**Merseyside Police and Crime Panel**

**Appointment of Independent Co-opted Members**

**Information pack for candidates to be Independent Co-opted Members of Police and Crime Panels**

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**Background to the post**

* The Panel, since November 2012, has been a part of the governance and accountability arrangements for policing in Merseyside. The Panel’s role is to offer support and challenge to the Police and Crime Commissioner who was re-elected on 2 May 2024.
* The Panel requires one person to serve as a panel member for a period ending in May 2028. The role offers an exciting opportunity to be involved in scrutinising and supporting the Commissioner.
* The role of a Panel member will be an important and demanding one. In considering your application you should be aware that the typical commitment required from a member of the Panel is expected to average one day a month, including preparation time.
* Meetings are currently held in Huyton, Knowsley (6 meetings per year). The precise times and dates of the meetings are usually agreed on an annual basis, but potentially remain subject to change. The Panel currently meets on Thursdays at 11am.
* All Panel members will be able to claim reasonable travelling expenses. All Panel members will receive an induction and other appropriate training.

**MERSEYSIDE POLICE AND CRIME PANEL**

**PANEL ARRANGEMENTS**

**Interpretation**

In this document the following expressions shall have the following meanings:

* the following local authorities are referred to singularly as ‘Authority’ and together as ‘the Authorities’
  1. Knowsley Borough Council;
  2. Liverpool City Council;
  3. St. Helens Borough Council;
  4. Sefton Borough Council;
  5. Wirral Borough Council;
* the “Panel” means the Police and Crime Panel for the Merseyside Police Force area;
* the “Secretariat” means the financial, administrative, scrutiny and other officer support to the Panel;
* the “Host Authority” means the council which hosts the Secretariat at the relevant time;
* the “Act” means the Police Reform and Social Responsibility Act 2011;
* the “Panel Arrangements Document” means this document, as amended from time-to-time;
* the “Rules of Procedure” means the rules of procedure as agreed by the Panel from time to time;
* the “Balanced Appointment Objective” means the objective that local authority members of a police and crime panel (when taken together):
  1. represent all parts of the relevant police area;
  2. represent the political make-up of:
     1. the relevant local authority; or
     2. the relevant local authorities (when taken together); and
  3. have the skills, knowledge and experience necessary for the police and crime panel to discharge its functions effectively.

The conduct of the Panel and the content of this Panel Arrangements Document shall be subject to the legislative provisions in the Act, and any Regulations made in accordance with that Act, and in the event of any conflict between the Act or Regulations, and this Panel Arrangements Document, the requirements of the legislation will prevail.

1. **Background**

1.1 The Act introduces new structural arrangements for national policing, strategic police decision making, neighbourhood policing and police accountability.

1.2 The Act provides for the election of a Police and Crime Commissioner (‘PCC’) for a police area, responsible for securing an efficient and effective police force for their area, producing a police and crime plan, recruiting the Chief Constable for an area, and holding him/her to account, publishing certain information including an annual report, setting the force budget and police precept and requiring the Chief Constable to prepare reports on police matters. The PCC must co-operate with local community safety partners and criminal justice bodies.

1.3 The Act requires the Authorities to establish and maintain the Panel. It is the responsibility of the Authorities for the police area to make arrangements for the Panel.

1.4 Merseyside is a multi-authority police area as defined in Schedule 1 of the Police Act 1996. All the Authorities, as the relevant local authorities within the police area must agree to the making and modification of the Panel Arrangements. If the Authorities are not able to agree the Panel Arrangements the Secretary of State is able to establish the Panel for the police area.

1.5 Each Authority and each Member of the Panel must comply with the Panel Arrangements.

1.6 The functions of the Panel — to be known as the “Merseyside Police and Crime Panel"— are to be exercised with a view to supporting the effective exercise of the functions of the PCC for that police area.

1.7 The Panel must have regard to the policing protocol (issued by the Home Secretary in February 2012) which sets out the ways in which the Home Secretary, the PCC, the Chief Constable and the Panel should exercise, or refrain from exercising, functions so as to encourage, maintain or improve working relationships (including co-operative working); and limit or prevent the overlapping or conflicting exercise of functions.

1.8 The Panel is a scrutiny body with responsibility for scrutinising the PCC and promoting openness in the transaction of police business in the police area.

1.9 The Panel is a Joint Committee of the Authorities and as such is subject to the requirements of the Local Government Act 1972 and subsequent legislation.

1.10 The Authorities by being parties to this Panel Arrangements Document signify their agreement to its terms.

2. **Functions of the Panel**

2.1 The overarching role of the Panel is to scrutinise the work of the PCC in the discharge of the PCC’s functions in order to support the effective exercise of those functions and to make reports or recommendations to the PCC as appropriate.

