

South Wales Police and Crime Panel

Panel Arrangements

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Section 1: Overview

1. Introduction and General Operating arrangements

- 1.1. Merthyr Tydfil County Borough Council shall act as the 'Host Authority' in establishing the South Wales Police and Crime Panel.
- 1.2. The Panel shall be made up of ten Elected Members and two Co-opted members.
- 1.3. The Host Authority shall provide the required support services for the operation and discharge of duties of the South Wales Police and Crime Panel.
- 1.4. Due to the legal status of Police and Crime Panels in Wales ('Free-standing public body'), in accordance with the Police Reform and Social Responsibility Act 2011, they are the responsibility of the Home Secretary.
- 1.5. Due to the legal status of Police and Crime Panels in Wales all costs incurred in relation to the 'hosting' of the Police and Crime Panel shall be the responsibility of the Home Secretary. The Home Secretary shall discharge this responsibility with the provision of an annual grant to the Host Authority to cover all costs associated with hosting.
- 1.6. Each relevant local authority and each member of the Panel must comply with the Panel arrangements.
- 1.7. The Authorities and the Panel shall, so far as is reasonably practical, ensure at all times that the Panel membership meets the 'balanced appointment objective' requirements of the legislation and that the members appointed together have the skills, knowledge and experience necessary for the Panel to discharge its functions effectively.

Section 2: Membership of the South Wales Police and Crime Panel

2. Membership: Elected Members

- 2.1. Elected Members Membership on the Panel is regarded as a 'voluntary public appointment'.
- 2.2. All Local Authority Elected Members of the local authorities as noted in 2.4 below are eligible for nomination to become members of the South Wales Police and Crime Panel.
- 2.3. The Panel shall contain ten Elected Members. The Elected Members of the Police and Crime Panel shall consist of the following number of members by Local Authority area:
- | | |
|---|---------------|
| a) Bridgend County Borough Council | (1) Member(s) |
| b) Cardiff Council; Merthyr Tydfil County Borough Council | (2) Member(s) |
| c) Merthyr Tydfil County Borough Council | (1) Member(s) |
| d) Neath Port Talbot County Borough Council | (1) Member(s) |
| e) Rhondda Cynon Taf County Borough Council | (2) Member(s) |
| f) City and County of Swansea | (2) Member(s) |
| g) Vale of Glamorgan Council | (1) Member(s) |
- 2.4. The Elected Members of the Panel shall, as far as practical, reflect the political balance and community demographic of the local authority areas as per 2.33 above.
- 2.5. Following each Local Election (to include any by-election) or following an Annual General Meeting (as appropriate) individual authorities shall (if appropriate) make membership nominations to the host authority in accordance with their own political balance.
- 2.6. Each local authority will determine and nominate its elected panel member(s) in accordance with its own arrangements. The term of office of the nominated

Members shall be a matter for each nominating local authority, subject to a minimum planned term of one municipal year.

- 2.7. If Membership of the Panel cannot be agreed, in accordance with the Police Reform and Social Responsibility Act, the Home Secretary will nominate members of local authorities to the Panel.
- 2.8. The host Authority will be responsible for notifying the Secretary of State of the nominations of the elected membership for the Panel.

3. Membership: Co-opted Members

- 3.1. The South Wales Police and Crime Panel shall co-opt two members (Co-opted Members) onto the Panel. The term of office shall be until the 31st October of the same year as the next ordinary Police and Crime Commissioner election.
- 3.2. The selection process for co-opting 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 South Wales Police force area. The Panel will not 'target' areas within the 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. Application packs will be prepared and made available to those who request an application form.
- 3.5. The applications will be considered by the Chair, Vice Chair and one other member (the shortlisting and interview panel) against an agreed eligibility criteria and shortlisted accordingly.
- 3.6. The eligibility criteria will be publicly 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 the Panel does not adequately reflect the demographics of South Wales.

- 3.7. 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 this section.
- 3.8. The shortlisting and interview panel will interview those shortlisted.
- 3.9. Following the interviews the shortlisting and interview panel will make recommendations to the Panel. In making those recommendations the shortlisting and interview panel shall consider the balance of the Panel in accordance with the Equalities Act 2010 and the skills required to enhance the Panel. The Police and Crime Panel will appoint the co-opted member(s).
- 3.10. The host authority will be responsible for notifying the Secretary of State of the decision to co-opt Members.
- 3.11. The Panel shall ensure that there are always at least two Co-opted Members appointed to the Panel.
- 3.12. Restrictions on Co-optee membership of the Panel.

A person may not be a co-opted member of the Panel if the person is any of the following—

- (a) under 18 years old;
- (b) a member of the staff of the South Wales Police and a Crime Commissioner;
- (b) a member of the civilian staff of South Wales Police;
- (c) a Member of Parliament;
- (d) a member of the National Assembly for Wales;
- (e) a member of the Scottish Parliament;
- (f) a member of the European Parliament.

