

**Penallta House**  
Tredomen Park  
Ystrad Mynach  
Hengoed  
CF82 7PG

**Tŷ Penallta**  
Parc Tredomen  
Ystrad Mynach  
Hengoed  
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**Gwent Police  
and Crime Panel**

**Panel Heddlu  
a Throseddu Gwent**

For all enquiries relating to this agenda please contact  
Helen Morgan (Tel. 01443 864267; Email: morgah@caerphilly.gov.uk)

Date: 29th November 2012

Dear Sir/Madam,

A meeting of the **Gwent Police and Crime Panel** will be held at **Penallta House (Ebbw Room), Tredomen Park, Ystrad Mynach** on **Friday, 7th December 2012 at 9.30am** to consider the matters contained in the following agenda.

## **A G E N D A**

1. Declarations of Interest.
2. Apologies for Absence.
3. To receive and note the minutes of the meeting held on 12th October 2012 (copy attached).
4. Introductory Statement from Mr. I. Johnston, Gwent Police and Crime Commissioner.
5. Amended Panel Arrangements (report attached).
6. Presentation on the Gwent Police and Crime Panel Web Site.

### **MEMBERSHIP:**

Blaenau Gwent County Borough Council - Councillors M.J. Bartlett and Mrs. K. Bender

Caerphilly County Borough Council - Councillors C.P. Mann and K.V. Reynolds

Torfaen County Borough Council - Councillors L. Jones and P. Seabourne

Monmouthshire County Council - Councillors P. Clarke and Mrs. F. Taylor

Newport City Council - Councillors J. Guy and I. Hayat

Independent Members - Ms V. Cox-Wall and Mr. P. Nuttall

### **By invitation**

Gwent Police and Crime Commissioner - Mr. I. Johnston

Office of the Gwent Police and Crime Commissioner - Ms. S. Bosson

Chief Constable - Ms. C. Napier

**Gwent Police  
and Crime Panel**

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## **SHADOW GWENT POLICE AND CRIME PANEL**

**MINUTES OF THE MEETING HELD AT PENALLTA HOUSE,  
YSTRAD MYNACH ON FRIDAY 12TH OCTOBER 2012 AT 9.30AM**

Present:

Councillors M.J. Bartlett and Mrs. K. Bender - Blaenau Gwent County Borough Council  
Councillors C.P. Mann and K.V. Reynolds - Caerphilly County Borough Council  
Councillors L. Jones and P. Seabourne - Torfaen County Borough Council  
Councillors Mrs. F. Taylor - Monmouthshire County Council  
Councillors J. Guy and I. Hayat - Newport City Council

By Invitation - Ms S. Bosson - Gwent Police Authority

Together with:

J. Jones (Democratic Services Manager), D. Perkins (Head of Legal and Governance),  
N. Taylor (Senior Policy Manager - Gwent Police Authority), S. Curley (Senior Business  
Manager Gwent Police Authority), H. Morgan (Clerk to the Panel)

### **1. ELECTION OF CHAIRMAN**

Councillor J. Guy was appointed Chair of the Gwent Police and Crime Panel.

### **2. ELECTION OF VICE - CHAIRMAN**

Councillor K.V. Reynolds was appointed Vice Chair of the Gwent Police and Crime Panel.

### **3. DECLARATIONS OF INTEREST**

Councillor L. Jones wished it be noted that his son serves as an Officer for Gwent Police.

### **4. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor P. Clarke.

**5. PRESENTATION: BACKGROUND AND ROLE OF POLICE AND CRIME PANELS/POLICE AND CRIME COMMISSIONERS**

Ms. S. Bosson gave a presentation on the role of the Police and Crime Commissioner, transition arrangements in Gwent and partnership working.

She advised that following the election on 15th November 2012, the elected Police and Crime Commissioner would replace Police Authorities in England and Wales. The main statutory duty of the Commissioner is to secure and maintain an efficient and effective policing service. The Commissioner will do this by setting the strategic direction and objectives of the force via a five year Police and Crime Plan and the force budget.