2.2 In specific terms the Panel’s role will involve the duties/ functions set out in sections 2.3 to 2.12 below.

2.3 The Panel is a statutory consultee on the development of the **PCC’s Police and Crime Plan** and must:

(a) review the draft Police and Crime Plan (or a variation to it); and

(b) make a report and/or make recommendations on the draft Plan (or a variation to it) to the PCC.

2.4 The Panel must review the **Annual Report** of the PCC, and for that purpose will:

(a) question the PCC on the Annual Report at a public meeting of the Panel;

(b) make a report and/or recommendations on the Annual Report to the PCC.

2.5 The Panel must hold **confirmation hearings in respect of proposed senior appointments** made by the PCC. This includes the posts of the PCC’s Chief Executive; the PCC’s Chief Finance Officer and Deputy Police and Crime Commissioner in accordance with the requirements set out in Schedule 1 of the Act. At a hearing, the Panel will review a proposed appointment and make a report and recommendation to the PCC on it.

2.6 The Panel must hold a **confirmation hearing in respect of the appointment of the Chief Constable** by the PCC. At a hearing, the Panel will review a proposed appointment and make a report and recommendation to the PCC on it. The Panel also has the right of veto for the appointment of this post in accordance with Schedule 8 of the Act.

2.7 The Panel must review the **precept** proposed by the PCC in accordance with the requirements set out in Schedule 5 of the Act, and will have a right of veto in respect of the precept in accordance with the Act.

2.8 A right of veto will require that at least two-thirds of the persons who are Members of the Panel at the time when the decision is made vote in favour of making that decision.

2.9 The Panel must hold a **scrutiny hearing in respect of the proposed removal of the Chief Constable** by the PCC before it must make a recommendation to the PCC on the proposed removal in accordance with Schedule 8 to the Act. Before making a recommendation to the PCC, the Panel may also consult the Chief Inspector of Constabulary. At a scrutiny hearing, held in private, the Panel may consider representations from the Police and Crime Commissioner and the Chief Constable on the PCC’s proposal.

2.10 The Panel has the power to **appoint an Acting PCC** where the incumbent PCC is incapacitated, resigns or is disqualified.

2.11 The Panel may **suspend the PCC** if he/she is charged with an offence carrying a maximum term of imprisonment exceeding two years.

2.12 The Panel is obliged to put in place **arrangements for recording and dealing with conduct matters relating to the PCC and Deputy PCC**, including reference, where appropriate, to the Independent Police Complaints Commission or informal resolution of matters at the local level.

3. **Operating Arrangements**

3.1 Knowsley Metropolitan Borough Council shall act as the Host Authority and arrange for the necessary officer support in doing so. In this respect, Knowsley Metropolitan Borough Council will provide the Secretariat.

3.2 The Panel initially shall be made up of 10 councillors and 2 independent co-opted members. Further consideration may be given by the Panel to the addition of any further co-opted members, if it is deemed that this would assist the Panel in carrying out its duties.

4. **Council** **Membership**

4.1 All district councillors, and where appropriate elected mayors, on Merseyside will be eligible to be nominated as members of the Police and Crime Panel.

4.2 Under the provisions of the Act, each of the Authorities is entitled to nominate one elected member to serve on the Panel in accordance with these Panel Arrangements. The Act requires further extra places for appointed members to be allocated between the Authorities to make up the required total of 10 appointed members on the Panel.

4.3 In order to meet the geographical aspect of the Balanced Appointment Objective the 5 extra places for elected members on the Panel will be allocated between the five Authorities as follows to produce a total membership which is split in accordance with the Authorities’ respective population sizes:

|  |  |  |  |
| --- | --- | --- | --- |
| **Authority** | **Minimum Allocation** | **Extra Members** | **Total** |
| Knowsley | 1 | - | 1 |
| Liverpool | 1 | 2 | 3 |
| St. Helens | 1 | 1 | 2 |
| Sefton | 1 | 1 | 2 |
| Wirral | 1 | 1 | 2 |

4.4 In order to comply with the political aspect of the “balanced appointment objective”, the political balance on the Panel during 2024/2025, will reflect the political balance across Merseyside as follows:

|  |  |
| --- | --- |
| **Party/Grouping** | **Proposed Members** |
| Labour | 7 |
| Liberal Democrat | 1 |
| Conservative | 1 |
| Green | 1 |
| **Total** | **10** |

4.5 The allocation of seats by both area and party/ grouping will therefore be as follows for 2024/2025:

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Authority** | **Labour** | **Liberal**  **Democrat** | **Conservative** | **Green** | **Total** |
| Knowsley | 1 | - | - | - | 1 |
| Liverpool | 2 | 1 | - | - | 3 |
| St. Helens | 1 | - | - | 1 | 2 |
| Sefton | 2 | - | - | - | 2 |
| Wirral | 1 | - | 1 | - | 2 |
| **Total** | **7** | **1** | **1** | **1** | **10** |

4.6 The allocation of elected member places on the Panel will be reviewed on an annual basis, ordinarily in the period following the date of the municipal elections. In years where municipal elections do not take place, the review will need to have taken place by 15 May in that year.

