

**Item 13**

**Friday, 7th March 2014**

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**AWYA**

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**West Yorkshire Police & Crime Panel**

**Changes to Rules of Procedure & Protocols**

1. **Purpose**

1.1 The purpose of this report is to:

* Draw Police and Crime Panel Members’ attention to legal advice recommending separating out the West Yorkshire Police and Crime Panel Rules of Procedure and Protocol from the Terms of Reference and Legislative Compliance Rules
* Consider and agree suggested amendments to Panel’s Procedures and Protocols to ensure that they remain fit for purpose.

1. **Background**

2.1 Following the introduction of Police Reform and Social Responsibility Act 2011, and the establishment of Police and Crime Panels, each Police and Crime Panel is required to make its own rules of procedure for the panel.

2.2 The shadow Police and Crime Panel developed a set of Procedures and Protocols which were endorsed at the Police and Crime Panel’s inaugural meeting in December 2012. These Procedures and Protocols are reviewed on an annual basis to ensure that they remain fit for purpose for the discharge of the Panel’s functions.

1. **Current Position**

3.1 Recently, independent legal advice was sought on a particular aspect of the Panel’s Procedures and Protocols, which is covered elsewhere on the agenda, under Item 4.

3.2 In addition to the points raised in Item 4, the legal advice further commented that it would be advisable to amend the current Procedures and Protocols to distinguish between the Legislative Compliance Rules - which are a matter between the Home Office and Local Authorities and the Panel does not have any authority over - and the Panel Rules and Arrangements of procedure - which is for the Panel itself to define.

1. **Revised documentation**

4.1 In line with the independent legal advice, a revised set of documentation has been produced for the Panel’s consideration, which separates and differentiates the two types of rules and is attached for the Panel’s consideration. This revision has not altered the content of the previously agreed single document other than minor grammatical amendments and revised numbering and apart from the suggested amendments outlined in paragraph 5 below.

4.2 The two documents have been re-named as follows:

* Terms of Reference and Legislative Compliance Rules; and,
* Panel Arrangements and Rules for the Conduct of Business.

1. **Other Amendments**

5.1 Panel members may wish to use this opportunity to amend the Panel’s own document (Panel Arrangements and Rules for the Conduct of Business) relating to the issues below.

5.2 Suggested amendments are:

Item 1a.8.1 Amend the term of office of Independent Co-opted Panel Members dependent on the outcome of the discussion at Item 4 on the agenda.

Item 16.5 Additional paragraph outlining the new requirement for a named vote at the Precept meeting.

1. **Recommendations**

6.1 Panel members are asked to:

* + 1. Agree to the separation of the Terms of Reference and Legislative Compliance Rules from the Panel Arrangements and Rules of Conduct of Business into 2 documents.
    2. Confirm the position on the term of office of Independent Co-opted Panel Members (1a.8.1) and agree to amend the Panel Arrangements if necessary.
    3. Agree the additional paragraph outlining the new requirement for a named vote at the Precept meeting (16.5)