph 11, include The Channel Islands as per paragraph 28.1 (a)
- Could the Deputy Police and Crime Commissioner be an employee of the Office of the Police and Crime Commissioner

## **RESOLVED-**

**That the Strategic Director (CCBC) seeks clarification on the points highlighted above.**

7. **PROPOSED POLICE AND CRIME PANEL TERMS OF REFERENCE AND OPERATING PROCEDURES**

The Panel considered the proposed Police and Crime Panel Terms of Reference.

In particular, the following points were discussed:

- Elected Members would be bound by their own Authority's Code of Conduct; however the co-opted Members would be bound by the host Authority's Code of Conduct
- The Panel must co-opt a minimum of two independent members in the first instance, with a maximum of 20 members on the Panel
- Payment of allowances and expenses to members of the Panel – there would be a meeting with the WLGA and representatives from the Home Office shortly to discuss this issue
- The Panel could only veto the Commissioner's proposals in relation to the precept once

Clarification was sought in relation to the following:

- Should 'may publish the reports or recommendations' in paragraph 14.1 of the Terms of Reference be amended to 'must publish the reports or recommendations'
- Could the Acting Police and Crime Commissioner be the Chief Executive or the Chief Finance Officer
- Would there be a provision for a referendum if the Panel vetoed the precept
- The provision of IT facilities and the intention for the Panel to be 'paperless'

The Strategic Director confirmed that Conwy County Borough Council would provide translation facilities for meetings of the Panel.

**RESOLVED-**

**That the Terms of Reference be accepted by the Panel subject to clarification of the above points.**

8. **PROPOSED ARRANGEMENTS FOR THE CO-OPTION OF MEMBERS TO THE POLICE AND CRIME PANEL**

The Panel considered the proposed arrangements for the co-option of members to the Police and Crime Panel.

The proposed application form set out a wide range of key competencies, which the applicant would need to meet. Advertising for the co-optees would be carried out through Local Authority websites and the local press.

Following a review undertaken by the North Wales Police Authority of their own advertising arrangements, the Panel were encouraged not to target a specific demographic area, but to target a wide audience to ensure equality and diversity.

As per the Terms of Reference, shortlisting and interviews would be carried out by a panel of three members consisting of: Councillor William Knightly (Chair), Councillor Glenys Diskin (Vice Chair) and Councillor Charles Jones (GC).

**AGREED-**

**That the proposed arrangements for the recruitment of co-opted members to the Police and Crime Panel be agreed.**

9. **POLICE AND CRIME PANEL COMMUNICATIONS**

The Panel was presented with a draft media protocol for the Police and Crime Panel.

Members discussed the media interest surrounding the precept and the Panel's attention was drawn to the following statement within the protocol: 'Only the chair may make comment to the media on the Panel's behalf'. Some Members felt that this went against democracy and that Members should have the right to express their own opinions to the press.

It was felt that comments on behalf of the Panel should be made by the Chair; however, if Members were speaking as individuals or it related to a local issue, then Members should be allowed to address the press.

The Panel supported the principles of the protocol, but requested further clarification in relation to the statement highlighted above.

**RESOLVED-**

**That the draft media protocol for the North Wales Police and Crime Panel be approved in principle, subject to clarification in relation to the statement that only the Chair may comment to the media on the Panel's behalf.**

10. **FUTURE MEETINGS OF THE POLICE AND CRIME PANEL**

The Panel was presented with the Forward Work Programme for the North Wales Police and Crime Panel.

Future meeting dates had been set up but these could change, due to changes in legislation in relation to the precept.

The Senior Committee Services Officer confirmed that all future meetings would be held at Conwy County Borough Council and directions would be circulated to all Panel Members.

**RESOLVED-**

**That the Forward Work Programme for the North Wales Police and Crime Panel be noted.**

(The meeting ended at 3.50 pm)

# Agenda Item 5

## AGENDA ITEM 5

**Disclosure of confidential information is a breach of the Members Code of Conduct and a disciplinary matter**

<b>REPORT TO:</b>	North Wales Police and Crime Panel
<b>DATE:</b>	19 <sup>th</sup> December 2012
<b>LEAD OFFICER:</b>	Ken Finch, Strategic Director (Democracy, Regulation & Support) (01492) 576015 <a href="mailto:ken.finch@conwy.gov.uk">ken.finch@conwy.gov.uk</a>
<b>CONTACT OFFICER:</b>	Richard J V Jarvis, Solicitor (01492) 576103 <a href="mailto:richard.jarvis@conwy.gov.uk">richard.jarvis@conwy.gov.uk</a>
<b>SUBJECT:</b>	Amendments to the North Wales Police and Crime Panel Terms of Reference & Rules of Procedure

### 1. PURPOSE OF THE REPORT

To propose amendments to the North Wales Police and Crime Panel ("Panel"):

- (i) Terms of Reference
- (ii) Rules of Procedure

### 2. EXECUTIVE SUMMARY

To amend the Panel Terms of Reference and Rules of Procedure.

### 3. RECOMMENDATION(S)/OPTIONS

The Terms of Reference and Rules of Procedure be amended

- (i) In light of the comments, observations and queries made at the shadow Panel meeting on the 13th September 2012
- (ii) To make reference to *the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012*

**Please note** that the Panel Terms of Reference and Rules of Procedure will require further amendments at future Panel meetings to ensure compliance with *the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012* and therefore it is to be considered as a 'working document' for the foreseeable future.

#### **4. BACKGROUND INFORMATION**

The Terms of Reference and Rules of Procedure were adopted by the shadow Panel on the 13<sup>th</sup> September 2012. However, Panel Members raised a few comments, observations and queries to be addressed prior to the inaugural Panel meeting on the 19<sup>th</sup> December 2012.

A Panel in Wales is not a Local Authority joint committee therefore legislation applying to Local Authority joint committees does not automatically apply to it. However, *the Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012* applies various provisions of Local Authority enactments to Panels in Wales to ensure effective scrutiny and accountability.

#### **5. CONSULTATION**

#### **6. RESOURCE IMPLICATIONS**

#### **7. RISK**

#### **8. DRIVERS AND IMPLICATIONS**

8.1 Links to the Corporate Plan and Risk Register

8.2 Any equalities, sustainability and biodiversity implications  
(If this proposal affects employees and/or our customers, an Equality Impact Assessment should be carried out)

8.3 Effect/Impact on existing policies and procedures

#### **9. PUBLICATION**

#### **10. REASON(S) FOR RECOMMENDATION(S)**

#### **11. REPORT REVIEW GROUP (RRG) COMMENTS**



## **NORTH WALES POLICE AND CRIME PANEL**

### **TERMS OF REFERENCE**

1. To review and produce a report or make a recommendation on the draft North Wales Police and Crime Plan, or draft variation to the North Wales Police and Crime Plan, provided to the North Wales Police and Crime Panel ("Panel") by the North Wales Police and Crime Commissioner ("PCC").
2. To review and put questions to the PCC at a public meeting of the Panel, and produce a report or make a recommendation (as necessary) on the annual report.
3. To hold a confirmation hearing and review, produce a report and make a recommendation (as necessary) in respect of proposed senior appointments made by the PCC.
4. To review and produce a report on the proposed Chief Constable.
5. To review and produce a report and make a recommendation (as necessary) on the proposed precept.
6. To review or scrutinise decisions made, or other action taken by the PCC in connection with the discharge of the PCC's functions (as defined by the *Police Reform and Social Responsibility Act 2011* and subsequent amendments).
7. To produce reports or make recommendations to the PCC with respect to the discharge of the PCC's functions (as defined by the *Police Reform and Social Responsibility Act 2011* and subsequent amendments).
8. To support the effective exercise of the functions of the PCC.
9. To fulfil functions in relation to complaints about conduct matters, in accordance with the responsibilities accorded to the Panel under the *Police Reform and Social Responsibility Act 2011*.
10. To appoint an Acting PCC if necessary.
11. To suspend the PCC if it appears to the Panel that the PCC has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.