In accordance with the Police Reform and Social Responsibility Act 2011, the Commissioner will appoint (and if necessary dismiss) the Chief Constable (the Gwent Police and Crime Panel have a power of veto). The Commissioner will have a statutory duty to collaborate with other forces, criminal justice agencies and victims and play a leading role in community safety and crime reduction in the force area. They will also consult with the community and engage with victims of crime.

Ms. Bosson then gave an overview of the Act as it relates to the strategic policing requirement and advised that the Commissioner is required to provide the panel with an Annual report reporting progress made against the Police and Crime Plan. Appropriate information will be published to enable the public in Gwent to assess the delivery of the Commissioner's priorities.

As part of the transition process an all Wales Transition Board which included representatives from a range of key partners had been established. A local Gwent Transition Board is also in place to progress requirements for transition on a Gwent basis and has considered a wide range of topics including governance, Police and Crime Panels, engagement, communication and consultation strategies, service continuity, staffing, finance and contractual issues, partnership working, commissioning framework and the election process. In the meantime briefing meetings have taken place with Gwent candidates as part of the transition process.

Ms. Bosson made mention to the budget and for indicative purposes, the presentation showed suggested figures for 2012/13 financial year. She advised that the Commissioner has the freedom to commission services from bodies other than the police and will take a Gwent overview across local partnerships, seeking ways to coordinate services. Police and Crime Commissioners are tasked with working with local authorities, community safety, justice, health, voluntary and community sector partners to ensure the needs of the public are met. They will look for opportunities to work together and commission services to deliver the PCC's priorities. Local knowledge and understanding will be of value to the Commissioner in producing their plan and deciding how to allocate their budget to achieve their objectives.

Members thanked Ms. Bosson for her informative presentation and for responding to their enquiries during the course of the debate

**6. APPROVAL OF TERMS OF REFERENCE, RULES OF PROCEDURE AND PANEL ARRANGEMENTS**

Mr. Jonathan Jones advised that the Police Reform and Social Responsibility Act 2011 made significant changes to the structure of the Police Service with the introduction of Police and Crime Commissioners and Police and Crime Panels. In light of these new arrangements Police Authorities will be abolished and a Police and Crime Commissioner will be elected. The Police and Crime Panels have been introduced to support and challenge the Commissioner.

Caerphilly County Borough Council will act as 'host authority' for the Gwent Police and Crime Panel, which is made up of elected Members from the 5 former Gwent authorities and 2 Independent Members. In accordance with statutory requirements the Panel is politically and demographically balanced and the Home Secretary has approved the nominations from each authority. Mr. Jones advised that at a meeting of Gwent Police Joint Committee held on 18th June 2012, it was agreed that the Panel should increase its size by 2 Members to reflect the populations of Caerphilly County Borough and Newport. A report on proposals to increase the membership will be tabled at a future meeting although any increase in the size of the Panel will require approval by the Home Secretary.

It was explained that the lead authority is responsible for providing the administrative and professional support required by the Police and Crime Panel. All meetings of the Panel must be held in public and all agendas and accompanying reports will be published electronically 3 working days before a meeting. In addition, the Panel will receive reports from the Office of the Gwent Police and Crime Commissioner when undertaking certain statutory functions, for example, the Commissioners annual precept and draft Police and Crime Plan. Whilst the Panel will formally come into existence on 23rd November 2012 (following the elections for Police and Crime Commissioners on 15th November) the Home Office has suggested that Police and Crime Panels meet in 'shadow form' prior to their statutory implementation date to prepare for their new responsibilities. All agendas and reports will be published on the Gwent Police and Crime Panel website (which is currently in development).

