

<b>SHADOW CAMBRIDGESHIRE POLICE AND CRIME PANEL</b>	<b>Agenda Item No. 5</b>
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## **Report of Police and Crime Partnership Transition Working Group**

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### **The Appointment of Police and Crime Panel Co-optees**

#### **1. PURPOSE**

- 1.1 To outline the steps required to appoint the independent co-optees who are required to sit on the Police and Crime Panel, and to seek approval from the Shadow Police and Crime Panel to implement the process.

#### **2. RECOMMENDATIONS**

- 2.1 The Panel are asked to
- Approve the process for appointing independent co-opted Panel members
  - Give consideration as to who should make up the interview Panel
  - Give consideration as to the gaps in the Panel membership following the political appointments and indicate the areas of expertise that they would wish to be strengthened by the co-optees
  - Approve the text prepared by the LGA for use in the appointment process in Peterborough and Cambridgeshire.

#### **3. TERMS OF REFERENCE**

- 3.1 The Panel are required to oversee the appointment of two independent co-optees to meet the legislative requirements of Schedule 6 of The Police Reform and Social Responsibility Act.

#### **4. BACKGROUND**

- 4.1 The appointment of independent co-optees provides an opportunity to readjust the experience, knowledge and skills available across the membership of a police and crime panel. By carefully selecting individuals that complement the Councillors nominated to the panel, independent co-optees can be used to fill experience, knowledge and skills gaps to help make the panel more effective.
- 4.2 It is desirable, where possible to appoint co-optees in a time frame which allows them to be inducted and trained together with the rest of the panel members. Planning for the appointment of co-optees must take account of the fact that the panel will need to be involved at key points in the process of seeking, short-listing and appointing co-optees. It is therefore recommended that we move to advertise for potential co-optees immediately following today's meeting. Panel members are invited to volunteer to be part of the appointment process.

#### **5. KEY ISSUES**

- 5.1 The Co-optees should be appointed with a view to enhancing the Panel, and therefore it is important to identify and gaps that might arise following the political appointments. Gaps in panel membership should be determined against the overall objective to create a panel that satisfies the 'balanced appointment objective'. A panel that meets the balanced appointment objective would have a membership which, when considered collectively, would be

geographically and politically representative, and crucially would include the necessary experience, knowledge and skills to be effective. It is possible that the balanced appointment objective may not be achieved after the first round of councillor nominations to the panel. This may be because these initial nominations were decided on the basis of identifying suitable and representative nominee(s) from the perspective of each individual council, rather than in the wider interests of whether the make-up of the panel overall is balanced

As the make-up of the panel emerges, it will be important to analyse what gaps might exist in experience, knowledge and skills. Work has been commenced to carry out a 'gap analysis' on an holistic basis, which recognises that the councillor panel nominees will (in addition to providing their political input) also have some very useful and relevant experience, knowledge and skills. This work was undertaken by colleagues from Peterborough City Council and the initial results will be shared at today's Panel meeting.

## 5.2 Experience, knowledge and skills across the panel

**Experience:** The experience of individuals is often linked with relevant knowledge and skills they might have. Exploring the experience of individuals is therefore a good starting point in assessing the likely effectiveness of the panel. The following provides some suggestions of the kinds of experience/and background of individuals which may indicate that individuals have relevant knowledge and skills to offer. It is not a comprehensive or exclusive list, but suggests a range of relevant experience which would be useful to draw on from individuals across the whole panel. Suggested useful experience for panel members:

- previous experience in the health sector e.g. work with PCTs, or future involvement with the local Health and Wellbeing Board or a clinical commissioning group
- voluntary or paid work and experience with victim support groups
- involvement and experience of restorative justice
- work with the police and resultant awareness of policing issues from both a strategic and delivery perspective
- community involvement with, for example, neighbourhood watch or a parish and town council
- work with the criminal justice system
- youth work and youth justice work
- work as a magistrate
- work in management of a business
- prominent people in the community working in the area of community safety
- experience with the voluntary and community sector generally
- fire and rescue services
- experience in the education sector
- experience of drug and alcohol issues
- relevant current academic experience in policing and crime and anti-social behaviour issues
- work with the probation service and links to the local probation trust, or other relevant knowledge or experience in this area
- reformed ex-offenders who might offer a valuable perspective on policing and crime and anti-social behaviour issues, and possibly restorative justice