***Adopted by the North Wales Police and Crime Panel on the 13<sup>th</sup> September 2012.***

# NORTH WALES POLICE AND CRIME PANEL

## RULES OF PROCEDURE

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## Section 1: Overview

### **1. Introduction and General Operating Arrangements**

- 1.1 Conwy County Borough Council shall act as the Host Authority in establishing the North Wales Police and Crime Panel (“Panel”).
- 1.2 The Panel shall comprise of ten councillor members (“Elected Members”) and two independent co-opted members (“Co-opted Members”). Any reference herein to both types of members shall be referred to as “Members”.
- 1.3 Conwy County Borough Council (“Host Authority”) shall provide the required support services for the effective operation and discharge of duties of the Panel.
- 1.4 Due to the legal status of Police and Crime Panels in Wales being that of a free-standing body of individuals, in accordance with the *Police Reform and Social Responsibility Act 2011* (“Act”), they are the responsibility of the Home Secretary.
- 1.5 Whilst the Panel is not a joint committee, certain provisions of enactments which apply to Local Authority joint committees or their members apply to the Panel by virtue of the *Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012*.
- 1.6 All costs incurred in relation to the hosting of the Panel shall be the responsibility of the Home Secretary.

## Section 2: Membership of the North Wales Police and Crime Panel

### **2. Membership: Elected Members**

- 2.1. Elected Members membership of the Panel is regarded as a voluntary public appointment.
- 2.2. The Host Authority shall make appropriate arrangements, as set out in the Panel Arrangements, for the establishment of the membership of the Panel.
- 2.3. All councillors in the six Local Authorities in the North Wales Police Force Area are eligible for nomination to become Elected Members of the Panel.
- 2.4. The Panel shall consist of ten Elected Members.
- 2.5. The allocation of Elected Members of the Panel per Local Authority has been established to reflect the population residing within each Local Authority area in North Wales.
- 2.6. The Elected Members of the Panel shall consist of the following number by Local Authority area:
  - 2.6.1 Conwy County Borough Council 2 Members
  - 2.6.2 Flintshire County Council 2 Members
  - 2.6.3 Gwynedd Council 2 Members
  - 2.6.4 Wrexham County Borough Council 2 Members
  - 2.6.5 Denbighshire County Council 1 Member
  - 2.6.6 Isle of Anglesey County Council 1 Member
- 2.7. The Elected Members of the Panel shall, as far as practical, reflect the political balance and community demographic of North Wales.

- 2.8. Following the Local Government Election, the Host Authority shall make recommendations for the achievement of the political balance of the Panel through the application of the *d'hondt* methodology.
- 2.9. The recommendation of the Host Authority shall include the following information:
  - 2.9.1 A table using the *d'hondt* methodology that confirms the allocation of the number of seats on the Panel for each Local Authority in North Wales by reference to population. The population figures will be those used by the Welsh Government in determining the Revenue Support Grant Settlement of the relevant year.
  - 2.9.2 A table using *d'hondt*, which confirms the seats for each political grouping across North Wales as a whole.
  - 2.9.3 A table showing the proportions for each political party across North Wales as a whole as related to each Local Authority.
  - 2.9.4 A summary table of the total of the political groupings for each Local Authority and the relevant proportions for each grouping in each Local Authority.
  - 2.9.5 The recommended allocation of seats on the Panel by county and political grouping.
- 2.10. The recommendations of the Host Authority shall be communicated by e-mail to the Chief Executive of each Local Authority (no later than 5 working days following the publication of the Local Government Election results). The Chief Executive of each Local Authority shall have 10 working days to provide evidence to the Host Authority if they cannot support the recommendation.
- 2.11. The Annual General Meeting of each Local Authority shall determine the nominated members of the Panel from each county. The Term of Office of the nominated members shall be agreed by each county, with a minimum planned term of one municipal year.
- 2.12. If membership of the Panel cannot be agreed, in accordance with the *Police Reform and Social Responsibility Act 2011*, the Home Secretary will nominate members of Local Authorities to the Panel.
- 2.13. The Host Authority will be responsible for notifying the Home Secretary of the elected membership of the Panel.
- 2.14. All Members of the Panel may vote in proceedings.
- 2.15. An Elected Member who is disqualified from being elected as, or being, a member of a Local Authority will be disqualified from being an Elected Member of the Panel.

### **3. Membership: Independent Co-opted Members**

- 3.1. The Panel shall co-opt two independent members ("Co-opted Members") onto the Panel for a term of 3 years, commencing 19 December 2012 in the first instance.
- 3.2. The selection process for Co-Opted Members shall include a reasonable period for advertising the positions. To reflect the geographical area that the Panel represents, as far as practical, adverts shall be placed through mediums which have equality of access for residents within North Wales. The Panel will not target areas within the North Wales Police Force Area for recruitment purposes but treat the whole area with parity.
- 3.3. A closing date for applications will be a minimum of 2 weeks after the date of the first advert.

- 3.4. Information packs will be prepared and made available to those who request an application form.
- 3.5. The application form will be the same used by the Host Authority in recruiting to ordinary vacancies .
- 3.6. The applications will be considered by the Chair, Vice Chair and one other Member against an agreed eligibility criteria and shortlisted accordingly.
- 3.7. The eligibility criteria (**Appendix A**) will be publically available, and only amended in future if the role of the Panel is amended either locally or through legislation, or if the operational effectiveness of the Panel is compromised due to skill or knowledge gaps, or, in accordance with the *Equality Act 2010* if the Panel does not adequately reflect the demographics of North Wales.
- 3.8. If no applications are received or if all applications received fall below the minimum eligibility criteria, the vacancies shall be re-advertised in accordance with section 3.
- 3.9. The Chair, Vice Chair and one other Member of the Panel will interview those shortlisted.
- 3.10. Following the interviews, the Chair, Vice Chair and one other Member will make recommendations to the Panel. In making those recommendations, the Chair, Vice Chair and one other Member of the Panel shall consider the balance of the Panel, in accordance with the *Equalities Act 2010* and the skills required to enhance the Panel.
- 3.11. The Host Authority and the Chair of the Panel will be responsible for notifying the Home Secretary of the decision to co-opt Members.
- 3.12. A person may not be a Co-opted Member of the Panel if the person is any of the following:
  - 3.12.1 Member of the staff of the Office of the Police and Crime Commissioner;
  - 3.12.2 Member of North Wales Police civilian staff;
  - 3.12.3 Member of Parliament;
  - 3.12.4 Member of the National Assembly for Wales;
  - 3.12.5 Member of the Scottish Parliament;
  - 3.12.6 Member of the European Parliament;
  - 3.12.7 Member of a Local Authority within the North Wales Police Force Area.

