

Cumbria Police, Fire and Crime Panel

Rules of Procedure



The Rules of Procedure build upon and add further detail to the Cumbria Police, Fire and Crime Panel Terms of Reference, Approach and Composition and should therefore be read in conjunction.

Meetings

1. Minimum of four ordinary Panel meetings held in public in each municipal year to carry out the functions of the Panel. To be held in April, July, October, January, with meetings being held in venues across Cumbria.
2. Extra-ordinary meetings can be called if needed by the Chair, by four members of the Panel, or by the Chief Legal and Monitoring Officer of the Host Authority.
3. All members of the Panel may vote in proceedings of the Panel
4. For a meeting to be quorate one third of the total membership of the Panel needs to be present.
5. The Panel may extend invitations to others to join meetings to discuss local issues or answer questions. This includes, but is not restricted to, residents, councillors, third sector representatives and public sector officers.
6. The Panel may require the Commissioner and/or members of the Commissioner's staff to attend Panel meetings (at reasonable notice) to answer questions which appear to the Panel to be necessary in order to carry out its functions.
7. Following a warning from the Chair to a member regarding disruptive behaviour, the Chair may ask the Panel to agree that a member no longer be heard, if the behaviour continues.

Disclosure of Pecuniary Interests

8. Where a matter arises at a meeting which directly relates to a member's Disclosable Pecuniary Interests this must be disclosed, and the member must not participate in any discussion or vote on the matter and must not remain in the room/meeting unless granted a dispensation.
9. The member may speak on the matter only if members of the public are also allowed to speak and having spoken must then leave the room/meeting.
10. If it is a 'sensitive interest', members do not have to disclose the nature of the interest, just that there is an interest.
11. Dispensation may be granted by the Monitoring Officer in limited circumstances, to enable members to participate and vote on a matter in which they have a disclosable pecuniary interest.

Decision Making

12. All decisions will be made by a majority vote from members present at a meeting. The Chair of the meeting will have a second or casting vote in the event of a tied vote.
13. Voting will be by a show of hands, unless the Police Reform and Social Responsibility Act 2011 and Police and Crime Act 2017 (“the Acts”), or regulations made under the Acts or any other legislative provision requires otherwise.
14. Any member can ask for the way in which they voted to be recorded in the minutes.
15. A recorded vote will be undertaken if requested by one third of the members present at the meeting.
16. Any member can make a proposition or propose an amendment if backed by a seconder. Votes will be taken unless a consensus is reached.
17. The validity of a decision is not affected by any vacancy in Panel membership, providing a quorum is present.

Work Programme

18. The work programme will be the responsibility of the Panel, taking into account the priorities defined by the Commissioner, and the wishes of Panel members.
19. The work programme must include, or allocate time for, the special functions of the Panel:
 - a. **Scrutiny of the Police and Crime Plan** - Section 28 (3) of Police Reform and Social Responsibility Act
 - b. **Scrutiny of the Annual Report** - Section 28 (4) of Police Reform and Social Responsibility Act
 - c. **Review of Senior Appointments** - Paragraphs 10 and 11 of schedule 1 of Police Reform and Social Responsibility Act
 - d. **Issuing Precepts** - Schedule 5 of Police Reform and Social Responsibility Act
 - e. **Scrutiny of the Appointment of a Chief Constable** - Part 1 of schedule 8 of Police Reform and Social Responsibility Act
20. Any member of the Panel is entitled to give notice to the Chair of the Panel that they wish for an item relevant to the functions of the Panel to be included on the agenda for the next available meeting.

Sub-Committees and Task & Finish Groups

21. Sub-Committees can be established by the Panel if needed.
22. Task & Finish groups can be established by the Panel to undertake specific task-based work.
23. A scope will be agreed by the Panel for any Sub-Committee or Task and Finish group, which will include a timeframe for the work undertaken and reporting back to the Panel.
24. Special functions (as detailed in 18. a-e) cannot be undertaken by a Sub-Committee or Task and Finish group.

