



## SHEFFIELD CITY COUNCIL Report to Council

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**Report of:** Director of Legal and Governance

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**Date:** 1 December 2021

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**Subject:** Appointment Of An Additional Independent (Co-opted) Member To The South Yorkshire Police and Crime Panel

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**Author of Report:** Jason Dietsch, Head of Democratic & Member Services

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**Summary:**

This report outlines a proposal to apply to the Secretary of State (Home Office) for permission for a third independent (co-opted) member to be appointed to serve on the South Yorkshire Police and Crime Panel.

In addition to requiring an application to be made to the Secretary of State, the proposal for an extra independent (co-opted) member requires a change to the Police and Crime Panel's arrangements and these have to be approved by the four District Councils. This decision should be unanimous across all four Districts to proceed.

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**Recommendations:**

That the Council:-

(a) endorses the South Yorkshire Police and Crime Panel's decision, taken on 20th September 2021, to commence the process to appoint a third independent (co-opted) member; and

(b) approves the proposal to amend the Panel Arrangements to allow three co-opted members, subject to the Agreement of the Secretary of State.

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**Background Papers:** NONE

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**Category of Report:** OPEN

## Statutory and Council Policy Checklist

<b>Financial Implications</b>
NO Cleared by: Paul Schofield
<b>Legal Implications</b>
YES Cleared by: Andrea Simpson
<b>Equality of Opportunity Implications</b>
NO Cleared by:
<b>Tackling Health Inequalities Implications</b>
NO
<b>Human rights Implications</b>
NO:
<b>Environmental and Sustainability implications</b>
NO
<b>Economic impact</b>
NO
<b>Community safety implications</b>
NO
<b>Human resources implications</b>
NO
<b>Property implications</b>
NO
<b>Area(s) affected</b>
None
<b>Relevant Scrutiny Committee if decision called in</b>
Not applicable
<b>Is the item a matter which is reserved for approval by the City Council?</b>
YES
<b>Press release</b>
NO

## **1. Introduction**

- 1.1 The South Yorkshire Police and Crime Panel (SYPCP) had a significant turnover of Members in May 2021. One of the current independent members suggested that the Panel consider an application to the Secretary of State (Home Office) for an additional independent (co-opted) member.
- 1.2 The SYPCP resolved, at its meeting on 20th September 2021, to commence the process to appoint a third independent (co-opted) member.
- 1.3 In addition to an application to the Secretary of State, an extra co-opted member requires a change to the Police and Crime Panel's Arrangements, and those changes have to be approved by the four District Councils. This decision must be unanimous across all four Districts to proceed.

## **2. Proposal**

- 2.1 The Police and Crime Panel is a Joint Committee that was established in 2012 to support and scrutinise Police and Crime Commissioners. The Panel has 12 Members – 10 elected from the four District Councils taking account of political proportionality across other Joint Authority bodies such as Fire and Rescue Authority and Pensions Authority – plus two independent (co-opted) members recruited by advertisement.
- 2.2 Given the significant turnover of Members following the local elections in May 2021, the SYPCP is now made up of almost wholly new Members. There is no set tenure for Members of Joint Authorities, so Members can serve for one year as a minimum which impacts on consistency of knowledge and the effectiveness of the Panel.
- 2.3 The proposal to appoint a third independent member is deemed to be a necessary means of ensuring there is some critical mass – however small - of constitutionally secured consistency in the membership of the Panel, thus ensuring the work of the Police and Crime Commissioner is adequately supported and scrutinised, and good governance is demonstrated.
- 2.4 The appointment of a third independent (co-opted) member would not impact on the political proportionality of the Panel. There would be 10 elected Members and 3 independent co-opted (non-voting) members. This proposal will not impact on Sheffield City Council's current representation on the Police and Crime Panel.
- 2.5 Further details of the proposal are set out in Appendix 1 – the report to the Police and Crime Panel on 20th September 2021. Approval was given at that meeting to commence the process to appoint a third independent (co-opted) member to the Panel.

2.6 To proceed with an application to the Secretary of State, the decision will need to be approved by all four District Councils. Approval is being sought at the Council meetings on 10<sup>th</sup> November (Rotherham MBC), 18<sup>th</sup> November (Doncaster MBC) and 25<sup>th</sup> November (Barnsley MBC) and by Sheffield City Council on 1<sup>st</sup> December.

### **3. Options Considered and Recommended Proposal**

3.1 An increase in elected Members would have significant implications for political proportionality across the other Joint Authorities of Fire and Rescue Authority and Pensions Authority. If the proposal is not approved, the Police and Crime Panel's membership will remain at 12. For the reasons set out in this report and its appendix this option is not preferred.

3.2 Recruiting an independent (co-opted) member will provide consistency of knowledge and skills as they are appointed for a maximum term of eight years. The political proportionality of the other Joint Authorities will be unaffected by this appointment. The SYPCP, therefore, hopes Sheffield City Council will support its decision to approach the Secretary of State for permission to recruit an additional independent (co-opted) member.

### **4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION**

#### 4.1 Equality of Opportunity Implications

4.1.1 There are no equalities implications.

#### 4.2 Financial and Commercial Implications

4.2.1 Subject to paragraph 4.2.2, there are no financial implications for Sheffield City Council as all allowances for Police and Crime Panel members – including independent (co-opted) members - are paid from the Grant allocated to the host Authority (Barnsley MBC) by the Home Office.

4.2.2 If the proposal is successful across all four local authorities, and the Secretary of State provides approval, then the Grant to the host Authority will increase by £920.00 per annum, which is the Home Office recommended allowance for a member of the Police and Crime Panel.

#### 4.3 Legal Implications

4.3.1 There are no direct legal implications of this report for Sheffield City Council, but in accordance with Schedule 6 to the Police Reform and Social Responsibility Act 2011 the Panel's proposals require the approval of all four local authorities, as explained more fully in the comments of the Panel's Legal Adviser in paragraph 5-8 of the report to the Panel on 20<sup>th</sup> September 2021 (see Appendix 1).