#### **4. Membership: Resignation, Removal, Disqualification and Vacancies**

- 4.1 Any Member may resign at any time, by giving notice in writing to the Chair of the Panel and their nominating Local Authority (if appropriate).
- 4.2 Any Member may be removed by the Home Secretary at any time, and the Home Secretary will remove any Member at the request of their nominating Local Authority at any time.
- 4.3 A Co-opted Member can be removed from office through a majority vote of the Panel present, provided the Member has been given no less than four weeks notice of a proposal to remove, and provided the Member has an opportunity to make representations about the proposal. Examples of reasons for removal of office include (but are not limited to) being absent from 3 consecutive meetings without consent from the Panel or being convicted of a criminal offence.
- 4.4 A vacancy on the Panel arises when a Member resigns, retires or is disqualified from the membership of the Panel.
- 4.5 Each Local Authority will fill vacancies for Elected Members in accordance with the arrangements in their constitution and section 2. Vacancies for Co-opted Members will be filled in accordance with the selection process outlined in section 3.

## **5. Membership: Review**

- 5.1. Within 12 months of the election of the first North Wales Police and Crime Commissioner (“PCC”) on the 15th of November 2012, the Panel shall review the appropriateness of the membership in line with the provisions within the *Police Reform and Social Responsibility Act 2011* and *The Police and Crime Panel (Nominations, Appointments and notifications) Regulations 2012*.
- 5.2. The review of the membership will consider the continued requirement for the political balance of the Panel.

## **6. Code of Conduct**

- 6.1. All Elected Members, including co-opted (councillor) Members, shall observe the Code of Conduct in force for their respective Local Authority. Co-opted Members shall observe the Host Authority’s Code of Conduct.
- 6.2. Members shall observe any protocols agreed by the Panel.
- 6.3. The Public Services Ombudsman for Wales has authority to investigate complaints against Members of the Panel.

## **7. Indemnity**

- 7.1. *Schedule 6, Part 3, paragraph 19 of the Police Reform and Social Responsibility Act 2011* includes a provision which confirms that all relevant liabilities relating to the Panel established by the Home Secretary are liabilities of the Home Secretary and accordingly are not liabilities of any Member of the Panel.

## **8. Payment of Expenses**

- 8.1. Costs incurred by Members of the Panel in the course of their approved duties on the Panel, including travel and subsistence, shall be submitted to the Host Authority for reimbursement.
- 8.2. Approved duties are defined as attendance at a meeting of the Panel or of any sub committee of the Panel, a duty undertaken for the purpose of or in connection with the discharge of the Panel’s functions and attendance at any training or developmental event approved by the Panel.
- 8.3. Members can claim for other forms of travel (bus, train & taxi) and appropriate receipts showing the actual expense incurred must accompany claims. Members should always be mindful of choosing the most cost effective method of travel. Subsistence for overnight accommodation and meals are available to Panel Members whilst undertaking an approved duty. The rates of subsistence shall be the same as determined by the Host Authority. Claims must be supported by receipts.
- 8.4. The costs shall be reimbursed in accordance with the Host Authority’s procedure for payment of expenses. The rates of travel claims shall be at the HMRC rates of mileage.
- 8.5. The expenses of the Members shall be published on an annual basis and made available through the website of the Host Authority, Panel and that of the OPCC.
- 8.6. Details of the expenses shall also be provided to the six Local Authorities in North Wales for the purposes of transparency and to ensure that there is no duplication of payment by Local Authorities.

### Section 3: Meeting Arrangements

#### **9. Appointment of Chair and Vice Chair**

- 9.1. The Chair of the Panel will be appointed at the first meeting of the municipal year of the Panel and will be drawn from amongst the Elected Members of the Panel in the first year of the Panel and selected from all the Members thereafter.
- 9.2. The Vice Chair of the Panel will be appointed at the first meeting of the municipal year of the Panel and will be drawn from amongst the Elected Members of the Panel in the first year of the Panel and selected from all the Members thereafter.
- 9.3. In the event of the resignation of the Chair or removal of the Chair, a new Chair will be appointed at the next meeting and will be drawn from amongst the Members of the Panel.
- 9.4. In the event of the resignation of the Vice Chair or removal of the Vice Chair, a new Vice Chair will be appointed at the next meeting and will be drawn from amongst the Members of the Panel.

#### **10. Meetings of the Panel**

- 10.1. All Panel meetings will be held in public unless there is a statutory requirement to meet in private.
- 10.2. There shall be a minimum of four ordinary meetings of the Panel held in public in each municipal year to carry out the functions of the Panel. In addition extraordinary meetings may be called from time to time.
- 10.3. The Panel shall hold an annual meeting between the 1 April and the 30 June each year or unless otherwise provided for by statutory regulation. The first item of business on the agenda for the annual meeting shall be the appointment of a Chair and Vice Chair for the year ahead.
- 10.4. At least five clear days before a meeting, the Proper Officer will send/email a summons to every Member of the Panel. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports that are available.
- 10.5. The Panel agenda will be published on the Panel's website at least five clear days before the meeting and the website of the PCC. Electronic copies of the agenda will also be sent to the Office of the Police and Crime Commissioner ("OPCC") and the six Local Authorities in North Wales.
- 10.6. The Panel agenda will be published in both English and Welsh, as will other related work of the Panel which is published.
- 10.7. An extraordinary meeting may be called by the Chair, by four Members of the Panel or by the Monitoring Officer (Chief Executive) of the OPCC through the Chair of the Panel.
- 10.8. Ordinary meetings of the Panel will:
  - 10.8.1 Receive any declarations of interest from Members
  - 10.8.2 Approve the minutes of the last meeting
  - 10.8.3 Consider reports from the PCC, officers and Members
  - 10.8.4 Consider matters identified within the Panel's Terms of Reference, Rules of Procedure and perform other statutory duties of the Panel



## **11. Quorum**

- 11.1. A meeting of the Panel cannot take place unless one third of the whole membership is present (minimum of 4 Members of the Panel).

## **12. Voting**

- 12.1. Voting will be by majority unless regulations made under the *Police Reform and Social Responsibility Act 2011* requires otherwise or requirements are identified within the Panel's Rules of Procedure.
- 12.2. All Members may vote in proceedings of the Panel, unless they have declared an interest in relation to the matter requiring a vote.

## **13. Work Programme**

- 13.1. The work programme must include the functions described in the Terms of Reference of the Panel.
- 13.2. The Panel will approve an annual work programme, which will take into account the priorities defined by the PCC. In setting the work programme the Panel will also take into account the wishes of its Members.
- 13.3. So far as practicable the Panel shall consult with the OPCC in detailing its work programme, in order to ensure the appropriateness of timelines and make best use of public resources.

## **14. Reports of the Panel**

- 14.1. Where the Panel produce a report to the PCC, it must publish the reports or recommendations.
- 14.2. The Panel must, by notice in writing, require the PCC, as appropriate, within one month of the date on which it receives the report or recommendations to:
  - 14.2.1 Consider the report or recommendations.
  - 14.2.2 Respond to the Panel indicating what (if any) action the PCC proposes to take.
  - 14.2.3 Where the Panel has published the report or recommendations, publish the response.
  - 14.2.4 Where the Panel have provided a copy of the report or recommendations to a Member, provide a copy of the response to the Member.
- 14.3. The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the *Local Government Act 1972* (as amended).

## **15. Police and Crime Commissioner and Officers giving account**

- 15.1. The Panel may scrutinise and review decisions made or actions taken in connection with the PCC's role. As well as reviewing documentation, in fulfilling its scrutiny role it may require the PCC and staff of the OPCC to attend before the Panel (at reasonable notice) to answer any questions which appear to the Panel to be necessary in order to carry out its functions.

