

## **Police and Crime Panel Regulations**

This guidance accompanies [The Police and Crime Panels \(Nominations, Appointments and Notifications\) Regulations 2012](#) and [The Police and Crime Panels \(Modification of Functions\) Regulations 2012](#).

### **Background**

Section 28 of the [Police Reform and Social Responsibility Act](#) provides for each police force area, outside London, to have a police and crime panel (PCP), established and maintained in accordance with [Schedule 6](#).

### **The Regulations**

The Police and Crime Panels (Nominations, Appointments and Notifications) Regulations 2012 require:

- Local authorities (via a single 'host' authority) to notify the Home Office that panel arrangements have been made;
- Individual local authorities to notify the Home Office where they have failed to nominate a councillor to the panel;
- Individual local authorities to notify the Home Office where they have failed to appoint a councillor to the panel;
- When seeking Home Office approval for additional co-optees, the panel must notify the Home Office of the reasons for determining that their requested number of co-optees will aid the panel in meeting, or better meeting, the balanced appointment objective;
- That co-option of individual additional local authority members must be unanimously agreed by the panel;
- That the Home Office be notified of the details of co-opted local authority members and how their co-option enables the balanced appointment objective to be met, or better met; and
- All notifications to be made in writing.

### **The current position**

PCPs have been established in 41 of the 43 police force areas within England and Wales (the Metropolitan Police and City of London Police are subject to different arrangements). This guidance focuses on what is required if a local authority has failed to nominate or appoint a councillor to the PCP, or where a panel decides that they wish to co-opt additional members.

### **Notification of failure to nominate**

The Regulations require that where a local authority has the power to nominate a councillor to the PCP and fails to do so, they must notify the Home Office within set timescales.

Notification must be made:

- 21 days after the annual general meeting of the local authority, at which appointments to joint committees of the authority are considered; or

- 21 days after the first meeting of the authority to be held after the power to nominate arose (e.g. when a vacancy became known).

#### Notification of failure to appoint

The Regulations require a local authority to notify the Home Office where they fail to appoint a councillor to the police and crime panel within 14 days of the councillor accepting nomination to the panel.

#### Notification in relation to balanced panel

Where a panel decides that they wish to co-opt additional members, they must seek Home Office approval. When submitting a request for approval, the panel must also notify the Home Office of the reasons for deciding that their requested number of co-optees will contribute to meeting, or better meeting, the balanced appointment objective.

#### Appointment of co-opted members

The co-option of additional local authority members requires the unanimous agreement of the panel.

#### Notification in relation to co-option

Where a panel co-opts local authority members, the panel must notify the Home Office of their names and of the local authority of which they are a member. The panel must also explain the reasons for deciding that co-opting these individuals will help them meet, or better meet, the balanced appointment objective.

In the event that:

- a local authority fails to nominate or appoint a councillor; or
- the PCP wishes to change the number of co-opted members

the attached form(s) should be completed by the host authority and returned to

[PCCPartnersEnquiries@homeoffice.gov.uk](mailto:PCCPartnersEnquiries@homeoffice.gov.uk)

## PART 1 – Notification of a failure to nominate or appoint

This form should be completed by the Chief Executive of the agreed host authority, on behalf of all local authorities in the police force area.

Please reply to: [PCCPartnersEnquiries@homeoffice.gov.uk](mailto:PCCPartnersEnquiries@homeoffice.gov.uk)

Police Force Area			
PCP Host Authority			
Number of local authorities that have failed to nominate/appoint			
Names of local authorities that have failed to nominate/appoint		Date at which the power to nominate/appoint arose	Is it a failure to nominate or appoint?
1. 2. 3. 4. 5.			
Signed (Host Authority Chief Executive)			
Name		Authority	

## PART 2 – Co-option

In order to co-opt further Police and Crime Panel members, including the two required independents, the form below should be completed.

Please reply to: [PCCPartnersEnquiries@homeoffice.gov.uk](mailto:PCCPartnersEnquiries@homeoffice.gov.uk)

Police Force Area			
Number of additional co-optees (beyond the two required independents) for which approval is being sought			
Identity of ALL intended co-optees (including two required independents)			
Name		Local Authority (or other organisation represented)	
1. [required independent] 2. [required independent] 3. 4. 5. 6. 7. 8. 9. 10.			
Please explain below, your reasons for deciding that the above number of co-optees will enable the PCP to meet, or more effectively meet, the balanced appointment objective.			
[free text]			
By signing below, you are confirming the following: <ul style="list-style-type: none"> <li>The Police and Crime Panel in the above-named police force area agrees that the Panel should have the above number of co-opted members;</li> <li>That these co-optees will enable the Police and Crime Panel to meet, or more effectively meet the balanced appointment objective, as outlined above</li> </ul>			
Signed (Host Authority Chief Executive)			
Name		Authority	