

**WEST YORKSHIRE POLICE  
AND CRIME PANEL**

**RULES OF PROCEDURE  
AND PROTOCOLS**

**Version 8**

# Preamble

Whereas the City of Bradford Metropolitan Council, the Borough Council of Calderdale, Kirklees Metropolitan Council, Leeds City Council and the Council of the City of Wakefield must establish and maintain and make arrangements for a police and crime panel, they have agreed the following as being the arrangements for the panel, as required under Schedule 6 of the Police Reform and Social Responsibility Act 2011, the Councils have agreed the following:

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# PART 1

## TERMS OF REFERENCE

### PART 1 (a)

#### TERMS OF REFERENCE OF WEST YORKSHIRE POLICE AND CRIME PANEL

##### 1. WEST YORKSHIRE POLICE AND CRIME PANEL

- 1.1 In exercise of their powers under Section 28 and Schedule 6 of the Police and Social Responsibility Act 2011, and all other powers enabling them in that behalf, the five Councils of Bradford, Calderdale, Kirklees, Leeds and Wakefield are required to participate in a police and crime panel, to be known as the “West Yorkshire Police and Crime Panel” (herein referred to as the “Panel”) which shall be constituted as a Joint Committee<sup>1</sup> and which shall conduct its business in accordance with the Procedure Rules set out at Part 3 of this Procedures and Protocols handbook.
- 1.2 The five Councils participating in this Police and Crime Panel do so with a view to supporting the effective exercise of the functions of the Police and Crime Commissioner for the West Yorkshire area (WYPCC), and also promoting the role of the Police and Crime Panel.
- 1.3 Each of the five Councils empowers the Panel to arrange for the discharge of the functions or any of them by any Sub-Panel or officer appointed by it or by any officer of the constituent Councils so appointed and Subsection (2) of Section 101 of the Local Government Act 1972 shall apply in relation to the functions of the Panel as it applies in relation to the functions of the constituent Councils but with regard to arrangements in respect of Sub-Committees the requirements of Procedure Rule 7 must be followed.
- 1.4 The five Councils have drawn up and implemented a joint Agreement and the Panel is subject to the requirements of this Agreement, the operation of which, shall be periodically reviewed by the Panel.
- 1.5 The Panel has adopted Contracts Procedure Rules and Financial Procedure Rules to provide a governance framework and these shall be subject to annual review.
- 1.6 In addition to the specific matters highlighted in these Terms of Reference the Panel shall assume general responsibility for the functions of Panel and, where appropriate, make recommendations to the constituent Councils on relevant matters.

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<sup>1</sup> Schedule 6, Part 2 paragraph 4(5)(b) of the Act

1.7 Without prejudice to its general responsibility the Panel shall, except where such responsibilities have been delegated to Sub-Panels or otherwise, be responsible, inter alia for the following:

- Budget management including the fixing of the annual budget
- Resource management
- Risk Management
- Internal Audit
- Approving and undertaking a Work Programme
- Keeping under review standards issues and
- Receiving minutes of any Sub-Panel
- To scrutinise the WYPCC's exercise of his/her statutory functions which includes :
  - ❖ To receive notification of the suspension of the Chief Constable by the WYPCC
  - ❖ The power of veto over the level of the WYPCC's proposed precept
  - ❖ The power of veto over the WYPCC's proposed candidate for Chief Constable
  - ❖ The power to ask Her Majesty's Inspector's of Constabulary for a professional view when the WYPCC intends to dismiss a Chief Constable
  - ❖ The power to review the draft Police and Crime Plan and make recommendations to the WYPCC
  - ❖ The power to review the WYPCC's Annual Report and make reports and recommendations at a public meeting, which the WYPCC must attend
  - ❖ The power to require relevant reports and information in the WYPCC's possession (except those which are operationally sensitive) to enable them to fulfil their statutory obligations
  - ❖ The power to require the WYPCC to attend the Panel to answer questions
  - ❖ The power to suspend the WYPCC
  - ❖ The power to appoint an acting Police and Crime Commissioner where the incumbent WYPCC is incapacitated, resigns or is disqualified
  - ❖ Complaints about the WYPCC, although serious complaints and conduct matters must be passed to the Independent Police Complaints Commission (IPCC) in line with legislation

1.8 The Panel will share information with the WYPCC through an agreed protocol.

## 2. WEST YORKSHIRE POLICE AND CRIME PANEL

### The West Yorkshire Police and Crime Panel is empowered to:

- 2.1 require the WYPCC to provide it with any information which it reasonably requires to carry out its functions<sup>2</sup>
- 2.2 require the WYPCC or his staff to attend at reasonable notice to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions<sup>3</sup>
- 2.3 at reasonable notice request the relevant chief constable to attend before the panel on the same occasion to answer any question which appears to the panel to be necessary in order for it to carry out its functions.<sup>4</sup>
- 2.4 require the WYPCC to respond in writing (within a reasonable period to be determined by the Panel) to any report or recommendation made by the Panel to the WYPCC<sup>5</sup>
- 2.5 review the draft police and crime plan, or draft variation given to the Panel by the WYPCC<sup>6</sup>
- 2.6 make a report or recommendations on the draft police and crime plan, or draft variation, to the WYPCC<sup>7</sup>
- 2.7 arrange for a public meeting of the Panel to be held after receiving the annual report of the WYPCC, and at that meeting ask questions of the WYPCC and review the annual report and make a report or recommendations to the WYPCC on the annual report<sup>8</sup>
- 2.8 to review senior appointments proposed to be made by the WYPCC (to the posts of Commissioner's Chief Executive, Commissioner's Chief Finance Officer and Deputy Commissioner), to hold a confirmation hearing (as set out in Paragraph 11 of Schedule 1 of the Act) and to make a report to the WYPCC including a recommendation as to whether or not the candidate should be appointed, and including determining the manner in which the report and/or recommendations is to be published<sup>9</sup>
- 2.9 to accept notification from the WYPCC as to whether he accepts or rejects the Panel's recommendation in respect of any candidate<sup>10</sup>
- 2.10 to review an appointment proposed to be made by the WYPCC to the post of Chief Constable, to hold a confirmation hearing (as set out in paragraph 6 of Part 1 of