Consideration was then given to the draft terms of reference, rules of procedure and panel arrangements as appended to the report. Mr. Jones referred to the terms of reference and gave an outline of the role of the Panel. Members noted that they are able to review and make recommendations on the Police and Crime Commissioner's draft Police and Crime Plan, scrutinise the Commissioners Annual Report, review and if necessary veto the proposed precept, confirm or veto the appointment of the Chief Constable, hold confirmation hearings to review proposed senior appointments including the Deputy Police and Crime Commissioner, Chief Executive and Chief Finance Officer and to review or scrutinise decisions made, or other actions taken, by the Gwent PCC.

The Panel is also able to make reports or recommendation(s) in respect of the Commissioners functions, support the effective exercise of the functions of the PCC, consider serious non criminal and conduct complaints concerning the PCC or Deputy PCC, suspend the PCC if it appears that the Commissioner is facing imprisonment exceeding 2 years, appoint an acting Gwent PCC, if necessary and review and make a recommendation to the PCC on proposals calling for the Chief Constable's retirement or resignation.

Members then considered the content of the report as it relates to allowances and expenses and it was agreed that Members be paid a daily rate fee equivalent to the full daily rate fee determined from time to time by the Independent Remuneration Panel for Wales for the Chair and Members of Local Authority Standards Committees. Payments will be capped at 6 meetings per annum to reflect the number of expected meetings to be held per annum and the grant funding available from the Home Office (daily rate fees - Chair £256.00 per day, Member - £198.00 per day). Members are also able to claim travel and subsistence at rates outlined in the terms of reference and rules of procedure. Mr. Jones agreed to bring back to a future meeting the scheme of allowances to be paid by other Police and Crime Panels.

In noting that the Panel will have a statutory role in considering complaints made against the Police and Crime Commissioner Mr. Jones advised that work is progressing on this issue and a report will be drafted for the Panel to consider once discussions have concluded with the Police Authority and other lead authorities in Wales.

With regard to Panel arrangements, Members were advised that these are a statutory requirement and must be made by the Home Secretary. The Home Office has invited Panel arrangements to be proposed locally and forwarded to the Home Secretary for approval.

Such arrangements set out the framework of operational rules for the Panel's membership, promotion and members allowances and expenses. Members considered and approved the panel arrangements as detailed in the appendix to the report for submission to the Home Office.

During the course of the debate reference was made to the limited budget available to carry out the function and Mr. Jones advised that following representations the Home Office had already increased the budget as compared to the original proposal and whilst further representations have been made no further additional finance has been forthcoming.

In concluding Mr. Jones reiterated that the role of the Panel will be to both support and challenge the Gwent Police and Crime Commissioner. He advised that whereas these roles may seem contradictory, this approach is inclusive and allows the Panel to exercise a 'critical friend challenge' by ensuring the impact of the Commissioners important future plans, budgets and decisions are shared and considered by the Panel before being implemented. A work programme will be developed in order to ensure that a positive working relationship is developed between all parties. Officers will work together to ensure that the required information is available for Members to scrutinise.

It was agreed that in order to establish the operational framework of the Panel:-

- (i) the terms of reference and rules of procedure as appended to the report be approved and submitted to the Home Secretary;
- (ii) the details of the Panel arrangements as appended to the report be approved and submitted to the Home Secretary;
- (iii) a further report be presented in relation to the proposal to increase the membership of the Panel.

## **7. APPOINTMENT OF CO-OPTED MEMBERS TO SERVE ON THE GWENT POLICE AND CRIME PANEL**

Consideration was given to the report which suggested the process for the appointment of Co-opted Members to serve on the Gwent Police and Crime Panel. Members were advised that the Panel is required to appoint a minimum of 2 Co-opted Members but can resolve to appoint more, subject to the approval of the Home Secretary.

It was confirmed that the advert for the statutory Co-opted Members was placed in the Western Mail and advertised on the websites of the Gwent Police, Gwent Police Authority and the 5 local authority partners (details of the Co-opted Member role description and application form were appended to the report). The term of office will run concurrently with the Police and Crime Commissioners term of office and end on 31st October 2016 and they will be paid an attendance allowance and expenses. Six applications were received before the closing date of 29th August 2012, although one candidate has subsequently withdrawn.

