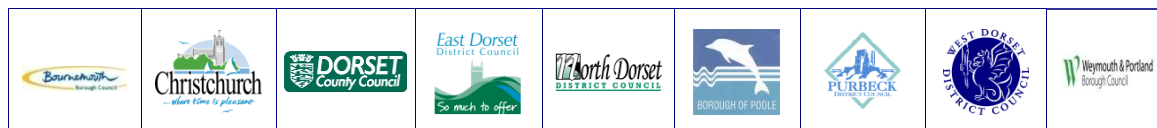


Dorset Police and Crime Panel



Date of Meeting	10 June 2016
Officer	Chief Executive, Dorset County Council
Subject of Report	Panel Membership
Executive Summary	<p>At the last meeting of the Police and Crime Panel a request was made for a brief report setting out the legislative requirements for the structure and membership of the Panel.</p> <p>These requirements are contained within the Police Reform and Social Responsibility Act 2011, within Schedule 6 – Part 2 (Paragraph 4 - Membership and Status).</p> <p>This request followed a decision to re-appoint its existing two co-opted independent members to ensure the Panel remained fully compliant with its statutory membership responsibilities following the election of the Police and Crime Commissioner in May 2016.</p> <p>To summarise, as the Dorset Police and Crime Panel currently only operate with a membership of 17, there is scope to increase the size of the Panel if there is a sound reason for doing so. However, any such case for change does require formal submission and approval by the Secretary of State.</p> <p>The Panel are therefore invited to reflect on the regulations, consider the further flexibility that these provide and decide whether there is merit in seeking approval for proposed changes to its established membership.</p>
Impact Assessment:	<p><i>Equalities Impact Assessment:</i> The rules relating to Panel membership are provided for through legislation.</p>

	<p><i>Use of Evidence:</i> The Police Reform and Social Responsibility Act 2011.</p> <p>Budget: Dependent upon the decision of the Panel, some additional costs may arise as a result of any proposed increase in Panel membership.</p> <p>Risk Assessment: Having considered the risks associated with this decision using the County Council’s approved risk management methodology, the level of risk has been identified as: Current Risk: LOW Residual Risk: LOW</p> <p>Other Implications: None</p>
Recommendation	That the Panel considers its current membership in light of the legislative framework and reflects on whether it wishes to make any amendments.
Reason for Recommendation	To ensure that the Panel has the appropriate balance of skills, knowledge and experience and its constitution meets the legislative requirements.
Appendices	<p>Appendix A – Dorset PCP Membership</p> <p>Appendix B – Police and Social Reform Responsibility Act 2011 (<i>extract – Schedule 6, Part 2, Para 4</i>)</p>
Background Papers	None
Report Originator and Contact	<p>Mark Taylor Group Manager – Governance & Assurance Tel: 01305 224982 Email: m.taylor@dorsetcc.gov.uk</p>

1. Purpose of the report

- 1.1 To provide the Police and Crime Panel with specific information about the rules and regulations which determine the Panels make-up and membership.

2. Background

- 2.1 At its last meeting the Police and Crime Panel took the formal decision to re-appoint its existing two co-opted independent members. This was to ensure it remained fully compliant with its statutory membership responsibilities following the election of the Police and Crime Commissioner in May 2016.
- 2.2 This decision maintained the existing membership of the Panel which currently consists of 10 local authority members, 5 co-opted members and 2 independent members.
- 2.3 A request was also made for a brief report which set out the legislative requirements for the structure and membership of the Panel.
- 2.4 These requirements are contained within the Police Reform and Social Responsibility Act 2011, within Schedule 6 – Part 2 (Paragraph 4 - Membership and Status).
- 2.5 In essence the Police Reform and Social Responsibility Act 2011 requires that the Police and Crime Panel must ensure the overall panel membership meets the balanced objective in terms of the necessary skills, knowledge and experience to discharge its functions effectively. In seeking to achieve this, some specific regulations apply.
- 2.6 To ensure the Panel are provided with the necessary context to consider the options open to them, Appendix A provides details of the original agreement that was reached when the Panel was originally established in 2012, together with a breakdown of the current membership arrangements. In addition Appendix B provides an extract from the Act, which sets out the legislative requirements.
- 2.7 However, to help summarise how these relate to the County of Dorset area, the Panel is required to be constituted to;
 - i) Consist of at least 10 members – *but not more than 20*
 - ii) Include at least 2 Co-opted members – *but are also able to seek permission (from the Secretary of State) to have more, as long as the overall membership is no more than 20.*

3. Options for Change

- 3.1 As the Dorset Police and Crime Panel currently operate with a total membership of 17, as can be seen in paragraph 2.7, there remains scope to increase the size of the Panel.

3.2 As the regulations allow for the maximum size of the Panel (for Dorset) to reach 20, there is scope for a further 3 representatives to be added. This must however be based on a clear and sound reason for doing so.