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<sup>2</sup> Section 13 of the Act

<sup>3</sup> Section 29 of the Act

<sup>4</sup> Section 36 of the Act

<sup>5</sup> Section 29(3) of the Act

<sup>6</sup> Cannot be delegated to a sub-Panel – section 28(3)(a)

<sup>7</sup> Section 28(3)(b)

<sup>8</sup> Cannot be delegated – schedule 1(11)

<sup>9</sup> Cannot be delegated - paragraphs 9 and 10 of schedule 1

<sup>10</sup> Paragraph 12 of Schedule 1

Schedule 8 of the Act) and to make a report to the WYPCC including a recommendation as to whether or not the candidate should be appointed, and including determining the manner in which the report and/or recommendations is to be published<sup>11</sup>

- 2.11 receive notification of the suspension from duty of the Chief Constable by the WYPCC<sup>12</sup>
- 2.12 receive written notification from the WYPCC that he is proposing to call upon the Chief Constable to retire or resign and the written explanation of reasons he has given the Chief Constable for his proposal, and receive any written representations made by the Chief Constable in response to the proposal and the written explanation.<sup>13</sup>
- 2.13 receive notification from the WYPCC that he has considered the representations of the Chief Constable and is still proposing to call upon the Chief Constable to retire or resign.<sup>14</sup>
- 2.14 upon receipt of this second notification the Panel must hold a scrutiny hearing in private, and may consult the Chief Constable, and make a recommendation to the WYPCC as to whether or not the WYPCC call for the resignation or retirement of the Chief Constable, and must publish that recommendation, and determine the manner in which its' recommendation is published<sup>15</sup>
- 2.15 receive notification from the WYPCC that he has accepted or rejected the Panel's recommendation about whether to call on the Chief Constable to retire or resign<sup>16</sup>
- 2.16 receive notification from the WYPCC of the precept which the WYPCC is proposing to issue for the financial year ("the proposed precept")<sup>17</sup>
- 2.17 to review the proposed precept and make a report to the WYPCC, including recommendations as to the precept that should be issued for the financial year, including determining the manner in which the report and/or recommendations is to be published<sup>18</sup>
- 2.18 to consider whether to veto the proposed precept but the Panel may only veto the proposed precept if at least two-thirds of the persons who are members of the Panel at the time when the decision is made vote in favour of making that decision<sup>19</sup>
- 2.19 if the proposed precept is vetoed by the Panel, to receive the report of the WYPCC and to determine the manner in which the WYPCC's response to that veto is to be published<sup>20</sup>

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<sup>11</sup> Cannot be delegated – paragraph 4, Part 1 of schedule 8

<sup>12</sup> Schedule 8, Part 2, paragraph 11

<sup>13</sup> Part 2 of Schedule 8 of the Act

<sup>14</sup> Paragraph 16 of Part 2 of Schedule 8

<sup>15</sup> Paragraph 4,5 and 6 of Part 2 of Schedule 8

<sup>16</sup> Paragraph 16(2) of Part 2 of Schedule 8

<sup>17</sup> Paragraph 2 of Schedule 5

<sup>18</sup> Cannot be delegated – Paragraph 3 of Schedule 5

<sup>19</sup> Paragraph 4 of Schedule 5

<sup>20</sup> Paragraph 6 of Schedule 5

- 2.20 If the proposed precept is not vetoed, the WYPCC may give the Panel a response to its report, and it is for the Panel to determine the manner in which the WYPCC's response is to be published<sup>21</sup>
- 2.21 suspend the WYPCC if the statutory requirements have been met<sup>22</sup>
- 2.22 appoint an acting WYPCC if the statutory requirements have been met<sup>23</sup>
- 2.23 engage in informal resolution of complaints against the WYPCC or his Deputy<sup>24</sup>
- 2.24 fulfil its duties under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012 relating to the recording and investigation of complaints about the WYPCC or his senior staff relating to non-criminal behaviour.

## **2. TERMS OF REFERENCE**

### **The Standards and Complaints Sub-Panel is to:**

- Engage in monitoring the informal resolution of complaints against the WYPCC or his Deputy
- Monitor the handling of complaints dealt with under the Elected Local Police Bodies (Complaints and Misconduct) Regulations 2012 relating to the recording and investigation of complaints about the WYPCC or his senior staff relating to non-criminal behaviour.
- Receive information from the IPCC relating to complaints about the WYPCC or his senior staff.

## **3. SUB PANELS TERMS OF REFERENCE**

- 3.1 It is planned that there should be one Sub-Panel. Standards and Complaints, with the power to increase the panels as and when needed, at the discretion of the Panel.

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<sup>21</sup> Paragraph 5 of Schedule 5

<sup>22</sup> Section 30 of the Act

<sup>23</sup> Section 62 of the Act

<sup>24</sup> Paragraph 3 of Schedule 7

## PART 2

### MEMBER INFORMATION

#### PART 2(a)

2a.1 **MEMBERSHIP OF WEST YORKSHIRE POLICE AND CRIME PANEL as appointed by the 5 Councils (or by the Secretary of State in accordance with his powers) under Schedule 6 of the Police Reform and Social Responsibility Act 2011.**

2a.2 If any authority has an Elected Mayor, Schedule 6 part 4 paragraph 33 imposes on those authorities the duty to nominate their Mayors, and if not the Home Secretary will use her powers of nomination.

2a.3 In order to comply with the Police Reform and Social Responsibility Act 2011, ie to produce and review the balanced appointment objective, it has been agreed that the following Councils shall hold the following number of seats:

Calderdale	2
Kirklees	2
Wakefield	2
Bradford	3
Leeds	3

2a.4 Independent Co-opted Panel Members will be recruited by the Panel. At its first meeting the Panel will decide which Members will deal with this process, and will decide on criteria and a process to be followed.

2a.5 All Independent Co-opted Panel Members will abide by the Members Code of Conduct at Part 4 of the Procedures.