The report suggested that the Chairman and Vice Chairman of the Panel, along with the Head of Legal and Governance of the host authority act as the Interview Panel. It also proposed that the Interview Panel is given authority to appoint 2 candidates to be Co-opted Members and one or more candidates as reserves. The appointment of Co-opted Members and reserves will be subject to the Interview Panel being satisfied that the candidates fulfil the required competencies of the role.

During the course of the debate it was suggested that a third member of the Panel should also be nominated to sit on the Interview Panel and it was agreed that Councillor Mrs. F. Taylor be appointed to undertake this role (with Councillor Mrs. K. Bender being nominated as a substitute member).

It was agreed that :-

- (i) all co-opted member applicants met the person specification requirements and be invited to interview;
- (ii) the Panel's Chairman, Vice Chairman, Councillor Mrs. F. Taylor and Mr. D. Perkins (Head of Legal and Governance) act as the Interview Panel and appoint two candidates to be co-opted members (with one or more candidate in reserve) with Councillor Mrs. K. Bender being nominated as a substitute member.

## **8. TIMETABLE FOR FUTURE MEETINGS - FORWARD WORK PROGRAMME**

Consideration was given to the proposed forward work programme as circulated at the meeting and subject the meetings commencing at 9am and not 10am as specified, its content was approved. It was noted that there may be changes required to its detail over the coming months.

The meeting closed at 11.30am

**Gwent Police  
and Crime Panel**

**Panel Heddlu  
a Throseddu Gwent**

**SUBJECT: APPROVAL OF AMENDED PANEL ARRANGEMENTS**

**DATE: 7TH DECEMBER 2012**

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**1. PURPOSE OF REPORT**

- 1.1 To seek approval to make minor drafting amendments to the Panel's statutory 'Panel Arrangements'.

**2. LINKS TO STRATEGY**

- 2.1 The Police Reform and Social Responsibility Act 2011 requires the establishment of a Police and Crime Panel within each police force area. This report seeks Members approval for the Panel's statutory Panel Arrangements document.

**3. BACKGROUND**

- 3.1 The Police Reform and Social Responsibility Act 2011 made significant changes to the structure of the Police Service with the introduction of Police and Crime Commissioners and Police and Crime Panels.
- 3.2 Members will recall that at the last meeting held on 12<sup>th</sup> October, the Panel approved their Terms of Reference, Rules of Procedure and Panel Arrangements.

**4. PANEL ARRANGEMENTS**

- 4.1 Panel Arrangements are a statutory requirement and must be made by the Home Secretary. The Panel Arrangements set out the framework of operational rules for the Panel's Membership, Promotion and Members Allowances and Expenses. The Home Office invited Panel Arrangements to be proposed locally and forwarded to the Home Secretary for approval.
- 4.2 Following the Panel's approval, the Panel Arrangements were submitted to the Home Secretary for approval. Home Office solicitors responded requesting minor drafting amendments. The amendments do not change any general or specific matters contained in the original Panel Arrangements document and can be regarded as a 'tidying exercise'. The amended Panel Arrangements are attached at appendix 1 and the changes are marked in italics in paragraphs 5.1, 5.3, 5.6 and 5.7 to 5.11.
- 4.3 Home Office officials have agreed that the Panel can re-submit Panel Arrangements if Members wish to make further changes.

## 5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications arising from this report.

## 6. RECOMMENDATION

8-16.1 The Panel is invited to:

~~a. oversee the Social Services Integration Project work streams and develop decision-making and scrutiny governance arrangements for the new Social Services organisation.~~

~~b.a. Approve the amended Panel Arrangements at appendix 1.~~

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## 7. REASONS FOR THE RECOMMENDATIONS

7.1 To comply with the Police Reform and Social responsibility Act 2011

## 8. STATUTORY POWERS

8.1 Police Reform and Social Responsibility Act 2011.

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