## 5.3 Knowledge and skills:

The following skills should collectively be well enough represented so as to create a panel culture which results in:

- **Strategic thinking:** To have breadth of vision, to rise above detail, and to see problems and issues from a wider, forward-looking perspective and to make appropriate linkages.
- **Good judgements:** To take a balanced, open-minded and objective approach, for example, in evaluating the priorities of the police and crime commissioner, assessing candidates for top level appointments or considering complaints against the police and crime commissioner (PCC).
- **Supportive approaches:** To be able to support the PCC and the other members of the panel in delivering their duties.
- **Effective scrutiny and challenge:** To be able to rigorously scrutinise and challenge

constructively without becoming confrontational, using appropriate data, evidence and resources.

- **Effective analysis:** To interpret and question complex written material, including financial and statistical information and other data such as performance measures, and identify the salient points.
- **Effective communication:** To be able to communicate effectively both verbally and in writing – and to interact positively with other members of the panel, the PCC and the public. The above experience and skills lists might be used as the criteria on which to base an analysis of existing ‘shadow’ panel members and for seeking co-optees to fill any gaps identified. As part of the process, it should be recognised that individual panel members will not have experience, knowledge and skills in equal measure. Some individuals lacking in particular areas will make up for this with other experience, knowledge and skills they may have. The objective to consider in identifying gaps in the membership is: which would affect the effective functioning of the panel?

**Training and knowledge:** Before coming to conclusions about the significance of any gaps identified, it would also make sense to consider whether, for example, gaps, particularly in knowledge, might be addressed by training and on-the-job experience, rather than necessarily by seeking additional further co-optees.

- 5.4 The first meeting of a shadow panel provides an opportunity for members to both get to know each other and to share areas of expertise to help analyse against the suggested framework above whether there are any significant gaps in the panel’s collective experience. It is worth noting that gaps in experience, knowledge and skills will change over time, particularly after elections and resignations of panel members. Regular gap analysis reviews will be needed to ensure the panel continues to have the right experience, knowledge, and skills to be effective.

## 6. IMPLICATIONS

- 6.1 We are required to appoint independent co-optees to comply with the legislation. The first formal meeting of the Panel will be in January 2013 and it is advised that we initiate the process immediately to comply with the legislative requirements.

## 7. CONSULTATION

- 7.1 There has been no consultation events with the public at large although statutory bodies involved in preparing for the Police and Crime panel have been consulted with through regular presentations, both written and oral, over the last six months.

## 8. NEXT STEPS

- 8.1 Once the Shadow Panel have approved the process outlined, Peterborough City Council, as the host Authority will move to advertise for applicants to become independent co-optees. Attached are six Appendices for consideration by the Panel. These documents are drafts prepared by the LGA to assist Authorities in the recruitment of co-optees.

## 9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 9.1 LGA Police and Crime Panel: Guidance on appointing independent co-opted members (2012)

## **Appendix 1– Draft text for generic advert to encourage potential applicants**

### Advert

On the 15 November 2012, the Cambridgeshire will be electing its first police and crime commissioner who will be responsible for setting the priorities and resources for Cambridgeshire Police, as well as supporting broader community safety activities across the region.

In addition to this a police and crime panel will also be established to scrutinise the work of the PCC. The purpose of this role is to assist the PCC through providing independent challenge as a critical friend.

The panel will be made up of one representative from each of the Cambridgeshire local authorities in the force area, and two independent co-opted members.

The commissioner will be required to consult with the panel on their plans and budget for policing, as well as the level of council tax and the appointment of a chief constable.

The panel is looking for two committed and energetic people who either live or work within the [name force area] to serve as co-opted independent members from summer 2012 for a four-year term. This is an exciting opportunity to be involved from the start with new and very different arrangements for reducing crime and disorder.

The role of a panel member will be an important and demanding one. The typical commitment required from a member of the panel is expected to average one day a month, including preparation time.

Meetings will generally be held in evenings at Huntingdon.

All panel members will be able to claim reasonable travelling expenses. All panel members will receive induction and other appropriate training.

For a copy of the application pack see [www.#####.###.uk/#####](http://www.#####.###.uk/#####) or telephone #####. The closing date for applications is XX XXXX 2012.

The panel wishes to reflect the breadth of communities in the Cambridgeshire area and welcomes applications from all eligible people irrespective of gender, ethnic origin, religious belief, sexual orientation, disability or any other factor.