2a.5.1 Independent Co-opted Panel Members will be recruited and appointed for a term of office of two years but in 2012 that term of office will be for 18 months.

2a.5.2 Independent Co-opted Panel Members who wish to resign will give notice to the Chief Officer.

2a.5.3 If a casual vacancy arises for an Independent Co-opted Panel Member the Panel will decide on the process to be followed to fill that vacancy.

2a.5.4 Each Council has the power to remove its nominated Members (with the exception of any Elected Mayor) and must fill any vacancy by notifying the Chief Officer of the name of the new Member it has appointed to the Panel.



## **PART 2 (b)**

### **MEMBERSHIP OF WEST YORKSHIRE POLICE AND CRIME PANEL SUB-PANELS**

2b.1 Sub-Panels shall comprise members of the Panel and may not co-opt members<sup>25</sup>

2b.2 Sub-Panels cannot discharge the special functions of the Panel<sup>26</sup>, which are :

- (a) section 28(3) (scrutiny of police and crime plan)
- (b) section 28(4) (scrutiny of annual report)
- (c) paragraphs 10 and 11 of Schedule 1 (proposed senior appointments)
- (d) Schedule 5 (issuing precepts) and
- (e) Part 1 of Schedule 8 (scrutiny of appointment of chief constables).

2b.3 The Standards and Complaints Sub-Panel is required to:

- Engage in monitoring the informal resolution of complaints against the WYPCC or his Deputy
- Monitor the handling of complaints dealt with under the Elected Local Police Bodies (Complaints and Misconduct) Regulations 2011 relating to the recording and investigation of complaints about the WYPCC or his senior staff relating to non-criminal behaviour.
- Receive information from the IPCC relating to complaints about the WYPCC or his senior staff.

2b.4 The Membership of the Standards and Complaints Sub-Panel will be determined by the Panel.

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<sup>25</sup> Schedule 6 part 4 para 25(4)

<sup>26</sup> Schedule 6 part 4 para 27

## **PART 2 (c)**

### **PROVISIONAL TIMETABLE OF MEETINGS**

December 14<sup>th</sup> 2012

10:00 – 12:30

Old Court Room, Wakefield Town Hall

January 11<sup>th</sup> 2013

10:00 – 12:30

Old Restaurant, Wakefield Town Hall

February 5<sup>th</sup> 2013

2:00 – 3:30

Old Court Room, Wakefield Town Hall

February 19<sup>th</sup> 2013

2:00 – 3:30

Old Court Room, Wakefield Town Hall

March 8<sup>th</sup> 2013

10:00 – 12:30

Old Restaurant, Wakefield Town Hall

April 26<sup>th</sup> 2013

10:00 – 12:30

Old Restaurant,  
Wakefield Town Hall

June 7<sup>th</sup> 2013

10:00 – 12:30

Old Court Room,  
Wakefield Town Hall

July 19<sup>th</sup> 2013

10:00 – 12:30

Old Court Room,  
Wakefield Town Hall

September 13<sup>th</sup> 2013

10:00 – 12:30

Old Court Room, Wakefield Town Hall

November 8<sup>th</sup>, 2013

10:00 – 12:30

Old Court Room, Wakefield Town Hall

December 13<sup>th</sup>, 2013

10:00 – 12:30

Old Court Room, Wakefield Town Hall

## PART 2 (d)

### WEST YORKSHIRE POLICE AND CRIME' PANEL SUPPORT SERVICES AUTHORITY CONTACT OFFICERS

Officer Title	PCP Panel Support Role	Name	Contact Address	Contact email / tel no.
Chief Executive	CHIEF OFFICER	Joanne Roney	Town Hall Wood Street Wakefield WF1 2HQ	<a href="mailto:jronney@wakefield.gov.uk">jronney@wakefield.gov.uk</a> 01924 305100
Service Director Legal and Governance	MONITORING OFFICER	Bernadette Livesey	County Hall Bond Street Wakefield WF1 2QW	<a href="mailto:blivesey@wakefield.gov.uk">blivesey@wakefield.gov.uk</a> 01924 305177
Director of Finance and Property	CHIEF FINANCIAL OFFICER	Judith Badger	County Hall Bond Street Wakefield WF1 2QW	<a href="mailto:jbadger@wakefield.gov.uk">jbadger@wakefield.gov.uk</a> 01924 305388
Secretariat	SECRETARIAT	AWYA	Room 20 Town Hall Wood Street Wakefield MDC WF1 2HQ	01924 305323 <a href="mailto:Clare.elliott@awya.gov.uk">Clare.elliott@awya.gov.uk</a> <a href="mailto:Samantha.wilkinson@awya.gov.uk">Samantha.wilkinson@awya.gov.uk</a>

**PART 3**  
**GOVERNANCE ARRANGEMENTS**

## **PART 3 (a)**

Whereas the City of Bradford Metropolitan Council, the Borough Council of Calderdale, Kirklees Metropolitan Council, Leeds City Council and the Council of the City of Wakefield have established a West Yorkshire Police and Crime Panel to ensure that arrangements for discharge of their functions have been made, these Procedure Rules have been drawn up to enable the Police and Crime Panel to operate and fulfil its statutory responsibilities as set out in The Police and Crime Panels (Application of Local Authority Enactments) Regulations 2012.

### **PROCEDURE RULES OF WEST YORKSHIRE POLICE AND CRIME PANEL**

#### **1. GENERAL TERMS**

1.1 The following terms apply to these Procedure Rules as well as the Access to Information Rules, Contracts Procedure Rules and Financial Procedure Rules in Part 2(b) and 2(c) respectively.

1.2 The following terms shall mean respectively:

“West Yorkshire Police and Crime Panel” (“the Panel”) comprises the 5 Councils of Bradford, Calderdale, Kirklees, Leeds, and Wakefield. The Panel is constituted as a Police and Crime Panel under Section 28 and Schedule 6 of the Police Reform and Social Responsibility Act 2011 (“the Act”) The Panel is made up of 12 members of the 5 Constituent Councils, nominated by the 5 Councils or appointed by the Secretary of State using the powers available to him/her in the Act.