- 15.2. Where the PCC or a staff member from the OPCC is required to attend the Panel under this provision, the Chair will inform in writing giving, where practical, 15 days notice of the meeting. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required for production for the Panel. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.
- 15.3. Where, in exceptional circumstances, the PCC is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the Chair.
- 15.4. If the Panel require the PCC to attend before the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appears to the Panel to be necessary in order for it to carry out its functions.
- 15.5. The role of the Panel is to hold the PCC to account. The PCC is responsible for the scrutiny of the Chief Constable. In accordance with section 15.4 the Panel must give consideration prior to requesting the Chief Constables attendance, to ensure that the request is made in accordance with the Panel's role and responsibility.

## **16. Attendance by others/Public Participation**

- 16.1. The Panel may invite people other than those referred to above to address it, discuss issues of concern and/or answer questions. It may wish to hear from residents, stakeholders or councillors who are not members of the Panel and officers in other parts of the public sector and may invite such people to attend.

## **17. Sub-Committees and Task Groups**

- 17.1. Time limited task groups may be established from time to time by the Panel to undertake specific task based work.
- 17.2. The special functions of the Panel may not be discharged by a sub-committee of the Panel or task group
- 17.3. In this paragraph 'special functions' means the function conferred on a Panel by:
  - 17.3.1 *Section 28(3) of the Police Reform and Social Responsibility Act 2011* (scrutiny of the Police and Crime Plan)
  - 17.3.2 *Section 28(4) of the Police Reform and Social Responsibility Act 2011* (scrutiny of annual report)
  - 17.3.3 *Paragraphs 10 and 11 of Schedule 1 of the Police Reform and Social Responsibility Act 2011* (review of senior appointments)
  - 17.3.4 *Schedule 5 of the Police Reform and Social Responsibility Act 2011* (issuing precepts)
  - 17.3.5 *Part 1 of Schedule 8 of the Police Reform and Social Responsibility Act 2011* (scrutiny of appointment of the Chief Constable)
- 17.4. The work undertaken by a sub-committee or task group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.

## **18. Memorandum of Understanding**

- 18.1. The working relations between the respective parties (Panel, PCC, Chief Constable, Staff and officers under the direction and control of the Chief Constable and staff of the OPCC) shall be defined through a local Memorandum of Understanding (“MoU”).
- 18.2. The MoU shall be agreed by the PCC, the Chief Constable and Chair of the Panel.
- 18.3. The MoU shall be reviewed on an annual basis and amendments agreed by the parties named in section 18.2.
- 18.4. For openness and transparency the MoU will be publically available on the website of the Panel and the website of the OPCC.
- 18.5. The areas covered by the MoU are listed below. If additional areas are included it shall be amended accordingly: [List to be added following development of the MoU]

## **19. Carrying out ‘special functions’**

- 19.1 Reports and recommendations made in relation to the functions outlined in the Terms of Reference will be carried out in accordance with the procedure outlined in section 14 (reports of the Panel).

## **20. Police and Crime Plan**

- 20.1. The Panel is a statutory consultee on the development of the PCC’s Police and Crime Plan (“Plan”) and will receive a copy of the draft Plan, or a draft variation to it, from the PCC.
- 20.2. The Panel must:
  - 20.2.1 Hold a public meeting to review the draft Plan (or a variation to it)
  - 20.2.2 Report or make recommendations on the draft Plan which the PCC must take into account.

## **21. Annual Report**

- 21.1. The PCC must produce an annual report about the exercise of their functions in the financial year. The report must be sent to the Panel for consideration.
- 21.2. The Panel must comment upon the annual report and for that purpose must:
  - 21.2.1 Arrange for a public meeting of the Panel to be held as soon as practical after the Panel receives the annual report
  - 21.2.2 Require the PCC to attend the meeting to present the annual report and answer questions about the annual report as the Members of the Panel think appropriate
  - 21.2.3 Make a report or recommendation on the annual report to the PCC

## **22. Senior Appointments**

- 22.1. The Panel has powers to review the PCC’s proposed appointments of the Chief Constable, the Chief Executive, Chief Finance Officer and Deputy PCC. The Panel is required to hold public confirmation hearings for these posts.
- 22.2. The Panel will be notified of the need for a confirmation hearing in respect of proposed senior appointments made by the PCC. This will be held at the next

- available meeting of the Panel unless the appointment timescales requires an earlier hearing, in which case an extraordinary meeting will be arranged.
- 22.3. With regards to the appointment of the Chief Constable, the Panel is required to hold a hearing within a period of three weeks from the day which the Panel receives notification from the PCC.
  - 22.4. Confirmation hearings will be held in public, where the candidate is requested to appear for the purposes of answering questions relating to the appointment. Following the hearing, the Panel is required to review the proposed appointment and make a report to the PCC on the appointment.
  - 22.5. For a confirmation hearing for the proposed appointments of the Chief Constable, in addition to the requirement to review and report, the Panel has the requirement to make a recommendation on the appointment and the power to veto the appointment.
  - 22.6. Having considered the appointment, the Panel will be asked to either:
    - 22.6.1 Support the appointment without qualification or comment;
    - 22.6.2 Support the appointment with associated recommendations; or
    - 22.6.3 Veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are Members of the Panel at the time when the decision is made).
  - 22.7. If the Panel vetoes the appointment of the candidate, the report must include a statement that the Panel has vetoed the appointment with reasons.

### **23. Appointment of an Acting Police and Crime Commissioner**

- 23.1. The Panel must appoint a person to act as PCC if:
  - 23.1.1 No person holds the office of the PCC;
  - 23.1.2 The PCC is incapacitated; or
  - 23.1.3 The PCC is suspended.
- 23.2. The Panel may appoint a person as Acting PCC only if the person is a member of the PCC's staff at the time of appointment.
- 23.3. In appointing a person as Acting PCC in a case where the PCC is incapacitated, the Panel must have regard to any representations made to the PCC in relation to the appointment.
- 23.4. The appointment of an Acting PCC ceases to have effect upon the occurrence of the earliest of these events:
  - 23.4.1 The election of a person as PCC;
  - 23.4.2 The termination by the Panel, or by the Acting PCC of the appointment of acting PCC;
  - 23.4.3 In a case where the Acting PCC is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated; or
  - 23.4.4 In a case where the Acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.

### **24. Proposed Precept**

- 24.1. The PCC will notify the Panel of the precept which the PCC is proposing to issue for the financial year. The Panel must review the proposed precept and make a report including recommendations.
- 24.2. Having considered the precept, the Panel will either:

- 24.2.1 Support the precept without qualification or comment;
- 24.2.2 Support the precept and make recommendations; or
- 24.2.3 Veto the proposed precept (by the required majority of at least two thirds of the persons who are Members of the Panel at the time when the decision is made).
- 24.3. If the Panel vetoes the proposed precept, the report to the PCC must include a statement that the Panel has vetoed the proposed precept with reasons. The Panel will require a response to the report and any such recommendations.
- 24.4. If the Panel vetoes the proposed precept, a further meeting of the Panel must be held no later than 14 days after the decision is made. At this meeting the PCC must respond to the Panel statement, and the statement and precept will be considered by the Panel in line with section 24.2.