4.7 Taking into account the outcome of such a review, Elected Members will be appointed by their respective Authorities in accordance with the constitutional procedures applicable in those Authorities. In any event, each Authority will ordinarily be expected to appoint their representatives no later than 31 May in each year.

4.8 The term of office of each Authority representative appointed shall be a period of 1 year or until 31 May of the following year, whichever is the earlier. This term of office is however subject to the appointed Member remaining as an Elected Member during the term of office. In the event of a Panel Member ceasing to be an elected member during the course of their term of office as a Panel Member, their entitlement to serve on the Panel will also cease at that point.

4.9 Each appointment may be renewable on an annual basis, subject to the decision of the respective Authority and the continuing entitlement of the appointee to serve on the Panel.

5. **Elected Members – Resignation or Removal from the Panel**

5.1 An Authority may decide, in accordance with its procedures, to remove one of its Members from the Panel at any time prior to conclusion of that Member’s term of office, and upon doing so shall give written notice to the Secretariat of the change in its Member.

5.2 An Elected Member representative may resign from the Panel at any time by giving notice to his or her appointing council who will inform the Secretariat.

5.3 In the event that any Elected Member resigns from the Panel, or is removed from the Panel by his or her Authority, the Authority shall immediately take the appropriate constitutional steps to nominate and appoint an alternative Member to the Panel, in accordance with the agreed panel arrangements.

5.4 Where an Elected Member fails to attend meetings of the Panel over a six-month period then the Secretariat shall recommend to the relevant Authority that due consideration is given to removing the member from the appointment to the Panel and the appointment of a replacement member from that Authority.

5.5 Where it becomes clear that an Elected Member has ceased to represent the political group for which they were nominated by their respective Authority, either through withdrawal of the whip, suspension, or expulsion from the relevant group, that Member shall be immediately removed from the Panel’s Membership. In these circumstances, the relevant Nominating Authority will be obliged to take the appropriate steps, including liaison with the relevant political group, to nominate, at the earliest opportunity an alternative Member to the Panel, in accordance with the allocation of seats at paragraph 4.5 above, so as to ensure the Panel’s appropriate political balance is maintained.

6 **Independent Co-opted Members**

6.1 The Panel shall co-opt one independent members onto the panel for a term ending in July 2028. There is currently **one vacancy** on the Panel for a co-opted independent member. The term of office for an independent co-opted member on the Panel shall be four years with the number of terms of office to be served by any appointed independent member limited to two.

6.2 The selection process for co-opting independent members will include a reasonable period of advertising for the positions. A closing date for the receipt of applications should be given of at least two weeks from the date the advert is first placed.

6.3 The recruitment process will be carried out in accordance with the following principles:-

(i) Appointments will be made on merit of candidates whose skills, experience and qualities are considered best to secure the effective functioning of the Panel;

(ii) The selection process will be fair, objective and impartial and consistently applied to all candidates who will be assessed against the same pre-determined criteria; and

(iii) The selection process will be conducted transparently with information about the requirements for the appointments and the process being publicly advertised and made available.

6.4 Information packs shall be prepared and sent to those requesting them. The Panel will appoint a selection panel to consider applications and interview short-listed candidates. The applications will be considered against an eligibility criterion agreed by the Panel. The selection panel will include the Chairperson and Vice-Chairperson of the Panel.

6.5 Following the interviews, the selection panel will make recommendations to the Panel about the appointment of the independent members and the Panel will make a decision as to which candidates to co-opt. In order to be co-opted, each candidate shall require the support of a majority of the appointed members of the Panel present at the meeting at which the decision is made.

**7. Independent Co-opted Members - Resignation and removal from the Panel**

7.1 An independent co-opted member may resign from the Panel by giving at least 3 months written notice to the Secretariat. In exceptional circumstances, the Panel may agree to a shorter period of notice.

7.2 In the event that an independent co-opted member fails to attend the meetings of the Panel over a six-month period, the Panel shall give due consideration to the termination of the appointment of the co-opted member.

7.3 An independent co-opted member may be removed from the Panel by a two thirds majority vote at an ordinary meeting of the Panel. Such a vote may only be prompted by a motion notified to the Panel’s secretariat at least 10 working days prior to an ordinary Panel meeting, which has been moved and seconded by two Members of the Panel.