The appointment, resignation and removal of the Chair and Vice Chair

25. The Chair and Vice-Chair of the Panel will be appointed in July of each year, or at the first meeting of the Panel following the appointment of Members by constituent Councils and will be drawn from amongst the Councillors sitting on the Panel.
26. In the event of the resignation or removal of the Chair and/or Vice-Chair, a new Chair and/or Vice-Chair will be appointed at the next Panel meeting and will be drawn from amongst the Councillors sitting on the Panel.
27. Process for electing the Chair and Vice-Chair:
 - a. If only one nomination is received, the Chair, will declare the person nominated to be appointed.
 - b. If two people receive nominations, there will be a vote by show of hands or recorded vote, whichever the meeting determines. The nominee with the highest number of votes will be declared duly appointed. In the event of equality of votes, then the Chair will exercise a casting vote.
 - c. If three or more people receive nominations, there will be a vote by show of hands or recorded vote, whichever the meeting determines. If one nominee has the overall majority of votes, they will be declared duly appointed. If not, then the nominee with the lowest number of votes will be excluded from the next round of voting. This process will be repeated, if necessary, until only two nominees are left, then the procedure detailed in 26.a above is followed. At all stages, any equality will be resolved by the casting vote of the Chair.

Selection Process for Independent Co-opted Members

28. The process should include a reasonable period of advertising for positions, at least two weeks.
29. Information packs should be sent to those requesting application forms.
30. Applications to be considered by the Chair and Vice-Chair against an agreed eligibility criteria.
31. Chair and Vice-Chair to interview applicants and make recommendations to the Panel regarding membership.

Reports from the Panel to the Commissioner

32. If the Panel is unable to unanimously agree one single final report to the Commissioner than a separate report may be submitted for consideration along with the majority report.
33. The Panel may publish a report, or any recommendations made to the Commissioner, subject to the exclusion of any exempt or confidential information as defined in the rules of access to information in the Local Government Act (1972).

34. When submitting a report or recommendations to the Commissioner, the Panel, through the Chair, will send a written request that the Commissioner:
- a. Consider the report and/or recommendations,
 - b. Respond to the Panel indicating what (if any) action they propose to take,
 - c. Where the Panel has published the report and/or recommendations, publish a response.

Public Participation

35. The public are permitted to ask questions and submit petitions relating to the work of the Panel.
36. Questions and petitions must be received in writing at least 7 working days before the Panel meeting date to be considered.
37. Petitions must clearly state:
- a. What actions the petitioners wish the Panel to take
 - b. The name, address and signature of any person supporting the petition (the address can be where the signatory lives, works or studies).
38. Anyone submitting a question or petition will be expected to attend the meeting, however if this is not possible, they can arrange for someone to do this on their behalf. Failing this, the matter will be dealt with in their absence.
39. Members of the public will have 5 minutes to present their question or petition.
40. Once a question has been asked or petition presented, the Panel may wish to speak or ask questions, or the Chair may simply respond to the matter without opening for debate. The public have no right of reply.
41. Questions and petitions relating to the following will not be accepted:
- a. Operational policing matters,
 - b. Matters covered by legal or other proceedings,
 - c. Matters relating to employees of Cumbria Constabulary, Cumbria Fire and Rescue Service or the Police, Fire and Crime Commissioner's Office,
 - d. Party political matters,
 - e. Confidential matters.
42. It is not possible to ask the same question, or present the same petition at a later meeting, unless there has been significant change to circumstances. The final decision will sit with the Chair.
43. A maximum of 30 minutes is available at each meeting for dealing with questions and petitions from the public.
44. The scheme cannot be used by employees of Cumbria Constabulary, Cumbria Fire and Rescue Service or the Police, Fire and Crime Commissioner's Office.
45. The Chair may order the removal of disruptive members of the public or ask for the public gallery to be cleared to enable Panel business to continue.

Complaints

46. Non-criminal complaints in relation to the Commissioner can be considered by the Panel through a hearing. The Panel can examine this through a Sub-Committee.

PFCP Website

47. A standalone PFCP Website will hold key documents and detail the work of the Panel.