

Lincolnshire Police and Crime Panel

Rules of Procedure

1.0 General

- 1.1 These Rules of Procedure (“the Rules”) are made by the Lincolnshire Police and Crime Panel (‘the Panel’) pursuant to Schedule 6 paragraph 25 of the Police Reform and Social Responsibility Act 2011 (the ‘Act’).
- 1.2 The Panel will be conducted in accordance with the Rules. The Rules should be read having regard to the Panel Arrangements made between Boston Borough Council, City of Lincoln Council, East Lindsey District Council, Lincolnshire County Council, North Kesteven District Council, South Holland District Council, South Kesteven District Council and West Lindsey District Council (“the Authorities”).
- 1.3 The Rules shall not be amended unless notification of a proposed amendment is received by the Chairman of the Panel and East Lindsey District Council (being the Host Authority as defined in the Panel Arrangements and hereinafter referred to as the Host Authority) not less than fifteen working days prior to a Panel meeting. A report on the implications of the amendment shall be considered by the Panel and the amendment shall require agreement of two thirds of the current membership of the panel. No amendment may be considered by the Panel which does not comply with the Act, relevant Regulations or statutory guidance.
- 1.4 If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail.
- 1.5 Where the Rules do not explicitly address an issue the Standing Orders from the Host Authority will apply.
- 1.6 All Panel members will be subject to a Member Code of Conduct which for elected members will be those of their own Council; co-opted members will be subject to the Code of Conduct of the Host Authority.

2.0 Appointment, Resignation and Removal of the Chairman and Vice Chairman of the Panel

- 2.1 The Chairman of the Panel will be appointed at the first meeting of each municipal year by the Panel.
- 2.2 The Vice Chairman will be appointed at the first meeting of each municipal year. The Vice Chairman will preside in the absence of the Chairman and if neither is present the Panel will appoint a Chairman from amongst the remaining Panel Members for the purposes of that meeting.

- 2.3 The Chairman may resign as Chairman at any time by giving written notice to the Chief Executive of the Host Authority.
- 2.4 The Chairman may be removed by agreement of a majority of the whole membership of the Panel.
- 2.5 In the event of the resignation or removal of the Chairman, a new Chairman will be appointed by the Panel at its next meeting.

3.0 Panel Meetings

- 3.1 The Panel will meet at least four times per year.
- 3.2 An extraordinary meeting of the Panel may be called by:
 - a) the Chairman, or
 - b) any four Members of the panel giving notice in writing to the Chairman of the Panel and the Chief Executive of the Host Authority
- 3.3 Ordinary meetings will take place in accordance with a programme decided by the Panel, will start at the time decided by the Panel and take place at the location decided by the Panel.

4.0 Quorum

- 4.1 A meeting of the Panel cannot take place unless one half of the whole number of its Members is present.

5.0 Voting

- 5.1 Voting will be by show of hands and by simple majority unless the Act, Regulations made thereunder or these Rules require otherwise.
- 5.2 The Chairman of the Panel will have a casting vote.
- 5.3 All Panel members may vote in proceedings of the Panel.

6.0 Work Programme

- 6.1 The Panel will be responsible for setting a programme for its work and in doing so shall have regard to:
 - a) the requirement to properly undertake the functions and responsibilities of the Panel as set out in the Act;
 - b) the priorities defined by the Police and Crime Commissioner ('PCC'); and

- c) the views of Panel Members and advisers as to appropriate work to be undertaken.

7.0 Notice of Meetings and Panel Agenda

7.1 The Panel agenda will be issued to Panel members at least 5 clear days before the meeting. It will also be published on the Host Authority's website and a copy will be sent to each of the Authorities and the agenda will be published by any other means the Panel considers appropriate.

7.2 Ordinary meetings of the Panel will:

- (a) receive apologies for absence
- (b) receive any disclosures of interest from members
- (c) approve the minutes of the last meeting
- (d) receive an update on actions agreed at the previous meeting
- (e) receive any questions from the public
- (f) receive the minutes of Sub-Committees and Task Groups and any reports submitted to the Panel by those Sub-Committees and Task Groups; and
- (g) consider reports from officers and panel members
- (h) consider its work programme

7.3 Any Member of the Panel shall be entitled to give notice to the Chief Executive of the Host Authority that he or she wishes an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.

8.0 Sub-Committees and Task Groups

8.1 The Panel may set up Sub-Committees from its membership to undertake such functions of the Panel as shall be specified by the Panel.

8.2 Task Groups may also be established from time to time by the Panel to undertake specific task based work.

8.3 Sub-Committees and Task Groups may not undertake special functions, namely the functions conferred on the Panel by

- (a) Section 28(3) of the Police Reform and Social Responsibility Act 2011 ("the Act") (scrutiny of Police and Crime Plan)

- (b) Section 28(4) of the Act (scrutiny of annual report)
- (c) Paragraphs 10 and 11 of Schedule 1 of the Act (review of senior appointments)
- (d) Schedule 5 of the Act (issuing precepts)
- (e) Part 1 of Schedule 8 of the Act (scrutiny of appointment of the Chief Constable)

8.4 The work to be undertaken by a Sub-Committee or Task Groups will be defined beforehand, together with the timeframe within which the work is to be completed and the outcome reported to the Panel.

8.5 A Sub-Committee of the Panel may not co-opt Members.

9.0 Panel Reports - General

9.1 Reports and recommendations made by the Panel in relation to its functions will be carried out in accordance with the procedure outlined in this paragraph.

