

REPORT TO THE INDEPENDENT REMUNERATION PANEL

REQUEST FOR REVIEW OF PAYMENT OF

ALLOWANCES TO POLICE & CRIME PANEL MEMBERS FROM 1 APRIL 2017

TUESDAY 20 DECEMBER 2016

1. Introduction

- 1.1 The Panel is requested to undertake an annual review of Bedfordshire Police and Crime Panel (PCP) allowances and in this regard to make any recommendations, if deemed appropriate, on the allowances to apply from 1 April 2017.
- 1.2 To assist the Panel in its consideration of this matter, this report provides information about the role and responsibilities of the PCP and its type of activity since its establishment.

2. Background

- 2.1 In November 2012 the former Police Authorities were replaced by directly elected Police and Crime Commissioners (PCCs). The Commissioners are the recipient of all funding relating to policing and crime reduction and have responsibility for their Force's strategic direction and objectives. They also hold the Chief Constable to account for the performance of the Force's Officer staff and have wider community safety and crime reduction responsibilities.
- 2.2 The legislation establishing PCCs also required a Police and Crime Panel to be established for each Force area.
- 2.3 The Panel's role is to publicly scrutinise the PCC. Whilst the Panel is there to challenge the PCC it is also required by the Act to exercise its functions with a view to supporting the effective exercise of the PCC's functions.
- 2.4 For the Bedfordshire Force Area, the PCP is a Joint Committee of the three Unitary Authorities. It comprises:-

- 3 Members of Bedford Borough Council
- 4 Members of Central Bedfordshire Council
- 3 Members of Luton Borough Council

and two co-opted lay Members, whose legal status is that of co-opted Member of the Host Authority.

Bedford Borough Council is the Host Authority for the Panel.

2.5 The Panel's functions as set out in the Act, are to:-

- Review and report/make recommendations to the PCC in respect of his/her draft Police and Crime Plan (this is a document setting out the PCC's objectives for policing and reducing crime and disorder in the area, how policing resources will be allocated and agreements for funding and reporting on the work) or any draft variation to their prevailing plan.
- Review and report/make recommendations to the PCC on his/her annual report.
- 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 the respect of the discharge of those functions.
- 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
 - the 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 PCC's proposed appointee will be requested to appear for the purpose of answering questions relating to the appointment. In respect of the appointment of a Chief Constable, the PCP may veto the proposed appointment, provided at least 2/3 days of the Panel Members at the time vote to do so).

- 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 2/3 of the Panel Members at the time vote to do so).

- Review and report/make recommendations to the PCC on any proposal by him/her to call on the Chief Constable (CC) to retire or resign.

(Note: in undertaking any such review, the PCP may consult the Chief Inspector of Constabulary for a professional view and must hold a scrutiny hearing in private which both the PCC and CC are entitled to attend for the purposes of making representations. The PCC may either accept or reject the Panel's recommendation).

2.6 The PCP also has the power:-

- to suspend a PCC if s/he has been charged with an offence (in the UK, the Channel Islands or the Isle of Man) which carries a maximum term of imprisonment exceeding two years
- appoint an Acting PCC where the incumbent PCC is incapacitated, resigns or is disqualified
- 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 (the Panel 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 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, the Panel 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.

2.7 The PCP also has responsibility for complaints about the PCC although serious complaints and conduct matters must be passed to the Independent Police Complaints Commission.

2.8 As Host Authority for the Panel, Bedford Borough Council receives a total grant from the Home Office of £64,340 per annum to meet the management and administration costs involved. The Panel Arrangements provide that Panel costs will be contained within its budget

which will not exceed the Home Office's grant for the Panel's operation. In relation to allowances and expenses, the Panel Arrangements provide that:-

- No allowance will be paid by the Panel itself to Elected Members except following consideration of a report from the Host Authority's Independent Remuneration Panel and the approval of any proposed allowances by the Constituent Authorities. All Panel Members are entitled to claim mileage expenses for attending Panel meetings and events at the rate set out in their respective Authority's Members' Allowances Scheme, the costs of which can be reimbursed from the Home Office grant for the Panel's operation.
- The Host Authority, on behalf of the Panel, will reimburse the travel expenses of co-opted Members who are not Members of a Constituent Local Authority at the rate payable by the Host Authority to its Panel Members.

It is of course open to the Constituent Authorities themselves to recognise membership of the Panel in their individual Members' Allowance Schemes and to pay their respective Members of the Panel an allowance.

- 2.9 At the time Panels were being established, the Home Office expectation was that, in order to carry out their statutory functions, Panels were likely to be required to meet four times a year. In practice, it is not possible for Panels to undertake their responsibilities effectively within such a small number of meetings. In the period since the Panel was fully formed on 11 October 2012, the following types of Panel/Panel related activities have taken place:-

Formal Panel meetings
Informal Panel meetings
Panel Task Group meetings
Panel training/workshop sessions
External conferences
Confirmation Hearings

- 2.10 The current allowances and the proposed allowances for 2017/18 are as follows:

	<u>Current</u> £pa	<u>Proposed 2017/18</u> £pa
Chair	5,050	5,100

Vice Chair	500	505
Independent Members	750	758

3. Recommendation

That for 2017/18 the allowances currently payable for the Police & Crime Panel be increased by 1% in line with the Local Government NJC pay award.

(Note: it should be recognised that the above recommendation will be subject to the agreement of Central Bedfordshire and Luton Borough Councils.)