## **25. Complaints**

- 25.1. Criminal and non-criminal complaints in relation to the PCC or other office holders should be dealt with in accordance with the *Police Reform and Social Responsibility Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012*.
- 25.2. Complaints by members of the public will be submitted to the Strategic Director (Democracy, Regulation and Support), Conwy County Borough Council, Bodlondeb, Conwy, LL32 8DU, who will draw the complaint to the attention of the Chair of the Panel.
- 25.3. Allegations which are criminal in nature will be submitted to the Independent Police Complaints Commission (“IPCC”) for consideration.
- 25.4. Non-criminal complaints will be managed by the Chair of the Panel.
- 25.5. Non-criminal complaints in relation to the PCC can be considered by the Panel through a hearing. The Panel can examine this through a sub-committee following the procedure set out in section 17.
- 25.6. The Panel may provide complaints, if they are deemed appropriate for local resolution, to the Monitoring Officer (Chief Executive) of the OPCC.
- 25.7. On behalf of the PCC, the Monitoring Officer will provide the Chair of the Panel with a summary of the activities undertaken in a timely manner.
- 25.8. Information about the submission of complaints in relation to the PCC will be published on the OPCC website and the website of the six Local Authorities in North Wales.
- 25.9. The Public Services Ombudsman for Wales has authority to investigate complaints against Members of the Panel.

## **26. Suspension of the Police and Crime Commissioner**

- 26.1. A Panel may suspend the PCC if it appears to the Panel that:
  - 26.1.1 The PCC has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence and
  - 26.1.2 The offence is one which carries a maximum term of imprisonment exceeding two years.
- 26.2. The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:
  - 26.2.1 The charge being dropped:

- 26.2.2 The PCC being acquitted of the offence:
- 26.2.3 The PCC being convicted of the offence but not being disqualified under *section 66 of the Police Reform and Social Responsibility Act 2011* by virtue of the conviction: or
- 26.2.4 The termination of the suspension by the Panel.
- 26.3. In this section, references to an offence which carries a maximum term of imprisonment exceeding two years are references to:
  - 26.3.1 An offence which carries such a maximum term in the case of a person who has attained the age of 18 years; or
  - 26.3.2 An offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## **27. Suspension or removal of the Chief Constable**

- 27.1. The Panel will receive notification if the PCC suspends the Chief Constable.
- 27.2. The PCC must also notify the Panel in writing of their proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.
- 27.3. The PCC must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for their resignation or retirement.
- 27.4. If the PCC is still proposing to call upon the Chief Constable to resign, they must notify the Panel accordingly (the 'further notification').
- 27.5. Within six weeks from the date of receiving the further notification, the Panel must make a recommendation in writing to the PCC as to whether they should call for the retirement or resignation. Before making any recommendation, the Panel may consult their Chief Inspector of Constabulary and must hold a scrutiny hearing.
- 27.6. The scrutiny hearing, which must be held by the Panel, is a Panel meeting in private to which the PCC and Chief Constable are entitled to attend to make representation in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person or by participating by telephone or video link.
- 27.7. The Panel must publish the recommendation it makes on the website of the Panel with links from the six Local Authorities in North Wales to that page. Copies of the recommendation will be sent to each of Local Authority, and by any other means the Panel considers appropriate. The Panel recommendation will also be published on the website of the OPCC.
- 27.8. The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
  - 27.8.1 At the end of six weeks from the Panel having received notification if the Panel has not by then given the PCC a recommendation as to whether or not he/she should call for the retirement or resignation; or
  - 27.8.2 The PCC notifies the Panel of a decision about whether he/she accepts the Panel's recommendations in relation to resignation or retirement.
- 27.9. The PCC must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.
- 27.10. In calculating the six week period, the post election period is ignored.

## 28. Rules of debate

- 28.1. No speeches until motion seconded: No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.
- 28.2. Right to require motion in writing: Unless notice of the motion has already been given, the Chair may require it to be written down and handed to him/her before it is discussed.
- 28.3. Secunder's speech: When seconding a motion or amendment, a Member may reserve his/her speech until later in the debate.
- 28.4. Content and length of speeches: Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Chair.
- 28.5. When a Member may speak again: A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:
  - 28.5.1 to speak once on an amendment moved by another Member;
  - 28.5.2 to move a further amendment if the motion has been amended since he/she last spoke;
  - 28.5.3 if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
  - 28.5.4 in exercise of a right of reply;
  - 28.5.5 on a point of order; or
  - 28.5.6 by way of personal explanation.
- 28.6. Amendments to motions:
  - 28.6.1 An amendment to a motion must be relevant to the motion and will either be to refer the matter to an appropriate body or individual for consideration or reconsideration, to leave out words, to leave out words and insert or add others; or to insert or add words as long as the effect of (b) to (d) is not to negate the motion.
  - 28.6.2 Only one amendment may be moved and discussed at any one time. No further amendment shall be moved until the meeting shall have disposed of every amendment previously moved but notice of any number of amendments may be given. Excepting that the Chair may permit two or more amendments to be discussed (but not voted on) together if he/she considers that would facilitate the proper conduct of the Panel's business.
  - 28.6.3 If an amendment is not carried, other amendments to the original motion may be moved.
  - 28.6.4 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
  - 28.6.5 After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments or, if there are none, put it to the vote.
- 28.7. Alteration of motion:

- 28.7.1 A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- 28.7.2 A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 28.7.3 Only alterations which could be made as an amendment may be made.
- 28.8. Withdrawal of motion: A Member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.
- 28.9. Right of reply:
- 28.9.1 The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- 28.9.2 If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- 28.9.3 The mover of the amendment has no right of reply to the debate on his/her amendment.
- 28.10. Motions which may be moved during debate: When a motion is under debate, no other motion may be moved except the following procedural motions:
- 28.10.1 to withdraw a motion;
- 28.10.2 to amend a motion;
- 28.10.3 to proceed to the next business;
- 28.10.4 that the question be now put;
- 28.10.5 to adjourn the debate;
- 28.10.6 to adjourn the meeting;
- 28.10.7 to exclude the public and press in accordance with the Access to Information Rules; and
- 28.10.8 to not hear further a Member named, if he/she persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business or to exclude them from the meeting if he/she continues to behave improperly after such a motion is carried.
- 28.11. Closure motions:
- 28.11.1 A Member may move, without comment, the following motions at the end of a speech of another Member:
- (a) to proceed to the next business;
- (b) that the question be now put;
- (c) to adjourn the debate; or
- (d) to adjourn the meeting.
- 28.11.2 If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply for not more than 3 minutes and then put the procedural motion to the vote. If that motion is carried, the original motion shall lapse.
- 28.11.3 If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply for not more than 3 minutes before putting his/her motion to the vote.



- 28.11.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
- 28.12. Point of order: A Member may raise a point of order at any time. The Chair will hear him/her immediately.
- 28.13. Personal explanation: A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.
- 28.14. Welsh Language:
- 28.14.1 In all proceedings of the Panel the Welsh language and the English language shall have the same status and validity.
- 28.14.2 All persons shall have the right when addressing the Panel to speak in either Welsh or English.

***Adopted by the North Wales Police and Crime Panel on the 13<sup>th</sup> September 2012.***

## Appendix A - Draft Eligibility Criteria Co-opted Members of the Police and Crime Panel

### Competencies:

- Strategic thinking:
  - The ability to rise above detail and see problems from a wider, forward thinking perspective
- Scrutiny and Challenge:
  - The ability to rigorously scrutinise and challenge constructively, using appropriate data and evidence
- Openness to change:
  - Challenging accepted views in a constructive way
- Analytical ability:
  - interpreting and questioning complex material including financial, statistical and performance information
- Communication:
  - Explaining situations clearly, together with a willingness to listen to and represent the views of all sections of the community on policing issues.
- Effective time management:
  - Identifying priorities and making the most productive use of one's own time and others time

### Personal Skills & Qualities:

- Respect for others:
  - Capacity to treat all people fairly, with respect and valuing diversity
- Integrity
  - Embracing high standards of conduct and ethics
- Enthusiasm and drive:
  - Willingness to learn and develop to enhance one's knowledge and understanding
- Team working:
  - Playing an effective role through listening, persuading and showing respect for the views of others
- Self confidence:
  - Seek out and listen to the views of others and play an active part in discussions and debates

All Panel Members are expected to carry out their responsibilities in accordance with the Nolan Principles of standards of conduct in public life.