3.3 It is also important to recognise and note that any such case for change will require a formal submission to and approval by the Secretary of State.

4. Recommendation

4.1 In considering the merits (or otherwise) of any further change, the Panel need to reflect on the main overarching purpose, which is to seek to achieve a balanced objective in terms of the necessary skills, knowledge and experience to discharge its functions effectively.

4.2 As such, the Panel are therefore invited to consider;

- i) Whether they are assured that the current arrangements meet the balanced objective in terms of the necessary skills, knowledge and experience to discharge its functions effectively? Or , if not,
- ii) Determine and agree what changes are considered necessary to satisfy this objective?

4.3 This will help the Panel to decide whether there is merit in seeking approval for proposed changes to its established membership, or not.

Debbie Ward

Clerk to the Dorset Police and Crime Panel

June 2016

Appendix A

Dorset Police and Crime Panel

The Dorset Police and Crime Panel (PCP) was established in October 2012 in response to the requirements set out for local authorities in the Police Reform and Social Responsibility Act 2011.

The Panel is a committee of the nine local authorities covering the Dorset Police Force area. Its purpose is to act as the formal scrutiny mechanism for Dorset's Police and Crime Commissioner (PCC).

The Dorset Panel consists of 15 elected members in total (10 core members, 5 co-opted members) and 2 independent non local authority members.

The agreed breakdown of elected member representation is:

Bournemouth Borough Council	4
The Borough of Poole	3
Dorset County Council	2
District / Borough Councils	1 each (6 in total)

Political Balance

Composition of the Panel must be in accordance with the 'balanced appointment objective', including, as far as is reasonably practicable, ensuring that the local authority members represent the political make-up of the local authorities when taken together.

Police Reform and Social Responsibility Act 2011 (Extract)

Schedule 6 – Police and Crime Panels

PART 2

PANELS ESTABLISHED BY LOCAL AUTHORITIES

Establishment and maintenance of panels

- 3 (1) This Part of this Schedule applies in relation to each police area in England (other than the metropolitan police district), unless an order under paragraph 1(2) has effect in relation to the police area.
- (2) The local authority or local authorities which such a police area covers must—
- (a) establish and maintain a police and crime panel for the police area, and
 - (b) make the panel arrangements (see paragraph 24) for the police and crime panel.
- (3) In the case of a multi-authority police area, all the relevant local authorities must agree to the making or modification of the panel arrangements.
- (4) In the following provisions of this Part of this Schedule, a reference to a police and crime panel is a reference to a panel established and maintained in accordance with this paragraph.

Membership and status

- 4 (1) A police and crime panel for a police area is to consist of the following members—
- (a) the relevant number of persons properly appointed as members of the panel; and
 - (b) the appropriate number of members co-opted by the panel.
- (2) For the purposes of sub-paragraph (1)(a), the “relevant number” is—
- (a) ten (if the police area covers ten or fewer local authorities); or
 - (b) the number that is equal to the number of local authorities which the police area covers (if the police area covers eleven or more local authorities).
- (3) For the purposes of sub-paragraph (1)(b), the “appropriate number” is—
- (a) two, or
 - (b) if a resolution of the panel under sub-paragraph (4) is in force, the number of co-opted members specified in that resolution.
- (4) A police and crime panel may resolve that the panel is to have the number of co-opted members specified in the resolution; but no such resolution may be passed unless—
- (a) that number of co-opted members is greater than two;

(b) the Secretary of State agrees that the panel should have that number of co-opted members; and

(c) the total membership of the panel, including that number of co-opted members, would not exceed 20.

(5) A police and crime panel is—

(a) a committee of the relevant local authority (if it is the panel for a single-authority police area), or

(b) a joint committee of the relevant local authorities (if it is the panel for a multi-authority police area).

(6) A police and crime panel may not exercise any functions other than those conferred by this Act.

Persons properly appointed as members of panels

5 (1) In this Part of this Schedule, a reference to a person properly appointed as a member of a police and crime panel is a reference to—

(a) a person nominated by a relevant local authority to be a member of the panel, and appointed by the authority as a member of the panel, in accordance with paragraphs 6 and 9, paragraphs 7 and 9, or paragraphs 8 and 9, or

(b) a person nominated by the Secretary of State to be a member of the panel, and appointed by the Secretary of State as a member of the panel, in accordance with paragraph 10.

(2) In the case of the police and crime panel for a multi-authority police area which covers nine or fewer local authorities, the panel arrangements must make provision as to the relevant local authority or authorities who are to have power to appoint the extra members of the panel (see paragraph 8(3)(b)).

(3) For that purpose “extra members” means the number of members of the panel produced by this calculation—

$$10 - L$$

where L is the number of local authorities which the police area covers.