## Appendix 2 – Draft Letter to potential applicants

[Based on documentation from N Yorkshire – and shared with their permission]

Dear Applicant

Thank you for your interest in becoming a co-opted independent member of Cambridgeshire police and crime panel.

The panel will be part of the new governance and accountability arrangements for policing in Cambridgeshire. The panel's role will be to maintain a regular check and balance on the performance of the directly elected police and crime commissioner (to be elected on 15 November 2012).

The panel is looking for [11 eg two] committed and energetic people to serve as co-opted independent members from summer 2012 for a four year term. This is an exciting opportunity to be involved from the start of new and very different arrangements.

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 will generally be held during normal office hours at Huntingdon.

All panel members will be able to claim reasonable travelling expenses and a small allowance (to be determined). All panel members will receive induction and other appropriate training.

Further information is attached:

- background to the post
- eligibility criteria
- person specification
- roles and responsibilities
- application form.

The closing date for applications is **XXXX**, after which the local authority panel members will consider and assess all applications received. It is expected that short-listed candidates will be invited for interview [amend as applicable] in the second half of June 2012 and that formal appointments will be made in early July 2012 [amend as necessary to reflect dates which are realistic locally].

You will note that the application form asks for details of two referees. We intend to take up references for short-listed candidates, prior to interview. If you would not wish us to contact your referees at that stage then please indicate with your application.

The panel wishes to reflect the breadth of communities in Cambridgeshire police area and welcomes applications from all eligible people – irrespective of age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (ie gender), sexual orientation, marriage and civil partnership.

If you wish to discuss any aspect in more detail please contact **#### #####**.

### **Appendix 3 – Draft Background to the post**

The panel will be part of the new governance and accountability arrangements for policing in Cambridgeshire. The panel's role will be to maintain a regular check and balance on the performance of the directly elected police and crime commissioner (to be elected on 15 November 2012).

The panel requires energetic people to serve as panel members from summer 2012 for a four-year term. This is an exciting opportunity to be involved from the start with new and very different arrangements.

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 will generally be held during normal office hours at Huntingdon.

All panel members will be able to claim reasonable travelling expenses and a small allowance (to be determined). All panel members will receive induction and other appropriate training.

## Appendix 4 – Draft Eligibility criteria for independent panel members

The following cannot be considered for a position on the panel, namely:

- anyone under 18 years old
- the PCC or a member of their staff
- MPs
- members of the National Assembly for Wales the Scottish Parliament
- members of the European Parliament
- police officers<sup>2</sup>
- persons who do not live or work in the police force area
- civil servants engaged in political activity.

Please also note:

Independent non-councillor co-optees (either those required and any optional independent co-optees added later) must not be local authority councillors.

<sup>2</sup> *Police officers are not covered by the restrictions on membership of the panel in Section 22 in Schedule 6. Also police officers do not fall within Section 22 (a) as members of staff of the PCC as this category covers people appointed under Section 6 of Schedule 1. However, under section 1(2)(a) of Schedule 1 to the Police Regulations 2003 (S.I. 2003/527) a member of a police force may not “take any active part in politics”. The Home Office would regard co-option to a panel, for the purpose of scrutinising an elected PCC, as taking an active part in politics, and accordingly as being prohibited for police officers.*

## Appendix 5 – Draft person specification for co-opted panel members

For the appointment of panel members, including independent and councillor co-optees, on interview the assessors will consider potential candidates against the following criteria:

### Abilities/skills

As well as being of good character, candidates will need to possess most, if not all, of the following competencies:

- **The ability to think strategically:** To have breadth of vision, to rise above detail, and to see problems and issues from a wider, forward-looking perspective and to make appropriate linkages.
- **The ability to make good judgements:** To take a balanced, open-minded and objective approach, for example, in evaluating the priorities of the police and crime commissioner, assessing candidates for top-level appointments or considering complaints against the police and crime commissioner.
- **The ability to be supportive:** To be able to support the PCC and the other members of the panel in delivering their duties.
- **The ability to scrutinise and challenge:** To be able to rigorously scrutinise and challenge constructively without becoming confrontational, using appropriate data, evidence and resources.
- **The ability to be analytical:** To interpret and question complex written material, including financial and statistical information and other data such as performance measures and identify the salient points.
- **The ability to communicate effectively:** To be able to communicate effectively both verbally and in writing – and to interact positively with other members of the panel, the PCC and the public.