Calderdale	2
Kirklees	2
Wakefield	2
Bradford	3
Leeds	3

“The Support Services Authority” is the lead local authority which has been agreed by the five Councils to provide support services to the Panel (currently this is Wakefield Council).

“Sub-Panels” are committees with delegated authority from the Panel to undertake responsibilities of behalf of the Panel.

The “Chief Officer” shall mean the Chief Executive of the Support Services Authority.

The “Secretariat” means the Secretariat working for the Chief Officer to support the Police and Crime Panel.

The “Monitoring Officer” shall mean the Head of Legal Services of the Support Services Authority currently responsible to the Panel for providing legal and administrative services for the Panel.

The “Chief Financial Officer” shall mean the Head of Financial Services of the Support Services Authority currently responsible to the Panel for providing financial advice and services for the Panel.

“Co-opted Members” means Members appointed by the Panel in accordance with Part 2 Paragraph 4.1(b) of Schedule 6 of the Act.

## **2. INTERPRETATION**

- 2.1 The Chair of the meeting has the final say as to the interpretation of any Procedure Rule or on any question of procedure not provided for by Procedure Rules.

## **3. MEETINGS**

- 3.1 The Panel shall hold an Annual Meeting which shall be the first meeting after the annual meetings of the constituent councils apart from the first meeting which will be held in December 2012.

- 3.2 The Annual Meeting will include:

- (a) electing the Chair and Deputy Chair;
- (b) establishing Sub-Panels as necessary
- (c) No appointments under Rule 3(2) shall be for a period beyond the next Annual Meeting of the Panel and
- (d) selecting representatives on Outside Bodies.
- (e) the receipt and approval of the West Yorkshire Police and Crime Panel Procedures and Protocols.
- (f) setting of an annual budget

- 3.3 The Panel shall, between each Annual Meeting, hold ordinary meetings as they determine, provided that one of these meetings shall be held in with the pre-determined Home Office timeframe of each year for the purpose of considering the proposed precept of the WYPCC.

- 3.4 With the exception of the Annual Meeting and the Precept meeting the Chair may cancel any meetings if in his/her opinion insufficient business has arisen for consideration.

- 3.5 A Special Meeting of the Panel shall be convened on a minimum of seven days’ notice following the receipt by the Secretariat of a request from the Chair or not less than six Members of the Panel.

- 3.6 After the West Yorkshire Police and Crime Commissioner (the Commissioner) has sent to the Panel an annual report (as set out in section 12 of the Police Reform and Social Responsibility Act 2011), as soon as is practicable, the Secretariat, on behalf of the Chief Officer, shall convene a Public Meeting and invite the Commissioner to attend that meeting – to enable him to comply with section 28(4) of the Act.

#### **4. NOTICE OF MEETINGS**

- 4.1 The Chief Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules.
- 4.2 Notice of meetings shall be sent to every Panel Member at least five clear calendar days before a meeting. The notice shall give the date, time and place of each meeting and specify the business to be transacted, and shall be accompanied by such reports as are available. Lack of service on a Member of the Panel of the summons of any meeting shall not affect the validity of a meeting of the Panel.

#### **5. CONDUCT OF BUSINESS**

- 5.1 A Member of the Panel requiring a particular item of business which is relevant to the powers and duties of the Panel, to be discussed at an ordinary meeting of the Panel should notify the Chair as soon as possible and no later than 10 days before the date of the meeting.
- 5.2 The Monitoring Officer and/or the Chief Financial Officer may, in liaison with the Chief Officer include an item for consideration on the agenda of the Panel meeting and may require the Chief Officer to call such a meeting in pursuance of their statutory duties.

#### **6. ELECTION OF CHAIR AND APPOINTMENT OF DEPUTY CHAIR**

- 6.1 At its Annual Meeting, or other meeting in the year 2012/13, the Panel shall elect a Chair and Deputy Chair for the term up until the next Annual Meeting.
- 6.2 The mode of voting at meetings of the Panel shall be by show of hands.
- 6.3 On a vacancy arising in the office of Chair or Deputy Chair for whatever reason, the Panel shall elect a new Chair or appoint a new Deputy Chair as soon as possible.

#### **7. MEMBERSHIP OF THE WEST YORKSHIRE CRIME PANEL AND ITS SUB-PANELS**

- 7.1 Each Member of the Panel nominated by each constituent Council shall continue to hold office unless the appointing Council withdraws its nomination, or the Member resigns from the Panel or his/her term of office as a member of a constituent Council expires.
- 7.2 The Panel shall be empowered to appoint Sub-Panels and to settle the terms of reference of each Sub-Panel.
- 7.3 Each Council may send a substitute member to meetings and the substitute member will be permitted full voting rights at meetings of the Panel and any Sub-Committees appointed by the Panel.
- 7.4 A substitute member may only attend two meetings of the Panel consecutively, and if this is the case then the Member who has not attended for the two meetings shall no

longer automatically be a Member of the Panel and his/her Council will be required to nominate a new Member to the vacant seat on the Panel.

7.5 Members of the Panel shall be entitled to be accompanied by appropriate officers.

7.6 The Support Services Authority shall make all the necessary administrative arrangements in connection with meetings of the Panel. The Sub-Panels are required to report their activities on an ongoing basis to the Panel.

## **8. CHAIR OF MEETING**

8.1 At each meeting of the Panel the Chair, if present, shall preside. If the Chair is not present, the Deputy Chair will preside.

8.2 If the Chair and Deputy Chair are absent from a meeting, the Members of the Panel present shall elect a Member to preside.

## **9. QUORUM**

9.1 No business shall be transacted at any meeting of the Panel unless at least six Members are present.

9.2 If during any meeting of the Panel the Chair declare that there is not a quorum present, the meeting shall stand adjourned to the next ordinary meeting or a further date and time fixed by the Chair.

## **10. ORDER OF BUSINESS**

10.1 At every meeting of the Panel the first item of business will be to elect a person to preside if the Chair or Deputy Chair is absent. After that the order of notice of the meeting will be followed. Any variances to this can agreed:

(a) by the Chair at his/her discretion, or

(b) on a request agreed to by the Panel.

