

PART 1

TERMS OF

REFERENCE

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Introduction

The Leicester, Leicestershire and Rutland Police and Crime Panel will publicly scrutinise the actions and decisions of the Police and Crime Commissioner (PCC) in the context of relevant sections of the Police Reform and Social Responsibility Act 2011, with a view to supporting and challenging the PCC in the effective exercise of his or her functions, acting as a critical friend.

References in this document to the 'PCP' are references to the Police and Crime Panel.

Terms of Reference (as agreed by all relevant local authorities)

The Police and Crime Panel will be a joint Committee of Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley and Bosworth Borough Council, Leicester City Council, Leicestershire County Council, Melton Borough Council, North West Leicestershire District Council, Rutland County Council and Oadby and Wigston Borough Council.

To enable it to effectively scrutinise and support the Police and Crime Commissioner in the exercise of his or her functions, the PCP will:

- Review and report/make recommendations to the PCC in respect of his/her draft Police and Crime Plan (this is a document setting out the PCC's objectives for policing and reducing crime and disorder in the area, how policing resources will be allocated and agreements for funding and reporting on the work) or any draft variation to their prevailing plan;
- Review and report/make recommendations to the PCC on his/her annual report;
- Review or scrutinise decisions made, or other action taken, by the PCC in connection with the discharge of his/her functions and make reports or recommendations to the PCC with respect to the discharge of those functions;
- Review and report back to the PCC on appointments s/he proposes to make to the following posts:
 - The Commissioner's Chief Executive
 - The Commissioner's Director of Finance (Chief Finance Officer)
 - The Deputy Police and Crime Commissioner
 - The Chief Constable

(Note: for this purpose, the PCP is required to hold "confirmation hearings" in public at which the PCC's proposed appointee will be requested to appear for the purpose of answering questions relating to the appointment. The Panel's subsequent report to the Commissioner must include a recommendation as to whether or not the candidate should be appointed, which the PCC may choose to accept or not. In respect of the appointment of a Chief Constable, the PCP

may veto the proposed appointment, provided at least 2/3 of the total PCP membership at that time vote to do so).

- Review and report/make recommendations to the PCC on his/her proposed precept for the financial year;

(Note: the PCP has the power to veto the proposed precept provided at least 2/3 of the total PCP membership at the time vote to do so)

- Review and report/make recommendations to the PCC on any proposal by him/her to call on the Chief Constable (CC) to retire or resign;

(Note: in undertaking any such review, the PCP may consult the Chief Inspector of Constabulary for a professional view and must hold a scrutiny hearing in private which both the PCC and the CC are entitled to attend for the purposes of making representations. The PCC may either accept or reject the PCP's recommendation)

The PCP will also have the power:

- To suspend the PCC if s/he has been charged with an offence (in the UK, the Channel Islands or the Isle of Man) which carries a maximum term of imprisonment exceeding two years;
- Appoint a Deputy PCC as the Acting PCC pending the outcome of a by-election in the event of a PCC vacancy occurring (through death or resignation) as per Part 5 of the Policing and Crime Act 2017.
- Appoint an acting PCC where the incumbent PCC is incapacitated, resigns or is disqualified and there is no Deputy PCC;
- Require the relevant PCC and Members of his/her staff to attend before the PCP (at reasonable notice) to answer any questions that the PCP considers necessary in order to carry out its functions;
- Require the PCC to respond in writing within a reasonable period determined by the PCP, to any report or recommendation the PCP has made to the PCC;

(Note: Where the PCP has required the PCC to attend before it, the PCP may also request the Chief Constable to attend before it on the same occasion in order to answer any questions the Panel consider necessary in order to carry out their functions)