### Other requirements and considerations

- Candidates must be able to attend meetings in the evenings (Monday to Friday 9am to 5pm) at varying locations throughout the Cambridgeshire area at least six times a year, as well as attend any appropriate training sessions.
- Candidates should have the time, energy and commitment to prepare for and attend regular meetings. We suggest that they would need to allocate a minimum of one day per month to devote to this role.
- Candidates should have a willingness to learn.

Note: Candidates must be eligible for the role (see eligibility criteria separately listed in this job information pack).

The following personal skills and qualities are also very important:

- **Team working:** The ability to play an effective role in meetings through listening, persuading and showing respect for the views of others.
- **Self-confidence:** The skill to challenge accepted views constructively without becoming confrontational.
- **Enthusiasm and drive:** The ability to be proactive in seeking out learning and developmental opportunities to enhance knowledge and understanding (for example, on financial matters and statutory requirements).
- **Respect for others:** The capacity to treat all people fairly and with respect, to value diversity and respond sensitively to difference.
- **Integrity:** The necessity to embrace high standards of conduct and ethics and be committed to upholding human rights and equality of opportunity for all.
- **Decisiveness:** The ability to show resilience even in challenging circumstances, remaining calm and confident and able to make difficult decisions.

It is also important for candidates to:

**be able to:**



- consider their own biases and prejudices
- work with people from all areas within the police force area
- work with people from diverse backgrounds
- work with people with and without disabilities
- work with people from a variety of faiths and cultures
- work with people who may be gay, lesbian, bisexual or transgender.

It would also be useful if candidates:

**have experience of:**

- working with other people on issues of mutual interest over a period of time (eg voluntary work)
- situations where they needed to compromise
- interacting or working with people of all ages
- interacting or working with people who have different political views and/or religious beliefs
- interacting or working with people who are physically and/or mentally impaired.

**have an interest in:**

- policing issues and current affairs, specifically in respect of the ways in which they affect people locally
- challenging and combating institutional discrimination
- the issues associated with recruiting, promoting and retaining staff from underrepresented groups
- engaging with and representing local people and/or specialists within their field of expertise.

## Appendix 6 – Roles and responsibilities of independent co-optees on the panel

Note: independent co-optees will be treated equally as other elected members on the panel and therefore have the same responsibilities and duties.

All co-optees are full voting members and will have access to the same level of support and information as elected members on the panel. The core role of both elected members and independent co-optees on the panel is to:

- scrutinise the work of the PCC to ensure that the PCC is discharging its functions effectively
- bring any specialist knowledge, skills, experience and expertise they may have to the scrutiny work of the panel
- ensure that there is an effective independent challenge to the PCC and that this challenge is constructive to support the PCC in carrying out their role
- act as a non-party-political voice for those who live and/or work in the Cambridgeshire area.

### Responsibilities of co-optees

A co-opted member of the police and crime panel is expected to:

- attend all formal meetings of the panel (approx 4-6 per year)
- establish good relations with other members, officers and co-optees
- attend additional meetings eg working groups or evidence gathering sessions, as required
- prepare for each meeting by reading the agenda, papers and additional information to familiarise yourself with the issues to be covered during the meeting. Prior to the meeting consider the questions you may wish to put to the police and crime commissioner and other expert witnesses
- listen carefully at the meetings, ask questions in a way which is non-judgmental, respect confidentiality and help the panel to make practical suggestions for improvements in services
- assist in the preparation of reports and the formulation of recommendations; this may involve volunteering to participate in a task group to conduct a scrutiny review
- attend training and development events as needed
- abide by the panel arrangements and rules of procedure which set out how the police and crime panel will operate in the Cambridgeshire area
- keep abreast of the key issues in relation to the responsibilities of the police and crime commissioner and the priorities within the police and crime plan
- contribute to achieving an open, accountable and transparent decision-making process in relation to policing and community safety issues in the Cambridgeshire area.

Note: all panel members would also be expected to adhere to the 'seven principles of public life' which are listed below:

### Nolan principles<sup>3</sup>

**Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership:** Holders of public office should promote and support these principles by leadership and example.

<sup>3</sup>*Nolan Committee's First Report on Standards in Public Life from the First Report of the Committee on Standards in Public Life (1995).*