## **11. MINUTES**

11.1 The Chair shall move "That the Minutes of the meeting of the Panel held on.....be agreed as a correct record". If the accuracy is not questioned the Chair shall sign the Minutes.

11.2 When the next meeting is an extraordinary meeting of the Panel, the minutes of the previous meeting will be considered at the next ordinary meeting.

## **12. DISCUSSION AFFECTING PERSONS SERVING OR UNDER THE CONTROL OF THE WEST YORKSHIRE POLICE AND CRIME PANEL**



12.1 If any question arises at a meeting of the Panel regarding the appointment, promotion, dismissal, salary, superannuation or conditions of service, or around the conduct of any officer serving or under the control of the Panel, the matter must not be discussed until the Panel has decided whether or not the power of exclusion of the public under Sections 100A to 100K of the Local Government Act 1972 are to be exercised.

### **13. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

13.1 The following motions and amendments may be moved without Notice

- To appoint a Chair of the meeting (in the absence of the Chair and Deputy Chair)
- Motions relating to the accuracy of the minutes of the Panel
- That leave be given to withdraw the Motion
- That the Panel proceed to the next business
- Move to the vote
- To defer an item on the agenda apart from statutory matters which must be dealt with in set timescales
- To suspend Standing Orders in accordance with standing order 19 (1)
- To adjourn the meeting
- To exclude the public and press from the meeting under the terms of the Local Government Act 1972
- That a Member named under Standing Order 17 be not further heard or do leave the meeting
- To defer a matter on the Panel agenda to the next meeting of the Panel for the preparation of an officer report.

### **14. NOTICES OF MOTION**

14.1 Except in the cases specified in Standing Orders 13 & 14 Notices of Motion shall be submitted to the Chief Officer of the Support Services Authority for consideration by the Panel seven clear working days before the Panel meeting at which any such Motions are intended to be proposed.

14.2 Subject to Standing Order 13 (4), no Panel meeting will receive more than 3 Notices of motion at any one meeting.

- 14.3 The Chair may exclude from the Panel agenda any Notice of Motion which may be out of order based on the advice of the Chief Officer.
- 14.4 The Chair will have discretion to add to the agenda any Notice of Motion which is considered to be sufficiently urgent based on the criteria below, provided written Notice of the motion is given to the Support Services Authority no later than 10.00am on the day of the Panel meeting.
- That the subject matter of the motion is such that the public might reasonably expect the Panel to debate the issue before the next available Panel meeting and/or;
  - Any further delay would seriously prejudice the Panel's position or public interest in the matter.
- 14.5 Amendments to Notices of Motion under Standing Order 14.1 shall be made in writing to the Support Services Authority no later than 4.00 pm the day before.
- 14.6 Every motion must be relevant to some matter in relation to which the Panel has powers or duties or which directly affects the Police and Crime Panel.
- 14.7 The Chief Officer may rule out a motion on the grounds that:
- contains intemperate, inflammatory, abusive or provocative language.
  - is defamatory, frivolous, vexatious, discriminatory or otherwise offensive; or contains false statements
  - a matter subject to prescribed statutory requirements, e.g. an Elected Mayor.
  - is too similar to another motion submitted within the past six months.
  - discloses confidential or exempt information, including information protected by a court order or government department.
  - discloses material which is otherwise commercially sensitive.
  - contains advertising statements.
  - refers to an issue which is currently the subject of a formal IPCC complaint, or a non-criminal complaint being dealt with by the Standards and Complaints Sub-Panel.
- 14.8 The Chair of a Sub-Panel shall decide whether to allow Motions at a meeting of a Sub-Panel but will decide on matters of urgency and suitability as determined by this Rule of Procedure.

## **15. RULES OF DEBATE**

- 15.1 The decision of the Chair of the Panel is Final on all matters of order or personal explanation.
- 15.2 If two or more Members indicate they wish to speak, the Chair will call one and the other(s) will wait until called by the Chair
- 15.3 To be admissible motions and amendments to recommendations before the Panel must be submitted to the Support Services Authority within the stated deadlines and must be moved by one Member and seconded by another.

15.4 Motions and amendments to recommendations will be considered in the order determined by the Chair based on an appropriate order for the effective conduct of business.

15.5 An amendment must be relevant to the motion and must

- Propose leaving out words or propose leaving out words and inserting or adding other, or
- Propose inserting or adding words

Provided that the effect of the amendment must be simply to reverse the effect of the motion before the Panel; such opposition to a motion can be signalled by voting against it.

15.6 Subject to the consent of the Panel, indicated without discussion, a Member may alter a motion or amendment of which he/she has given Notice.

15.7 A Motion or amendment may be withdrawn by the mover with the consent of the seconder and of the Panel (indicated without discussion). No Member may speak after the mover has asked for permission for its withdrawal unless permission to withdraw the motion or amendment is refused.

15.8 Only one amendment may be moved and discussed at a time unless the Chair rules otherwise and no further amendment is to be moved until the Panel has reached a decision on the amendment under discussion.

15.9 When a motion is under debate no other motion may be moved except:

- To amend the motion
- To adjourn the meeting
- To proceed to the next business
- To move to the vote
- That a Member be no longer heard
- That a Member leave the meeting
- To exclude the public or press from the meeting under the terms of the Local Government Act 1972

15.10 The mover of a motion has a right of reply at the end of the debate on the motion immediately before it is put to the vote.

15.11 The following are recognised as breaches of order:

- Discussion of a matter not before the Panel
- Use of improper language
- Breach of any Standing Order
- Interjection of remarks while a Member is speaking

15.12 A Member may raise a point of order during a debate provided that they do nothing more than call attention to the alleged breach or order. The point of order must be briefly stated to the Chair in the form of a question. All debate will cease until the Chair gives a ruling on the alleged breach of order.

15.13 If the Chair rules that the language used by a Member is improper it is the duty of the Member to withdraw it.

15.14 If a Member believes they have been injured by a misrepresentation made in a debate then they may make a personal explanation provided that such explanation is a brief statement of fact and not further argument of the question before the Panel.