3.13. 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):-

- If the Co-opted Member has been absent from the Panel for more than 3ⁿ 3 formal meetings without the consent of the Panel
- If the Co-opted Member has been convicted of a criminal offence but not automatically disqualified

4. Membership: Vacancies.

4.1. A vacancy on a Police and Crime Panel arises when an Elected Member or a Co-opted member resigns or is removed from the membership of the Panel.

4.2 Each local authority will nominate elected members for vacancies in accordance with their own arrangements. If the local authority makes the nomination, and the nominee accepts the nomination, the Secretary of State must appoint the nominated councillor as a member of the police and crime panel. Vacancies for Co-opted members will be filled in accordance with the selection process outlined in section 3.

5. Membership: Review

5.1 The South Wales Police and Crime Panel may review at any time the appropriateness of the Membership in line with the provisions within the Police Reform and Social Responsibility Act 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. Removal of Members

6.1 Any appointed member may be removed by the Secretary of State at any time, and the Secretary of State will remove any appointed member if asked to do so by the nominating authority.

7. Resignation of Members

- 7.1. Any member may resign at any time, by notice in writing to the Chair of the Panel, their nominating authority, and to the hosting Authority;

8. Reappointment of Members

- 8.1 All local authority Members are eligible for re-appointment on the expiry of their term. There are no restrictions on the number of terms of office that can be served.
- 8.2 The Co-opted Members term of office shall be until the 31st October of the same year as the next Police and Crime Commissioner election. The positions must be re-advertised; however this does not restrict Co-opted members from reapplying or being re-appointed to the position.

9. Code of Conduct

- 9.1. All elected panel members shall observe the Code of Conduct in force for their respective authorities, whilst co-opted members shall observe the host authority's Code of Conduct. All panel members shall observe any related protocols agreed by the Panel.

10. Indemnity

- 10.1. All relevant liabilities relating to the Panel are liabilities of the Secretary of State (and accordingly are not liabilities of any member of the Panel or the host authority).

- 10.2. Any expense incurred by a member of a police and crime Panel—

- (a) in respect of a relevant liability, or
- (b) otherwise in the exercise of, or purported exercise of, a function of the Panel,

is to be borne and repaid by the Secretary of State.

- 10.3. "Relevant liability" means a liability which, but for this paragraph, would be a liability of a member of the Panel (whether personally or as a member of that Panel) in respect of anything done by—

- (a) that person in the exercise, or purported exercise, of a function of a member of the Panel,
 - (b) any other member of the Panel in the exercise, or purported exercise, of a function of a member of the Panel, or
- I the Panel in the exercise, or purported exercise, of a function of the Panel.

11.0 Expenses and Allowances

- 11.1 Panel Members will receive an allowance payment in recognition of the time devoted to their work associated with and in attending Police and Crime Panel meetings (including training events and conferences), hereinafter referred to as a “general allowance”.
- 11.2 Panel Members will forfeit their entitlement to claim any additional payments such as travel expenses and subsistence if a claim for a general allowance payment is made.
- 11.3 General allowance payments will be made via a daily fee equivalent to one fifth of the maximum amount the Home Office allows for expenses per Member and will be capped at a maximum of the equivalent of 5 days a year (April to March). No further allowance payment will be made for attendance at meetings, training events or conferences thereafter.
- 11.4 A request for a general allowance payment shall be submitted to the host authority for reimbursement using the host authority’s expenses claim form. Payment of a general allowance payment will be subject to attendance at a meeting of the Panel, including training events and conferences.
- 11.5 Any Member of the Panel who does not wish to receive the general allowance payment is able to claim travel expenses and subsistence in accordance with Independent Remuneration Panel for Wales’s reimbursement of expenses – “Travel allowance” and “Subsistence allowance” rates, as amended.
- 11.6 Costs incurred by members of the Panel in the course of their duties on the Panel (travel and subsistence) shall be submitted to the host authority for reimbursement using the host authority’s expenses claim form.
- 11.7 The Expenses and Allowances of the Panel shall be published on an annual basis and made available through the website of the host authority and that of the Police and Crime Commissioner.
- 11.8 The general objective shall be that the total costs of running the Panel are contained within the Government funding i.e. they shall be contained within the Home Office grant. The Panel will receive and approve a budget, and monitor expenditure against it.

11.9 To the extent that the Government funding is exceeded, the excess will be borne by the authorities in equal shares, unless they agree otherwise.

11.10 Panel Members will forfeit their entitlement to claim the general allowance or expenses / subsistence that are more than 3 calendar months in arrears from the date the actual expenditure was incurred.

12.0 Promotion and support of the South Wales Police and Crime Panel

12.1 The Panel shall be promoted via dedicated Police and Crime Panel pages on the Host Authority website which will include amongst other things, information about the role and work of the Panel, Panel Membership, all non-confidential Panel and sub-committee meeting papers, press releases and other publications.