

APPENDIX A

POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011

Police and Crime Panels – Functions

A Police and Crime Panel (PCP) must 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 (PCC) for that Police Area”.

The Panel’s functions are to:

- (1) review and report/make recommendations to the PCC 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 PCC on his/her annual report
- (3) review or scrutinise decisions made or other action taken by the PCC 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 s/he proposes to make to the following posts:
 - the Commissioner’s Chief Executive
 - the Commissioner’s Director of Finance
 - a Deputy Police and Crime Commissioner
 - the Chief Constable

(Note: for this purpose, the PCP is 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. The Panel may veto the proposed appointment of a Chief Constable provided at least $\frac{2}{3}$ of Panel Members at the time vote to do so but it does not have the power of veto over any of the other appointments).

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

(Note: the PCP has the power to veto the proposed precept provided at least $\frac{2}{3}$ of the Panel Members at the time vote to do so).

- (6) 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 Chief Constable are entitled to attend for the purposes of making representations. The PCC may either accept or reject the Panel's recommendation.
- (7) The PCP also has the power to:-
- (a) suspend a PCC if s/he 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;
 - (b) 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 (although the PCP cannot 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).
 - (c) 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 may consider necessary in order to carry out its functions.