15.15 When moving a motion a Member may speak for a maximum of five minutes. No other speeches (including the moving of amendments) may take more than three minutes without the consent of the Panel, which will be determined by a vote on a motion without discussion.

15.16 Each meeting of the Police and Crime Panel will end no later than 6pm

## **16. VOTING**

16.1 Voting will be on a one member one vote basis, and any matter shall be decided by a simple majority of those Members voting, unless a two thirds majority is required by law (a proposed precept and proposed senior appointments). The mode of voting at meetings shall be by show of hands unless the Panel decide in any particular case to vote by ballot.

16.2 In the case of an equal division of votes the Chair of the meeting shall have a second or casting vote.

16.3 Any six Members may demand that a recorded vote be taken.

16.4 Following a vote, if a Member so requests, there shall be recorded in the Minutes of the meeting whether the person cast his/her vote for the question or against the question or whether he/she abstained from voting.

## **17. DISTURBANCES AT MEETINGS**

17.1 If a member of the public interrupts the proceedings of any meeting the Chair shall warn that person. If the interruption continues, the Chair shall order the person's removal from the Meeting Room. In case of general disturbance in any part of the Meeting Room open to the public, the Chair shall order that part to be cleared.

17.2 If, in the opinion of the Chair, any Member in the meeting indulges in misconduct by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, offensively, or by wilfully obstructing the business of the Panel, the Chair or any other Member may move "That the Member named be not further heard", and the motion if seconded will be put and voted on without discussion.

17.3 If the Member named continues the misconduct after a motion under the foregoing paragraph has been carried, the Chair shall either move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting of the Panel for such period as the Chair shall consider expedient.

## **18. VARIATION AND REVOCATION OF PROCEDURE RULES**

18.1 Any addition, variation or revocation of these Procedure Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Panel.

## **19. SUSPENSION AND AMENDMENT OF PROCEDURE RULES**

19.1 Any Procedure Rule except Rule 16.1 may be suspended for all or part of a meeting of the Panel by a motion made and seconded and carried by a majority of the Members present at the meeting. The motion to suspend should include the reasons why the suspension is being proposed. Suspension is only for the duration of the meeting, but cannot be removed if the effect of suspending Procedure Rules would be in conflict with the terms of any Agreement entered into by the constituent Councils.

## **20. SUPPORT FOR ELECTED MEMBERS, EXECUTIVE MEMBERS AND OFFICERS**

20.1 Each Council shall identify a lead officer to provide support and guidance to its Members on the West Yorkshire Police and Crime Panel, Executive Members of the five Councils, encourage Chief Executives, and officers of the five Councils, in relation to the functions of the West Yorkshire Police and Crime Panel. [sched 6 part 4 para 29]

## **21. PROCEDURE RULES TO APPLY TO SUB-COMMITTEES**

21.1 Procedure Rules numbers 4, 5, 8, 9, 10, 11, 12, 15,16, 17 and 19 shall apply to meetings of Sub-Panels appointed by the Panel.

## **PART 3 (b)**

### **ACCESS TO INFORMATION PROCEDURE RULES**

#### **1. SCOPE**

3b.1 These rules apply to all meetings of the Panel and Sub-Committees.

3b.2 These rules also cover public rights of access to informational under the Freedom of Information Act 2000, and Members' rights of access to information.

#### **2. ADDITIONAL RIGHTS TO INFORMATION**

3b.2.1 These rules do not affect any more specific rights to information contained elsewhere.

#### **3. RIGHTS TO ATTEND MEETINGS**

3b.3.1 Subject to any statutory prohibitions and to Access to Information Rule 3(2), meetings of the Panel and any Sub-Panels established under Procedure Rule 3(2)(b) shall be open to the public. This shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

3b.3.2 The Panel and any Sub-Panel established under Procedure Rule 3(2)(b) may by resolution exclude the press and public from a meeting (whether during the whole part or part only of the proceedings) in accordance with the Access to Information Procedure Rule 10.

#### **4. NOTICE OF MEETINGS**

3b.4.1 The Chief Officer will give at least five clear days notice of any meeting by posting details of the meeting at the offices of the constituent Councils and such other place as is fixed for the meeting of the Panel.

3b.4.2 At least five days before a meeting a summons to attend the meeting specifying the business proposed to be transacted thereat shall be left at or sent by post to the last address given for that purpose by each Member of the Panel and to each Chief Executive of the constituent Councils by the Chief Officer.

#### **5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING**

3b.5.1 Copies of the agenda and reports open to the public will be available for inspection at the Chief Executive's offices of the Support Services Authority at least five clear days before the meeting, except that where a meeting is convened at shorter notice, the copies of the agenda and reports shall be open to inspection from the time the meeting is convened.

3b.5.2 Where an item is added to the agenda, and the report is open to the public, copies of any report for the meeting relating to the item, and the revised agenda shall be available for inspection from the time the item is added to the agenda.

3b.5.3 Where copies of the agenda and reports open to the public are not made available for inspection in this way, an item of business will not be considered unless by reason of special circumstances, which shall be specified in the minutes, the chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency

## **6. SUPPLY OF COPIES**

3b.6.1 The Chief Officer will supply copies of:

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Chief Officer thinks fit, copies of any other documents supplied to Members in connection with an item to any person on payment of a charge for postage and any other costs.

## **7. ACCESS TO MINUTES ETC AFTER THE MEETING**

3b.7.1 The Chief Officer will make available copies of the following for six years after a meeting:

- (a) the minutes of the meeting or records of decisions taken, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (c) the agenda for the meeting; and
- (d) reports relating to items when the meeting was open to the public.

## **8. BACKGROUND PAPERS**

### **List of background papers**

3b.8.1 Every report will set out a list of those documents (called background papers) relating to the subject matter of the report which:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and

- (b) have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined in the Access to Information Rule 10).

### **Public inspection of background papers**

3b.8.2 The Chief Officer will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

## **9. SUMMARY OF THE PUBLIC'S RIGHTS**

3b.9.1 A written summary of the public's rights to attend meetings and to inspect and copy documents must be kept at and available to the public at the Chief Executive's offices of the Support Services Authority.