7.4 The Panel will also reserve the right to remove an independent co-opted member from the membership of the Panel if, at any time during the course of their term of office, they fail to meet the eligibility criteria to serve in that role.

7.5 Vacancies for independent co-opted members will be filled in accordance with the selection process outlined in section 6 of this document.

8. **Financial Arrangements**

8.1 The funding provided by the Home Office to support the work of the PCP will be received by the Host Authority. The PCP will seek to operate within the limit of the Home Office funding during the first year of its operation (up until April 2013).

8.2 The Home Office funding includes a specified sum per member per annum to cover their expenses. Each Authority will pay the expenses of its own representatives and seek re-imbursement from the Host Authority at the end of each financial year, up to a maximum of the specified sum. The expenses of the independent co-opted members will be paid directly by the Host Authority.

8.3 The Host Authority will establish an independent remuneration panel to consider whether a Special Responsibility Allowance (SRA) should be paid to the Chairman of the PCP or any other Panel Member, and if so, what the level of that SRA should be. If the Authorities subsequently decide, based on the recommendations of the independent remuneration panel that an SRA will be paid, the Authorities will be required to reach agreement on how the costs of the SRA will be apportioned between them.

8.4 The financial arrangements for the PCP will be reviewed each year by the Authorities. If in subsequent years, the Panel considers that the funding available to it is insufficient to support it in carrying out its functions, it may make a request to the Authorities to approve additional funding. If additional funding is approved, the Authorities will decide how, the additional costs will be apportioned between them.

**9. Promotion and Support of the Panel**

9.1 The Panel shall be promoted and supported by the Host Authority and the Secretariat through:

(a) The inclusion of dedicated webpages on the work of the Panel, with the publication of meeting agendas; minutes; and papers where those papers are public, in line with the rules of procedure and legal obligations under the Local Government Act 1972*.* All reports and recommendations made, with responses from the PCC will be published. Information on member attendance and other publications will be included;

(b) Other relevant administrative, financial, legal, communications and scrutiny officer support as appropriate.

9.2 The costs of the promotion work identified above will be identified as part of financial arrangements agreed by the Authorities as set out in section 8 above.

9.3 The Panel shall be promoted and supported by each Authority including:

(a) Ensuring that briefings take place on the work of the Panel for members and officers at Authority level to ensure they are fully informed about relevant matters.

(b) Information on each respective website about the work of the Panel and links to the main webpages.

(c) Sharing of information on the work of their respective designated statutory Crime and Disorder Scrutiny Committee in order to ensure that the work programme of the Panel complements local scrutiny work and vice-versa.

(d) Co-operating to ensure that the Panel, where appropriate, is provided with additional officer support for research, training and development or other areas of expertise.

9.4 The elected members on the Panel will provide a communication channel between the Panel and their respective appointing Authorities. They will report back to their Authority on the work of the Panel as appropriate and provide support and guidance to their member colleagues and officers of their Authority.

**10. Validity of Proceedings**

10.1 The validity of the proceedings of the Panel shall not be affected by a vacancy in the membership of the Panel or a defect in appointment.

10.2 All Panel members (including co-opted members) must observe the Members Code of Conduct, and any related Protocols as agreed by the Panel.

**11. Review and Amendment of Panel Arrangements**

11.1 This Panel Arrangements Document will normally be reviewed on an annual basis by all Authorities jointly.

11.2 Proposed changes to the Panel Arrangements Document can only be made with the collective approval of all the Authorities in the police force area.

11.3 The Panel may propose amendments to the Panel Arrangements and any such proposals will be referred to the Authorities and will only be implemented if they are approved by all the Authorities.

11.4 The only exception to the requirement for the approval of the Authorities is if the Panel wishes to increase the number of co-opted members on its membership. The Panel may resolve that the Panel is to have the number of co-opted members specified in the resolution, provided that the total membership of the Panel, including that number of co-opted members would not exceed 20. Any such resolution must be referred to the Secretary of State and will only be implemented if the Secretary of State gives approval.

**Eligibility criteria:**

The following persons **cannot be considered** for the position of independent co-opted member on the panel, namely:

* anyone under 18 years old,
* the Police and Crime Commissioner or a member of their staff
* MPs
* Members of the National Assembly for Wales or the Scottish Parliament
* A police officer
* An elected member from any of the constituent authorities
* Persons who do not live or work in the Merseyside police force area\*
* Civil Servants engaged in political activity

\*Applicants must either live or work in the Merseyside area (Knowsley, Liverpool, St Helens, Sefton and Wirral)