



# OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

**ORIGINATOR:** Chief Executive

**DECISION NO.** 2019/23

**REASON FOR SUBMISSION:** For Decision

**SUBMITTED TO:** Police and Crime Commissioner

**SUBJECT:** Independent Members Of Misconduct Panels – Reappointment

## SUMMARY:

1. The Police and Crime Commissioner is required to maintain a list of independent persons to sit on misconduct hearings under the Police (Conduct) Regulations 2012. The six police and crime commissioners in the Region maintain a joint list.
2. This paper provides for the re-appointment, for a further term of five years, of the current Independent Members serving on the list who wish to be re-appointed.

## RECOMMENDATION:

It is recommended that:

1. The current Independent Members be re-appointed for a further term of five years with effect from 1 June 2019 to serve on the Regional list of Independent Members for misconduct hearings;
2. The Member Misconduct Oversight Panel continuously keep under review the need for any further recruitment to the Regional list of Independent Members.

**OUTCOME/APPROVAL BY:** PCC

The recommendations as outlined above are approved.

**Signature**

**Date** 01/04/19

## **DETAIL OF THE SUBMISSION**

### **1. OBJECTIVE:**

The Police (Conduct) Regulations 2012 provide that Police and Crime Commissioners maintain a list of persons for nomination to misconduct hearings held under the Regulations. This decision will ensure that the current list of such persons (known as Independent Members) can be re-appointed with effect from 1<sup>st</sup> June 2019 for a further five year term.

### **2. BACKGROUND:**

In 2014 the Eastern Region Police and Crime Commissioners acted together to compile and maintain a list of Independent Members to sit on the misconduct hearings as held across the Region (Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Norfolk and Suffolk).

Accordingly 18 Independent Members were selected and appointed subject to terms set out in a Memorandum of Understanding to serve across the Region. The term of appointment, commencing on 1 June 2014, was for an initial five year period, subject to a further period of service, if agreed following review.

During 2018 the Member Misconduct Oversight Panel (MMOP), comprising officers from each of the Offices of Police and Crime Commissioners across the Region, considered the arrangements for the recruitment of further Independent Members and/or the current Independent Members re-appointment.

### **3. AREAS FOR CONSIDERATION:**

Among the issues considered were:

- the wishes of the current Independent Members in being re-appointed;
- the number of hearings undertaken by the Independent Members;
- the attendance of Independent Members at the training event organised for Legally Qualified Chairs and Independent Members and held at Newmarket on Saturday 17 November 2018;
- feedback from Professional Standards Departments (PSDs) as to the performance of any of the Independent Members from the misconduct hearings.

It became clear following a survey of the Independent Member wishes that, of the current 15 members serving and active, 14 of their number wished to be considered for re-appointment.

The number of hearings carried out by those 14 Members over the first five years of appointment (as based on June 2018 performance data) ranged from between 5 and 10 hearings. This is in line broadly with thinking at the time of their appointment as to the number of cases anticipated.

All 14 Members who wished to be re-appointed attended at the training event in November 2018.

No negative feedback was received from any of the PSDs across the Region as to the performance of any of the Independent Members.

In the light of these factors, the MMOP took the view that all 14 Independent Members should be recommended for appointment and further that there was no pressing need to progress to a recruitment process to secure further Independent Members. In this latter regard the number of Independent Members required and the need for further recruitment would be kept under continuous review by MMOP.

Accordingly it is now recommended that the 14 Independent Members as named below be re-appointed with effect from 1<sup>st</sup> June 2019 for a further five year term. Re-appointment decisions will be required from each of the participating police and crime commissioners in the Region.

Dr Jane Bevan	Mrs Diane Carter	Mr William Couves
Mr Peter Gratton	Mr Richard Gutowski	Mr Paul Harvey
Mrs Shirley Hurdle	Mr John Jones	Miss Sandra Marcantonio
Mrs Elizabeth McEwan	Mrs Victoria Miller	Mr Simon Paley
Miss Rebecca Stephens	Mrs Margaret Walsh	

As soon as each of the six Police and Crime Commissioners across the Region have made their final decisions to appoint, new terms and conditions of appointment will be issued to each Independent Member who has been re-appointed.

**4. OTHER OPTIONS CONSIDERED:**

To progress to a recruitment process to secure further Independent Members.

**5. STRATEGIC AIMS/OBJECTIVE SUPPORTED:**

Compliance with the Police (Conduct) Regulations 2012.

**6. FINANCIAL AND OTHER RESOURCE IMPLICATIONS:**

The Independent Members are entitled to allowances and expenses as set out in their terms and conditions of appointment whenever they sit on a misconduct hearing. These are routine payments that will need to be provided for from police funds.

**7. OTHER IMPLICATIONS AND RISKS:**

There is no associated risk relating to this issue on the Police and Crime Commissioner's Risk Registers. There is no risk requiring adding to the Risk Registers, nor are there any other issues of significance.

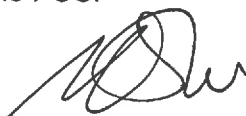
<b>ORIGINATOR CHECKLIST (MUST BE COMPLETED)</b>	<b>PLEASE STATE 'YES' OR 'NO'</b>
Has legal advice been sought on this submission?	<b>Yes</b>
Has the PCC's Chief Finance Officer been consulted?	<b>Yes</b>
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	<b>Yes</b>
Have human resource implications been considered?	<b>Yes</b>
Is the recommendation consistent with the objectives in the Police and Crime Plan?	<b>Yes</b>
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	<b>Yes</b>
Has communications advice been sought on areas of likely media interest and how they might be managed?	<b>Yes</b>
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	<b>Yes</b>

**APPROVAL TO SUBMIT TO THE DECISION-MAKER** (this approval is required only for submissions to the PCC).

**Chief Executive**

I am satisfied that relevant advice has been taken into account in the preparation of the report, that the recommendations have been reviewed and that this is an appropriate request to be submitted to the PCC.

Signature:



Date

27.3.2019

**Chief Finance Officer (Section 151 Officer)**

I certify that:

~~a) there are no financial consequences as a result of this decision,~~

~~OR~~

b) the costs identified in this report can be met from existing revenue or capital budgets,

~~OR~~

~~c) the costs identified in this report can be financed from reserves~~

AND

d) the decision can be taken on the basis of my assurance that Financial Regulations have been complied with.

Signature:



Date:

28/3/19

**PUBLIC ACCESS TO INFORMATION:** *Information contained within this submission is subject to the Freedom of Information Act 2000 and wherever possible will be made available on the OPCC website. Submissions should be labelled as 'Not Protectively Marked' unless any of the material is 'restricted' or 'confidential'. Where information contained within the submission is 'restricted' or 'confidential' it should be highlighted, along with the reason why.*

