

CABINET MEMBERS DELEGATED DECISION

Open		Would any decisions proposed :			
Any especially affected Wards	Operational	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Councillor Brian Long E-mail: cllr.brian.long@west-norfolk.gov.uk			Other Cabinet Members consulted: None		
			Other Members consulted: None		
Lead Officer: Sam Winter E-mail: sam.winter@west-norfolk.gov.uk Direct Dial: 01553 616327			Other Officers consulted: None		
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment NO	Risk Management Implications NO	Environment al Consideratio ns NO
Date meeting advertised: 4 th June 2020			Date of meeting decision to be taken: 11 th June 2020		
Deadline for Call-In: 18 th June 2020					

POLICE AND CRIME PANEL ARRANGEMENTS – AMENDMENTS TO PANEL ARRANGEMENTS

Summary

The Norfolk Police and Crime Panel (“the PCP”) has two co-opted independent members. They are each appointed for 4 years, and the appointments are staggered to maximise consistency of membership, skills and experience. The term of office of Air Commodore Kevin Pellatt, currently the Panel’s Vice Chairman, is due to come to end in July 2020.

Recommendation

To approve:

- 1) An amendment to the Norfolk Police and Crime Panel’s Panel Arrangements, which would allow it to re-appoint a co-opted independent member without open recruitment (at paragraph 2.1 of this report).
- 2) To Air Commodore Kevin Pellatt continuing in the role of co-opted independent member, beyond his appointed term of office, should the Panel be unable to meet before the end of June 2020, for a maximum period of 12 months.

Reason for Decision

The proposals will ensure the PCP maintains the much-valued skills and experience of its current membership and will prevent a vacancy from arising. They will enable Air Commodore Pellatt to continue in the position beyond his current term, until the PCP meets next. When the PCP does meet, it will be able to re-appoint him without open recruitment (for a period of the Panel’s choice but limited to a maximum 4 years - another full term).

1. Background and Purpose

1.1. The Police Reform and Social Responsibility Act 2011 (the Act) requires each police area in England, other than the metropolitan police district, to have a Police and Crime Panel (PCP) established and maintained. PCPs scrutinise the Police and Crime Commissioners (PCC) who themselves will hold the Chief Constable of their force to account for the full range of their responsibilities.

1.2. The Act requires the functions and procedural rules for the operation of the PCP to be set out in 'Panel Arrangements' and 'Rules of Procedure'. The Panel Arrangements (and any changes) must be agreed collectively by the local authorities but the Rules of Procedure are for the PCP to approve once it has been established.

1.3. It is the Panel Arrangements which must make provision about the co-option of, and holding of office by, the independent members.

1.4. Currently, this document defines a specific term of office (4 years). In addition, it says that there shall be no restriction on the overall time period that an independent member may serve on the PCP. The expectation, and previous practice, has been that an independent member seeking re-appointment would re-apply through the relevant open recruitment process.

1.5. Norfolk PCP has two co-opted independent members. They are each appointed for 4 years, but the appointments are staggered to maximise consistency of membership, skills and experience.

1.6. The term of office of Air Commodore Kevin Pellatt, currently the Panel's ViceChairman, is due to come to end in July 2020.

1.7. The Panel was due to consider a draft advertisement, application pack, timetable and appoint a selection panel at its 24 March 2020 meeting, with a view to carrying out an open recruitment exercise in the usual way during the spring. The recommended candidate's appointment was due to be endorsed at the Panel's meeting on 30 June 2020.

1.8. However, owing to pressures on public services as a result of coronavirus - COVID-19, the Panel's 24 March 2020 meeting was cancelled.

1.9. Given the fast moving and uncertain situation relating to coronavirus, the Panel's Chairman (County Councillor William Richmond) is keen to ensure that the Panel maintains the much-valued skills and experience of its current membership and prevent a vacancy from arising. In order to do so, he asked Norfolk Leaders to seek their Council's agreement to: an amendment to the Panel Arrangements, which would allow the PCP to re-appoint a co-opted independent member without open recruitment; and Air Commodore Pellatt's continuation in the role, beyond his appointed term of office, should the Panel be unable to meet before the end of June 2020.

1.10. Owing to the current exceptional circumstances, all Norfolk Leaders agreed to seek their Council's agreement to the two proposals. They specified that the period Air Commodore Pellatt could continue in the role, without consideration by the PCP, should be limited to a maximum period of 12 months.

2. Proposals

2.1. There are two proposals:

1) An amendment to the Panel Arrangements, comprising the addition of the following new paragraphs: 6.7 A co-opted independent member may be re-appointed for a further period, without open recruitment, if the majority of Panel Members agree. This could only be done once, for a maximum period of four years, having considered whether the reappointment would allow the PCP to meet its Balanced Appointment Objective. 6.8 At the end of the re-appointment period, should an individual still wish to continue in the role, they would need to re-apply through open recruitment.

2) That Air Commodore Kevin Pellatt continues in the role of co-opted independent member, beyond his appointed term of office, should the PCP be unable to meet before the end of June 2020, for a maximum period of 12 months. 2.2. It should be noted that the Panel Arrangements require independent member appointments to be endorsed annually, at the PCP's Annual General Meeting. In addition, they include provision for removal of Independent Members

3. Impact of the Proposal

3.1. The proposals will ensure the PCP maintains the much-valued skills and experience of its current membership and will prevent a vacancy from arising.

3.2. They will enable Air Commodore Pellatt to continue in the position beyond his current term, until the PCP meets next. When the PCP does meet, it will be able to re-appoint him without open recruitment (for a period of the Panel's choice but limited to a maximum 4 years - another full term).

4. Evidence and Reasons for Decision

4.1. Norfolk Leaders have each agreed to seek their council's agreement to the proposals.

4.2. The PCP could do nothing until it next meets. However, this would mean open recruitment could not begin until after that meeting and would result in an independent member vacancy for a considerable period.

4.3. PCP Members' agreement to open recruitment could be sought in principle and endorsed at a later meeting. While this would enable the process to begin, the timetable would need to be kept under review alongside any measures required to tackle coronavirus – COVID-19 and which may present challenges, for example at interview stage. It is likely that this would also result in an independent member vacancy for a period.

5. Financial Implications

5.1. None.

6. Resource Implications

None.

7. Staffing Implications

None.

8. Equality Impact Assessment:

The aim of the two proposals is to maintain the current skills and experience of the PCP's membership as far as possible during the uncertainty of the coronavirus pandemic. The main impact on equalities is that deferring open recruitment and retaining the status quo limits the PCP's opportunity to increase its diversity. However, there is no guarantee that a recruitment campaign to find a new member would result in an increase in the panel's diversity – it would depend on the quality and calibre of the candidates. A protective factor in not recruiting is that the PCP pays due regard to the Public Sector Equality Duty when exercising public functions or making decisions. This ensures that the PCP is able to consider any unconscious bias and the best way to promote equality, diversity and inclusion, in its day-to-day work. If the PCP decides to defer recruitment, for the reasons set out in this report, it will continue to hold itself to account through the Public Sector Equality Duty.

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Signed _____ Date _____

Cabinet Member for.....