## **10. EXCLUSION OF ACCESS BY THE PUBLIC TO MEETINGS**

### **Confidential information - requirement to exclude the public**

3b.10.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

### **Exempt information - discretion to exclude the public**

3b.10.2 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed. Reasons should be given in a relevant report that in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

### **Meaning of confidential information**

3b.10.3 Confidential information means information given by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.



## Meaning of exempt information

3b.10.4 Exempt information means information falling within the following categories.

1. Information relating to any individual	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
2. Information which is likely to reveal the identity of an individual	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	<p>Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>Information is not exempt if it must be registered under various statutes, such as the Companies Act 1985 or the Charities Act 1993.</p> <p>“Financial or business affairs” includes contemplated, as well as past or current, activities</p>
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority	<p>Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information</p> <p>“Labour relations matter” are as specified in paragraphs (a) to (g) of section 218(1) of the Trade Unions and Labour Relations (Consolidation) Act 1992, i.e. matters which may be the subject of a trade dispute within the meaning of that Act or any dispute about any such matter</p>
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
6. Information which reveals that the	Information is exempt if and so long, as in

authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment	all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7A. Information which is subject to any obligation of confidentiality.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
7B. Information which relates in any way to matters concerning national security.	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information
Information relating to matters of sensitive operational policing, which in the opinion of the Chief Constable would affect his or her ability to undertake his or her duties	Information is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information

## 11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

3b.11.1 If the Chief Officer thinks fit, the Panel may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with the Access to Information Rule 10, the meeting is likely not to be open to the public. Such reports will be marked “Not for Publication” together with the category of information likely to be disclosed.

## 12. FREEDOM OF INFORMATION REQUESTS

3b.12.1 All Freedom of Information requests received by any of the constituent Councils shall be transferred to the Support Services Authority for action. Responses will be prepared in liaison with the receiving authority, where appropriate.

## **PART 3 (c)**

### **CONTRACTS PROCEDURE RULES AND FINANCIAL PROCEDURE RULES**

#### **1. GENERAL**

3c.1.1 The Contracts Procedure Rules and the Financial Procedure Rules of the Support Services Authority shall apply to the Panel. Currently these are those of the Council of the City of Wakefield.

#### **2. CONTRACTS PROCEDURE RULES**

3c.2.1 The Panel will operate in accordance with the requirements of these Contracts Procedure Rules and Financial Procedure Rules and such other policy and legislative requirements as are relevant.

3c.2.2 The Panel is responsible for regulating and controlling the overall contractual and financial arrangements of the Panel.

3c.2.3 The Chief Officer will operate in accordance with the requirements of the Contracts Procedure Rules and Financial Procedure Rules except where his/her scheme of delegation provides otherwise.

3c.2.4 In dealing with matters referred to in these Contracts Procedure Rules and Financial Procedure Rules both Members and officers are required to follow the requirements of any Code of Conduct, whether statutory or informal, provided in the case of an informal Code it has been approved by the Panel in discharging their responsibilities.

3c.2.5 The Panel, in consultation with the Monitoring Officer and the Chief Financial Officer, shall settle any difference which arises from the interpretation of these Contracts Procedure Rules and Financial Procedure Rules.

3c.2.6 Where further guidance/direction is required with regard to these Contracts Procedure Rules or Financial Procedure Rules the Panel shall rely on the Contracts Procedure Rules and Financial Procedure of the Support Services Authority as appropriate and such other guidance/direction provided from time to time by the Chief Financial Officer.

#### **3. FINANCIAL PROCEDURE RULES**

3c.3.1 The Local Government Act 1972 (Section 151) warrants the need for an employee of the Support Services Authority of the Panel (currently the Council of the City of Wakefield), to be recognised as the responsible financial officer. In this case the officer is the Chief Financial Officer. The Chief Financial Officer has responsibility for the preparation, review and amendment of these rules. The Chief Financial Officer has responsibility for the administration of the Panel's financial affairs. Any ambiguity arising from the interpretation of these rules shall be settled by Chief Financial Officer.

- 3c.3.2 The Financial Procedure Rules of the Council of the City of Wakefield govern the internal framework and procedures for financial administration and control within the Panel.
- 3c.3.3 The Financial Procedure Rules are applicable at all times and must be adhered to by all employees of the Panel and external agencies whilst acting on behalf of Panel unless specifically exempted by the terms of contracts entered into between those agents and the Panel. Financial Procedure Rules should be read in conjunction with the Contracts Procedure Rules and Wakefield Council's Code of Conduct.
- 3c.3.4 The Chief Officer is responsible for making arrangements to ensure that the Financial Procedure Rules are made known to all appropriate employees, to supply those employees with updates issued and to keep suitable records to confirm to the Chief Financial Officer that this has been done.
- 3c.3.5 Each section of the Financial Procedure Rules is headed by one or several objectives that the actual rules are designed to achieve. These objectives shall be used by the Chief Financial Officer in the continuous review and audit of the Panel's financial systems.

## **PART 4**

### **STANDARDS & ADMINISTRATIVE SUPPORT**

#### **PART 4 (a)**

##### **MEMBERS' CODE OF CONDUCT**

- 4a.1 There is no separate Code of Conduct for Members of the Panel who remain subject to the Members' Code of Conduct which applies to the Support Services Authority.
- 4a.2 Each Member of the WY Police and Crime Panel will be supplied by the Chief Officer with a copy of the Code of Conduct and Procedures for Allegations against Members upon their appointment to the Panel.

