

**STAFFORDSHIRE POLICE, FIRE AND CRIME PANEL**

**MEMBERSHIP AND TERMS OF REFERENCE**

Established under the provisions of Section 28 of the Police Reform and Social Responsibility Act 2011

Amended in accordance with the provisions of Schedule 1 of the Policing and Crime Act 2017

Constituted in accordance with Section 102 of the Local Government Act 1972

**Host Authority**

Staffordshire County Council

**Membership**

10 council members, together with 2 lay co-opted members. The Panel may appoint up to an additional 8 co-opted members. These may or may not be council members. The Panel will only exercise its powers to appoint additional co-opted members with the agreement of the 10 constituent local authorities, and the appointment of each additional co-optee must be approved by all 10 constituent local authorities to be effective.

***Council members(10):***

Councillors to be appointed as follows:

Authority	Core members
Staffordshire County Council	1
Stoke-on-Trent City Council	1
Cannock Chase District Council	1
East Staffs District Council	1
Lichfield District Council	1
Newcastle under Lyme Borough Council	1
Stafford Borough Council	1
Staffordshire Moorlands District Council	1
South Staffs District Council	1
Tamworth Borough Council	1
<b>TOTAL</b>	<b>10</b>

Appointments shall be made on an annual basis

The appointment of **core council members** shall be the responsibility of the individual Authority on the basis of political control of that Authority.

In the event of a council member resigning or otherwise ceasing to be eligible to serve on the Panel, the appointment of a replacement shall be the responsibility of the Authority concerned and will be taken from the same political group (or controlling group) as the member being replaced.

***Lay Co-opted members*** (a minimum of 2 shall be appointed – in accordance with the statutory requirement)

### ***Appointment of Co-optees***

Appointments shall be made by the Panel for a 4 year term of office and shall be made on the basis of skills, knowledge and experience.

### ***Resignation of co-optees***

A co-opted member may resign from the Panel by giving written notice to the Secretary at any time

### ***Removal of co-optees***

The Panel may decide to terminate the appointment of a co-opted member if at least two-thirds of the members of the Panel present at the meeting where the decision is being made vote in favour to do so for any of the reasons listed below:

- 1) If the co-optee has not attended three consecutive meetings of the Panel
- 2) If the co-optee has been found to have acted in breach of the Code of Conduct or has acted in such a way as to bring the Panel into disrepute
- 3) If the co-optee is deemed to be incapacitated by illness or is otherwise unable or unfit to discharge his/her functions as a co-opted member of the Panel.

### ***Re-appointment of co-optees***

Co-optees are eligible for re-appointment for one further term of four years if at least two-thirds of the members of the Panel present at the meeting where the decision is being made vote in favour

### ***Appointment of additional Co-optees***

Subject to approval by the Home Office, additional co-optee(s) may be appointed to provide the skills, knowledge and expertise required to enable the Panel to fulfil its role in relation to the Fire and Rescue Service.

### ***Eligibility to be a Co-opted Member***

The following shall not be eligible to be co-opted members of the Panel:

- A member of staff of the Police, Fire and Crime Commissioner for Staffordshire
- A member of the civilian staff of the Staffordshire Police Force
- A member of Parliament, the National Assembly of Wales, the Scottish Parliament or the European Parliament

Where the Panel has two co-opted members, a member of a constituent local authority may not be a co-opted member.

Where the Panel wishes to appoint three or more co-opted members, a member of a constituent local authority may be a co-opted member provided that two co-opted members are not members of constituent local authorities

## **TERMS OF REFERENCE**

### **Police and Crime Matters**

1. To review and make a report or recommendation to the Police, Fire and Crime Commissioner on the draft police and crime plan, or draft variation, given to the Panel by the Police, Fire and Crime Commissioner.
  2. To make comments and question the Police, Fire and Crime Commissioner on the contents of the Commissioners Annual Report at a public meeting to be held as soon as possible after the publication of that report.
  3. To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments (ie Chief Executive, Chief Finance Officer and Deputy Police, Fire and Crime Commissioner) made by the Police, Fire and Crime Commissioner;
  4. To review, and make a report to the Police, Fire and Crime Commissioner on the proposed appointment of the Chief Constable; the Panel to have the power, on a two thirds majority of the persons who are members of the Panel at the time when the decision is made, to veto the appointment where considered appropriate.
  5. To receive any notification from the Police, Fire and Crime Commissioner of a decision by him to suspend the Chief Constable
  6. To review and make a report and recommendation to the Police, Fire and Crime Commissioner on any proposal to call for the resignation or retirement of the Chief Constable
  7. To review and make a report and recommendation to the Police, Fire and Crime Commissioner (as necessary) on the proposed Police precept; the Panel to have the power, on a two thirds majority of the persons who are members of the Panel at the time when the decision is made<sup>1</sup>, to veto the precept where considered appropriate.
  8. To review or scrutinise decisions made, or other action taken, by the Police, Fire and Crime Commissioner in connection with the discharge of the Commissioner's functions, including holding the Chief Constable to account, setting the police precept and budget, appointing (and removing) the Chief Constable and publishing a Police and Crime Plan setting out the strategic policing objectives.
  9. To ensure that, when formulating the Police and Crime Plan, the Police, Fire and Crime Commissioner gives due regard to the priorities of local Community Safety Partnerships and the residents they serve.
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## **Fire and Rescue Matters**

10. To review and make a report or recommendation to the Police, Fire and Crime Commissioner on the draft Fire and Rescue Plan, or draft variation, given to the Panel by the Police, Fire and Crime Commissioner
11. To hold a public meeting to question the Police, Fire and Crime Commissioner on the Fire and Rescue Statement (of Assurance), review the Statement and make a report or recommendations on the Statement to the Police, Fire and Crime Commissioner
12. To hold a Confirmation Hearing and review, make a report, and recommendation (as necessary) in respect of a proposed appointment by the Police, Fire and Crime Commissioner to the post of Chief Finance Officer.
13. To hold a Confirmation Hearing to review, and make an report to the Police, Fire and Crime Commissioner on the proposed appointment of a Chief Fire Officer; the Panel to have the power, on a two-thirds majority of the persons who are members of the Panel at the time when the decision is made, to veto the appointment where considered appropriate.
14. To receive any notification from the Police, Fire and Crime Commissioner of a decision by him to suspend the Chief Fire Officer
15. To review and make a report and recommendation to the Police, Fire and Crime Commissioner on any proposal to dismiss the Chief Fire Officer
16. To review and make a report and recommendation to the Police, Fire and Crime Commissioner (as necessary) on the proposed Fire Precept; the Panel to have the power, on a two-thirds majority of members of the Panel at the time when the decision is made, to veto the Precept where considered appropriate.

## **General**

1. To make reports or recommendations to the Police, Fire and Crime Commissioner with respect to the discharge of the Commissioner's functions.
2. To support the effective exercise of the functions of the Police, Fire and Crime Commissioner.
3. To deal with non-serious complaints against the Police, Fire and Crime Commissioner and/or the Deputy Police, Fire and Crime Commissioner, in relation to their conduct; more serious matters relating to Police and Crime to be passed to the IOPC (Independent Office for Police Complaints)
4. To appoint an Acting Police, Fire and Crime Commissioner if necessary.

5. If considered appropriate, to suspend the Police, Fire and Crime Commissioner if it appears to the Panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.

(Final Draft as at 03 07 2018)