Panel Members will be expected to attend all meetings of the Panel (approximately 4-6 per year) and any sub-committees or groups to which they are appointed, as well as any relevant learning and development activities.

# Agenda Item 6



MR. HENRY DIXON  
HIGH SHERIFF OF CLWYD

THE OLD RECTORY  
LLANGYNHAFAL  
DENBIGHSHIRE  
LL16 4LN

HENRY@ALLTHEDIXONS.COM  
01824 790254

AGENDA ITEM 6



K. Finch Esq  
Strategic Director (Democracy, Regulation and Support)  
Conwy County Borough Council  
Bodlondeb  
Conwy  
LL32 8DU

RECEIVED  
18 OCT 2012

KWJ OCT 6 11 14<sup>th</sup> October 2012

*Dear Ken,*

Thank you for your time and feedback at our meeting last week.

As discussed, I would like to propose that the High Sheriff of Clwyd and/or Gwynedd is considered for a position on the, soon to be established, Police and Crime Panel (PCP).

Inclusion of the High Sheriff brings a number of potential benefits to the PCP:

- Because the High Sheriff is unpaid and apolitical, it allows independent and non-partisan representation of the region.
- The High Sheriff is appointed for one year in Office. This provides a fresh perspective and new expertise each year for the PCP.
- The High Sheriff travels widely, meeting and talking with many sections of society including charities and volunteers and working with local, national, business and community organisations. These interactions will provide a broad and unique input for the deliberations of the PCP.
- Visits and liaison with the Police, Probation, Prisons, Magistracy, Her Majesty's Court Service and visiting High Court Judges provide the High Sheriff with an unrivalled opportunity to gather feedback and gain an understanding of issues, successes and concerns. The High Sheriff also interacts with offender reintegration services such as NACRO, SORI and Jigsaw, providing a view on efforts to ease offenders back into law-abiding society. This could provide relevant input on issues to assist the PCP.
- The High Sheriff is a trustee of both the Police and Community Trust (PACT) and Crimebeat charities.
- The inclusion of the High Sheriff on the PCP would reunite the historic responsibilities of this venerable Office, established over 1,000 years ago to administer and support justice in the counties, with contemporary policing.

I hope you and your colleagues find my proposal interesting. Should you have questions or want to discuss the proposal further, please do not hesitate to call.

I look forward to hearing from you.

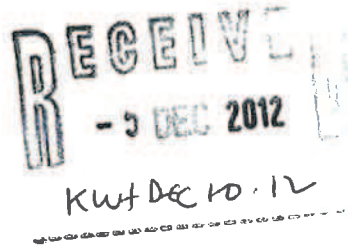
Yours

*and regards*  
*Henry*

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30 November 2012

The North Wales Police and Crime Panel  
Bodlondeb, Bangor Road,  
Conwy  
LL32 8DU



Dear Police and Crime Panels of Wales,

Wales Council for Voluntary Action (WCVA) and the Wales Association of County Voluntary Councils are writing to you in order to propose the co-option of a Third Sector representative on each of the four Shadow Police and Crime Panels in Wales.

WCVA is the third sector strategic partner in the Safer Future Communities Project in Wales, which has created a Safer Future Communities Networks coterminous with each of the four PCC, Police Force and PCP areas. These networks, by bringing together those third sector organisations that provide community safety services, offer knowledge, skills and expertise alongside strong connections with both the community and the socially excluded and hard to reach. The networks will lead valuable, strategic, collaborative working both within the third sector and with external partners.

As you are aware, the law requires that the Police and Crime Panel, when co-opting independent members, must secure that (as far as is reasonably practicable) all members of the Panel (when taken together) have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively. We therefore suggest that knowledge of and understanding of the third sector, that is not only an important service provider but also working with many of the relevant client groups, would be an asset to the Panel. Thus the PCP would have the benefit of scrutiny of the work of the Police and Crime Commissioner from a perspective of Third Sector specialist knowledge and expertise. The PCC would also benefit from constructive, independent challenge from the Third Sector with its strengths in engaging with the most disadvantaged and marginalised groups in society.

We know there is an ongoing process of selection of 2 co-opted members for each PCP. We ask that in addition to this there is a specific Third Sector co-option onto each PCP agreed by the local County Voluntary Councils in partnership with WCVA in order for the third sector to be consistently represented at all levels and able to make its full contribution.

We would be pleased to meet to discuss this further and look forward to receiving your response.

Yours faithfully,

Gaynor Davies  
Community Safety Officer

## Wales Council for Voluntary Action

Registered Office - Head Office  
Baltic House, Mount Stuart Square  
Cardiff CF10 5FH

WCVA Helpdesk 0800 2888 329  
Fax 029 2043 1701  
Minicom 0808 1804 080  
help@wcva.org.uk  
www.wcva.org.uk

Offices also at Rhyl  
and Aberystwyth

## Cyngor Gweithredu Gwirfoddol Cymru

Swyddfa Gofrestredig - Prif Swyddfa  
Tŷ Baltig, Sgwâr Mount Stuart  
Caerdydd CF10 5FH

Lein Gymorth 0800 2888 329  
Ffacs 029 2043 1701  
Minicom 0808 1804 080  
help@wcva.org.uk  
www.wcva.org.uk

Swyddfeydd hefyd yn  
Y Rhyl ac Aberystwyth



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**Tracey Lewis**

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# Agenda Item 7

## AGENDA ITEM 7b

### **Formulating a Police and Crime Plan for North Wales** ***Introduction by Police Commissioner Winston Roddick***

As part of my role as Police and Crime Commissioner for North Wales, I will be developing a new Police and Crime Plan (“the Plan”). Its aim will be to set out the approach I intend to take to develop the Plan, including how I will seek to involve the Police and Crime Panel.

The Plan will set out what I intend to achieve, and how I intend to achieve it during my term of office. It is important that before I provide the Panel with a draft Plan, I am clear about how I am going to undertake this critical work, how I am going to involve the community and seek professional advice and guidance.

### **The Commissioners Call for Evidence**

It is my responsibility to prepare a Police and Crime Plan for North Wales. The Plan will set the direction for the police service in North Wales for the next few years. It is very important to me that I set that Plan with as much information and knowledge as possible, and I am calling on the people, businesses, voluntary and public sector in North Wales to take this opportunity to share with me their views and experiences of police and crime matters in North Wales.

I want to know how the service has helped you, how you think it could work better for you and what matters to you most about the service.

My role and the Police and Crime Plan will extend beyond the police service. I therefore wish to receive views as to whether or not we are working well enough with our partners to reduce crime and make our communities safer.

I will be looking at facts and figures over the coming months to determine the police and crime objectives, and it is only right that people’s experiences become an integral part of developing the North Wales Plan.

The Call for evidence will be everyone’s opportunity to tell me what they think is important about crime and policing, and why. From the 12 December, my website and mailbox will be open for the submission of views and experiences that you want to see included as part of the planning process.

## Report from the Office of the Police and Crime Commissioner

<b>Title:</b>	<b>Formulating a Police and Crime Plan</b>
<b>Meeting:</b>	<b>North Wales Police and Crime Panel, 19 December 2012</b>
<b>Author:</b>	<b>Anna Humphreys, Deputy Chief Executive</b>

### Background

#### The Police and Crime Plan

In accordance with chapter 3, section 5 of the Police Reform and Social Responsibility Act 2011 (“the Act”), Police and Crime Commissioners are required to issue a Police and Crime Plan (“the Plan”) as soon as practical after taking office, with a statutory deadline of the 31 March 2013.