#### **PART 4 (b)**

##### **STATUTORY OFFICERS**

- 4b.1 The current Agreement makes provision for The Council of the City of Wakefield to be designated as the Support Services Authority. As part of this arrangement Wakefield's three statutory officers support the work of the Panel.
- 4b.2 The three statutory officers are:
  - Chief Officer – Chief Executive
  - Chief Financial Officer – Director of Finance and Property
  - Monitoring Officer – Service Director Legal and Governance
- 4b.3 The Chief Officer has overall responsibility for managing the Council and also responsibility for providing advice on staffing and the decision making process. The Chief Officer will also work closely with the Monitoring Officer to secure high ethical standards.
- 4b.4 The Monitoring Officer has defined responsibilities in respect of matters of legality and ethical standards. If the Monitoring Officer considers any proposal, decision or omission would give rise to unlawfulness, or if any decision or omission has given rise to maladministration, then action can be taken to stop the proposal or decision being implemented until a report of the Monitoring Officer has been considered.
- 4b.5 The Chief Financial Officer has defined responsibilities in respect of the proper administration of the financial affairs of the Panel, in particular provision will be made

for professional support and advice as appropriate. He/she will also provide advice, among other things, on the scope of powers and authority to take decisions; on issues relating to maladministration, financial impropriety, probity, value for money, performance; and on the financial strategies and policy framework issues. The Chief Financial Officer is empowered to deal with any proposal or decision or course of action that will involve incurring unlawful expenditure or is unlawful.

- 4b.6 In return for these responsibilities, the statutory officers have certain legal protections. In summary these protections mean that the Council cannot suspend a statutory officer for more than two months, for the purpose of investigating misconduct, unless that is recommended by an independent person appointed by the officer and the Council
- 4b.7 It is acknowledged that while Wakefield's three statutory officers will provide the main support to the Panel there may be occasions when the statutory officers of other Councils have an interest in a particular matter affecting the Panel. Where such a situation arises the statutory officer concerned will be expected to contact the Chief Officer of the Panel and inform the relevant statutory officer at Wakefield of his/her interest.

## Monitoring Officer and Chief Financial Officer (s151 Officer) Protocol

### 1. Introduction

Wakefield Council is the host Authority for the West Yorkshire Police and Crime Panel (the Panel). The Monitoring Officer and Chief Financial Officer for Wakefield Council will therefore undertake these statutory roles for the Panel.

This Protocol sets out the key responsibilities of these posts and the working arrangements that have been agreed by the Panel. The purpose of the Protocol is to support the statutory officers in carrying out their roles effectively.

### 2. Key Responsibilities

The Monitoring Officer has responsibility for safeguarding, so far as possible, Members and officers whilst acting in their official capacities, from legal difficulties and/or criminal or civil sanctions. They have to report to the Panel if they are of the opinion that any proposal or decision of the Panel (or anyone acting on its behalf) has given rise to or is likely or would give rise to any illegality, maladministration or breach of statutory code. Members have to have regard to any advice from the Monitoring Officer.

The Chief Financial Officer (s151 Officer) has responsibility for making arrangements for the proper administration of the Panels financial affairs. They have to report to the Panel if there is likely to be unlawful expenditure or an unbalanced budget. Again Members have to have regard to any advice from the Chief Financial Officer.

The ability of the Monitoring Officer and Chief Financial Officer to carry out these responsibilities will depend, to a large extent, on Members and officers:

- complying with the law (including any relevant codes of conduct)
- complying with any general guidance issued
- making lawful and proportionate decisions and
- generally, not taking action that would bring the Panel, their offices or professions into disrepute.

### 3. Working Arrangements

Having excellent working relations with Members and officers will assist the Monitoring Officer and Chief Financial Officer to undertake their responsibilities and support the Panel effectively. Equally, a speedy flow of relevant information and access to debate (particularly at the **early stages** of any decision-making by the Panel) will assist in fulfilling those responsibilities.

The following arrangements and understandings between the Monitoring Officer, Chief Financial Officer, Members and officers are designed to ensure the effective discharge of the Panel's business and functions.

The Monitoring Officer and Chief Financial Officer will:-

- (a) be alerted by Members and officers to any issue(s) that may become of concern to the Panel, including, in particular issues around legal powers to do something or not, financial affairs, ethical standards, probity, propriety, procedural or other constitutional issues that are likely to (or do) arise;
- (b) have formal input into any reports which have legal or financial implications;
- (c) have advance notice (including receiving Agendas, Minutes, Reports and related papers) of all relevant meetings of the Panel (or anyone acting on their behalf) at which a binding decision may be made (including a failure to take a decision where one should have been taken);
- (d) have the right to attend and be heard at any meeting of the Panel (or anyone acting on their behalf) before any binding decision is taken (including a failure to take a decision where one should have been taken);
- (e) in carrying out any investigation(s) have unqualified access to any information held by the Panel and to any Member or officer who can assist in the discharge of their functions;
- (f) have a close working relationship of respect and trust with the Panel Members with a view to ensuring the effective and efficient discharge of business;
- (g) develop effective working liaison and relationships with the Police and Crime Commissioner (and their Deputy), the Chief Constable, the IPCC and the Local Government Ombudsman

To ensure the effective and efficient discharge of the above arrangements, Members and officers will report any breaches of statutory duty or Panel policies or procedures and other vires or constitutional concerns to the Monitoring Officer, as soon as practicable.

The Monitoring Officer will be available for Members and officers to consult on any issues regarding the Panel's legal powers, possible maladministration, impropriety and probity issues, or general advice on the constitutional arrangements.

The Chief Financial Officer will be available for Members and officers to consult on any issues regarding finances.

To ensure the effective and efficient discharge of this Protocol, the Chief Financial Officer will ensure adequate insurance and indemnity arrangements are in place to protect and safeguard the interests of the Panel and the proper discharge of the Monitoring Officer and Chief Financial Officer role.

#### **4. Monitoring the Protocol**

The Monitoring Officer and Chief Financial Officer will report to the Panel regarding whether the arrangements set out in the Protocol have been complied with and will include any proposals for amendments in the light of any issues that have arisen.



## **Part 4(c) Allowances and Expenses**

- 4c.1 Each local authority shall determine locally, and be responsible, for payment of any allowances to their own Panel Members. Independent Panel members will receive an allowance direct from the Support Services Authority. Where Panel members receive an allowance, they will not receive additional out of pocket expenses unless the Panel Members is partaking in duties outside of West Yorkshire or in other exceptional circumstances.