9.2 Where the Panel makes a report to the PCC it will publish the report or recommendations on its website and it will send a copy to the Chief Executive of each of the Authorities, and the report will be published by any other means the Panel considers appropriate.

9.3 The Panel may require the PCC within 20 working days (or within such other reasonable period as the Panel may determine) of the date on which s/he receives the Panel's report or recommendations to:

- a) consider the report or recommendations; and
- b) respond in writing to the Panel indicating what (if any) action the PCC proposes to take;

9.4 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

10.0 Scrutiny and Review

10.1 The Panel must review or scrutinise decisions made or other action taken by the PCC in the discharge of his/her functions, and make reports or recommendations to the PCC with respect to the discharge of those functions.

10.2 The Panel will publish all reports or recommendations made to the PCC in relation to the discharge of the PCC's functions on its web site and by sending

copies to each of the Authorities, and by any other means the Panel considers appropriate.

- 10.3 The Panel may in discharging this function review documentation, and require the PCC, and members of the PCC's staff, to attend before the panel (at reasonable notice) to answer questions which appear to the Panel to be necessary in order to carry out its functions.
- 10.4 Where the PCC, or a member of the PCC's staff, is required to attend the Panel in accordance with this provision, the PCC, where practicable, will be given at least 15 working days written notice of the requirement to attend, and the notice shall:
- a) state the nature of the item in respect of which s/he is required to attend;
 - b) whether any papers are required to be produced to the Panel; and
 - c) where it is necessary to produce a report, sufficient time will be given to allow for its preparation of that report.
- 10.5 Where, in exceptional circumstances, the PCC is unable to attend on the required date, then an alternative date for attendance shall be arranged following consultation with the Chairman of the Panel.
- 10.6 A member of the PCC's staff attending a meeting of the Panel shall not be required to disclose any advice given to the PCC by that person.
- 10.7 If the Panel requires the PCC to attend before the Panel, the Panel may also (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appears to the Panel to be necessary in order for it to carry out its functions.
- 10.8 In undertaking its functions, the Panel may invite persons other than those referred to above to attend Panel meetings, to address the meeting, discuss issues of local concern and/or answer questions. This may, for example and not exclusively, include residents, stakeholders, councillors who are not members of the Panel and officers from other parts of the public sector.

11.0 Rules of Debate

- 11.1 The rules of debate set out in Council Procedure Rules 16 of East Lindsey District Council's Constitution shall apply to meetings of the Panel

12.0 Public Participation and Access to Information

- 12.1 Members of the public may attend all meetings of the Panel subject only to the exceptions in these procedures.

- 12.2 The Access to Information Rules of the Host Authority applies to the rights of members of the public to attend meetings of the Panel and have access to agendas, reports, background papers and minutes of the Panel.
- 12.3 Members of the public may ask a question at a Panel meeting if they have delivered it in writing or by electronic mail (via Lincolnshirepcp@e-lindsey.gov.uk) to the Chief Executive of the Host Authority. The question must be received by no later than midday five clear working days (i.e. not including bank holidays or weekends) before the day of the meeting. For example a question for a meeting on a Friday must be submitted by midday the previous Friday. The question must relate to the work of the Panel and be directed to the Panel. The person submitting the question or a nominated representative must attend the meeting to ask their question and will be invited to ask their question:-
- under the agenda item 'Questions from the Public' if their question relates to matters which are not otherwise on the agenda (subject to an overall time limit of 20 minutes);
 - when the relevant agenda item is being considered if they wish to ask a question on a matter which is on the agenda at a particular meeting.
- 12.4. No person may submit more than one question at any one meeting.
- 12.5. The Chief Executive of the Host Authority may reject a question if it:-
- (a) Does not relate to a matter of general interest; or
 - (b) Does not relate to a matter for which the Panel has responsibility or which affects the interests of the Panel; or
 - (c) Relates exclusively to an individual grievance or personal issue; or
 - (d) Is defamatory, offensive, or frivolous; or
 - (e) Is substantially the same as a question which has been put at a meeting of the Panel within the previous six months; or
 - (f) Requires the disclosure of exempt or confidential information.
- 12.6 Any person whose question is rejected in accordance with 12.5 above will be informed in writing including the reason for rejection.
- 12.7 Questions will be asked in the order in which notice of them was received, except that any person who has asked a question at the preceding meeting of the Panel will only be entitled to put his or her question after questions from persons who have not asked questions at the preceding meeting have been dealt with. The Chairman will invite the questioner to put the question to the Panel. The question must be read out by the person who submitted it (or his/her nominated representative who shall not be a Panel Member). The question must be put strictly in the form in which it was submitted. Answers will be given by the office-holder to whom the question is directed or their nominated substitute, unless it properly falls within the remit of another office holder.

- 12.8 A questioner or his/her representative who has put a question in person may also put one supplementary question without notice to the Panel Member who has replied to his/her original question. A supplementary question must arise directly out of the original question or reply. Where the original question is answered by a nominated substitute any supplementary question will be answered in a written response from the relevant Panel Member. The Chairman may reject a supplementary question on any of the grounds in Rule 12.5.
- 12.9 Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Panel Member to whom it was to be put, will be dealt with by a written answer (the relevant office-holder may nominate a substitute to reply on their behalf). All written answers will be appended to the formal minutes of the meeting.