Although the majority of the Plan will be for local determination, in accordance with the Act the Commissioner must:

- Prepare the Police and Crime Plan (this cannot be delegated to another person)
- Make arrangements for engaging with local people and obtaining the views of the community about policing
- Consult the Chief Constable
- Provide the draft Police and Crime Plan to the Police and Crime Panel
- Have regard to the Strategic Policing Requirement (SPR)

The Plan should determine, direct and communicate the Commissioner’s priorities during their period in office and set out for the period of issue the following:

- the Commissioner’s police and crime objectives for the area;
- the policing of the police area which the chief officer of police is to provide;
- the financial and other resources which the Commissioner is to provide to the chief officer of police;
- the means by which the chief officer of police will report to the Commissioner on the chief officer’s provision of policing;
- the means by which the chief officer of police’s performance in providing policing will be measured; and
- the crime and disorder reduction grants which the Commissioner is to make, and the conditions (if any) of those grants.

#### Formulating the Police and Crime Plan

The Plan will set the strategic direction for the Police Force and the approach that is to be taken to make North Wales a safer place. In 2013 the Commissioner will publish the first Plan.

This work will underpin the term of office and provide clarity around what is to be achieved during that term of office. Therefore, ensuring that the Commissioner is able to take informed decisions to establish the strategic direction will be the foundation of the plan.



## **The Commissioner's Call for Evidence**

The call for evidence is to be launched by the Commissioner on the 12 December. The call for evidence is designed to give the people of North Wales the option of providing evidence to the Commissioner for consideration during the planning process. The evidence call will be requesting the submission of information which could range from personal or collective experiences, research, or conclusions drawn by members of the public by reviewing police statistical information for example.

As this is the first Plan for North Wales, we welcome views from across the area which may take a variety of forms. The Commissioner will be meeting people in person and events will be arranged across North Wales for the Commissioner to attend or participate, to ensure that people get the opportunity to contribute to the planning process. A draft calendar of events will be provided to the meeting of the Police and Crime Panel on 19 December and details will be published on the Commissioner's website <http://www.northwales-pcc.gov.uk>

## **The views of the community**

The Commissioner must make arrangements to obtain the views of the local community about matters concerning the policing of the area before the Plan is issued.

The North Wales Police force area covers a wide geographic area and has diverse and differing communities. It will be a significant challenge to ensure effective arrangements are in place to provide the people of North Wales with an opportunity to engage and provide their views on policing.

The views of the communities of North Wales will be required, not only for the production of the Plan, but also for the continuing evaluation and reflection on the impact that the Plan has made, and whether it continues to be relevant for the future.

## **Views of victims and witnesses of crime**

The Commissioner is also required to obtain the views of victims of crime in particular and have regard to those views when carrying out his/her functions. Although the statutory duty for the Commissioner is to seek the views of victims of crime, the intention will also be to ensure that witnesses of crime are also involved with the work of the Commissioner. The Commissioner recognizes the importance of ensuring that witnesses of crime feel sufficiently supported to enable and encourage them to speak out to the police against criminal acts.

## **Stakeholder views**

Under the Act, the Commissioner has a duty to co-operate with Community Safety Partnerships and is required to take into account the priorities established by the Partnerships in preparing the Police and Crime Plan. The Commissioner has been invited to become a member of the North Wales Safer Communities Board, which has representatives from all the responsible authorities under the Crime and Disorder Act. The Board is a dedicated North Wales forum for the strategic community safety matters. The Commissioner will be consulting with partners and the voluntary sector representative on the Board as part of the planning process.

The Commissioner has also been invited to join the Regional Leadership Board. The Board comprises the leaders and chief executive of the local authorities, the fire service and the health service. The views of the Board will be sought as part of the planning process.

As part of the preparations for the transition from police authorities to the new system of police governance, the Home Office funded the 'safer future communities' project'. The project, which has been run by the Wales Council for Voluntary Action (WCVA), was designed to prepare the voluntary sector for the introduction of Police and Crime Commissioners. Through the project, a community safety voluntary sector network for North Wales is being developed. The Commissioner will be meeting with the network to discuss their views and involve them in the planning process.

### **Evidence and knowledge**

Significant knowledge and evidence basis are available both within the policing service and the wider community and working environment. In addition to proactively seeking the views of the community, victims and witnesses, the voluntary, public and business sectors, the Commissioner will be reviewing the available evidence to inform the planning process. The sources of evidence that will be used to inform the planning process will include:

- Local Crime and police information (including crime trends)
- Best practice and lessons learned from other areas
- Strategic assessments of threat and risk to North Wales
- Strategic assessment of crime and anti-social behaviour
- Organisation risk registers

### **Available Resources**

The Government announcement of the future of the policing grant is expected the week of the 17 December. Until that date, we will not have confirmation of the level of national resources (in the form of the police grant) that will be available. The Police and Crime Plan must be designed taking into account the available resources, and the decision of the level of policing precept will be dependent on what the financial position will be for 2013/14.

The Commissioner will be undertaking a detailed assessment of the level of financial resources that will be available, how those resources can be best used and what can be achieved within the financial resources.

### **Consultation with the Chief Constable**

The Chief Constable will be required to deliver the Plan and he is also a statutory consultee within the development of the Plan. The Chief Constable has significant experience and knowledge of the issues that are facing the police service, and also has a statutory duty to engage with local people and make arrangements for seeking the views of people within each neighbourhood in the police area.

On-going dialogue will be taking place between the Commissioner and the Chief Constable over the coming months to develop the Plan.

## The Role of the Police and Crime Panel

The Commissioner must submit the draft Plan to the Panel. The Panel has a role to provide feedback and comments on the draft Plan. The below chart summarises the draft timeline for ensuring that the papers are submitted to the Panel with sufficient time for the Panel members to review them.

The Commissioner will be inviting Panel members to participate in events as part of the call for evidence, and would like to ask the Panel members to consider their views on the focus of the Plan. Panel members are invited to submit their views as part of the call for evidence.

<b>Week 7 January</b>	<b>Submission of Police and Crime Panel papers to host authority</b>	
<b>Week 14 January</b>	<b>Issuing of Police and Crime Panel papers</b>	<b>Publication of proposed precept level</b>
<b>Week 21 January</b>	<b>Meeting of the Police and Crime Panel</b>	<b>Proposed Precept level</b>
<b>13 February</b>	<b>Submission of Police and Crime Panel papers to host authority</b>	
<b>20 February</b>	<b>Issuing of Police and Crime Panel papers</b>	<b>Publication of Police and Crime Plan</b>
<b>27 February</b>	<b>Meeting of the Police and Crime Panel</b>	<b>Presentation of the draft Police and Crime Plan to the Police and Crime Panel</b>
<b>31 March</b>	<b>Statutory deadline for issuing the Plan</b>	

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## AGENDA ITEM 7c

### Police and Crime Panels – Scrutiny of Precepts

This guidance note explains the process for the police and crime panel's (PCP) scrutiny of the police and crime commissioner's (PCC) proposed precept and should be read alongside:

- Schedule 5 of the [Police Reform and Social Responsibility Act 2011](#) ("the Act")
- Part 2 of the [Police and Crime Panels \(Precepts and Chief Constable Appointments\) Regulations 2012](#) ("the Regulations")

A separate [guidance note setting out the scrutiny of chief constable appointments](#) has been published alongside this guidance note.

