

Police Reform and Social Responsibility Act 2011

Police and Crime Panels – Functions

A Police and Crime Panel has to be established for each Police Area (outside the Metropolitan Police District). The Panel must exercise its functions “with a view to supporting the effective exercise of the functions of the Police and Crime Commissioner for that Police Area”.

The Panel’s functions will be to:-

- (1) Review and report/make recommendations to the Police and Crime Commissioner in respect of his/her draft police and crime plan or any draft variation to their current plan.
- (2) Review and report/make recommendations to the Police and Crime Commissioner in his/her annual report.
- (3) Review or scrutinise decisions made, or other action taken, by the Police and Crime Commissioner in connection with the discharge of his/her functions and make reports or recommendations to the PCC with respect to the discharge of those functions.
- (4) Review and report back to the PCC on appointments he/she proposes to make to the following posts:
 - the Commissioner’s Chief Executive
 - the Commissioner’s Director of Finance
 - a Deputy Police and Crime Commissioner

(note: for this purpose the PCP will be required to hold “confirmation hearings” in public at which the candidate is requested to appear for the purpose of answering questions relating to the appointment. The Panel’s report to the Commissioner must include a recommendation as to whether or not the candidate should be appointed, which the PCC may choose to accept or not).

- (5) Review and report/make recommendations to the PCC on his/her proposed precept for the financial year.

(note: the PCP will have the power to veto the proposed precept provided at least 2/3 of the Panel Members at the time vote to do so).

- (6) Review and report back to PCC on his/her proposed appointment of a Chief Constable as with the appointments in (4) above.

(note: the PCP will be required to hold a confirmation hearing in public and may veto the appointment, provided at least 2/3 of the Panel Members at the time vote to do so).

- (7) Review and report/make recommendations to the PCC on any proposal by him/her to call on the Chief Constable to retire or resign. In undertaking any such review, the PCP may consult the Chief Inspector of Constabulary and must hold a scrutiny hearing in private which both the PCC and the CC are entitled to attend for the purposes of making representations. The PCC may either accept or reject the Panel's recommendation.
- (8) The PCP will also have the power to suspend a PCC if he/she has been charged with an offence (in the UK, the Channel Islands and the Isle of Man) which carries a maximum term of imprisonment exceeding two years and will have other responsibilities in relation to:

PCPs will have the power to

- require the relevant PCC and members of his/her staff to attend before the Panel (at reasonable notice) to answer any questions that the Panel considers necessary in order to carry out its functions (they cannot however require a member of the PCC's staff to give any evidence or produce any document that discloses advice the individual has given to the PCC).
- require the relevant PCC to respond in writing within a reasonable period determined by the Panel, to any report or recommendation the Panel has made to the PCC.

Where the PCP has required the PCC to attend before it, it may also request the Chief Constable to attend before it on the same occasion in order to answer any questions the Panel consider necessary in order to carry out their functions.