#### **Background**

Schedule 5 of the Act sets out the process for issuing a precept, including the panel's role in reviewing the proposed precept, their power to veto the precept and the steps to be taken if they do veto the proposed precept.

The Regulations provide greater detail to the Act, including time limits applicable to the stages of the process and the process for reviewing and issuing a revised precept.

#### **Schedule 5** requires:

- the PCC to notify the panel of his proposed precept;
- the panel to review the proposed precept;
- the panel to make a report to the PCC on the proposed precept (this may include recommendations);
- the panel's report (if they veto the proposed precept) to include a statement that they have vetoed it;
- a decision of veto to be agreed by two-thirds of the panel members;
- the PCC to have regard to the report made by the panel (including any recommendations in the report);
- the PCC to give the panel a response to their report (and any such recommendations);
- the PCC to publish the response.

It is for the panel to determine how a response to a report or recommendations is to be published.

If there is no veto and the PCC has published his response to the panel's report, the PCC may then issue the proposed precept - or a different precept (but only if in accordance with a recommendation in the panel's report to do so).

#### **The Regulations** require:

- the PCC to notify the panel of his proposed precept **by 1 February**;
- the panel to review and make a report to the PCC on the proposed precept (whether it vetoes the precept or not) **by 8 February**;
- where the panel vetoes the precept, the PCC to have regard to and respond to the Panel's report, and publish his response, including his revised precept, **by 15 February**;

- the panel, on receipt of a response from the PCC notifying them of his revised precept, to review the revised precept and make a second report to the PCC **by 22 February**;
- the PCC to have regard to and respond to the Panel's second report and publish his response, **by 1 March**.

### **Panel's report on the proposed precept**

If the panel fails to report to the PCC by 8 February the scrutiny process comes to an end, even if the panel have voted to veto the proposed precept, and the PCC may issue the proposed precept.

### **PCC's response to a veto**

Where the panel vetoes the proposed precept, the PCC must have regard to the report made by the panel, give the panel a response to the report and publish the response, by 15 February. In his response, the PCC must notify the panel of the revised precept that he intends to issue.

Where the panel's report:

- indicates that they vetoed the precept because it was too high, the revised precept must be lower than the previously proposed precept.
- indicates that they vetoed the precept because it was too low, the revised precept must be higher than the previously proposed precept.

The PCP may only veto the first proposed precept. Such a veto must be agreed by two-thirds of PCP members (the full membership rather than those present at a meeting). Where a veto occurs, the report to the PCC must include a statement to that effect.

### **Panel's review of the revised precept**

On receipt of a response from the PCC notifying them of the revised precept proposal, the panel must review the revised precept proposal and make a second report to the PCC on the revised precept by 22 February. This report may:

- indicate whether the panel accepts or rejects the revised precept (although rejection does not prevent the PCC from issuing the revised precept); and
- make recommendations, including recommendations on the precept that should be issued.

If the panel fails to make a second report to the PCC by 22 February, the PCC may issue the revised precept.

### **Issuing the precept**

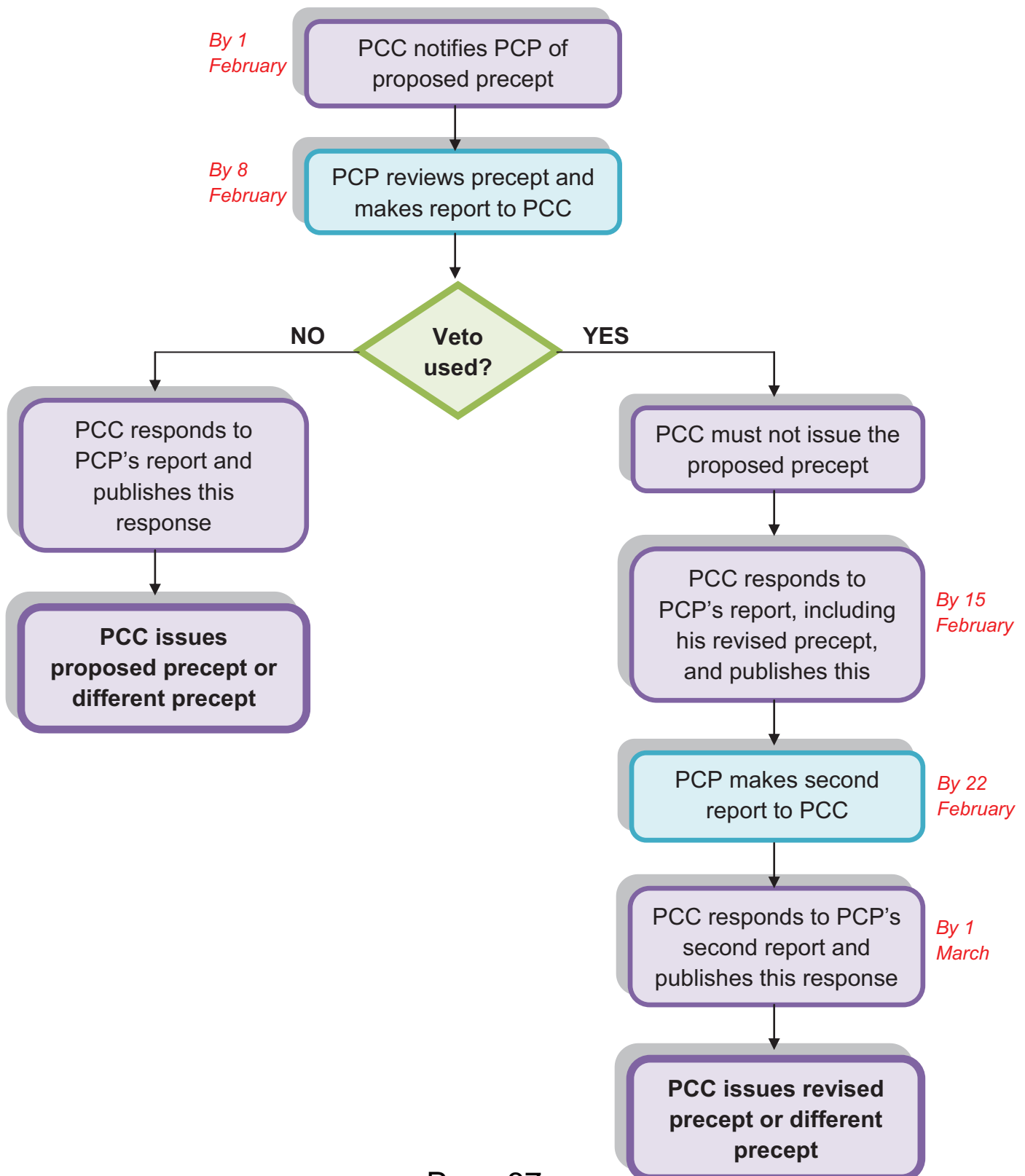
Excluding where the panel fails to report on the proposed precept by 8 February or make a second report on the revised precept by 22 February, the scrutiny process ends when the PCC gives the panel his response to their second report.

The PCC may then:

- issue the revised precept; or
- issue a different precept, although:

- they must not issue a precept that is higher than the revised precept if the revised precept was lowered following the panel's initial report on the first proposed precept indicating it was vetoed because it was too high;
- they must not issue a precept which is lower than the revised precept if the revised precept was raised following the panel's initial report on the first proposed precept indicating it was vetoed because it was too low.

**Process for PCP scrutiny of PCC's proposed precept**



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