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To: Kent and Medway Police and Crime Panel – 12 April 2016

Subject: Appointment of Independent Members

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## **1. Background**

- 1.1 Police and Crime Panels are required by Section 4 of Schedule 6 of the Police Reform and Social Responsibility Act 2011 to have two independent members. The Act makes no specific provision for how Panels select Independent members.
- 1.2 In Kent the Shadow Panel decided in October 2012 that it would advertise, interview and appoint 2 independent members for a 4 year term, which ends in November 2016. The Panel appointed Mr Dan Macdonald and Mr Gurvinder Sandher. Mr MacDonald left the Panel in May 2015 when he became an elected Councillor and, therefore, ineligible to be an independent member. On the Chairman's recommendation, the Panel decided in October 2015 to appoint Mrs Elaine Bolton to replace Mr MacDonald for the remainder of the original 4 year term.
- 1.3 At the time of the original appointment the Shadow Panel documented a procedure for independent appointments in its terms of reference, involving application packs and interviews. However, there is no obligation on the Panel to follow the same process on each occasion and the terms of reference themselves make clear that the procedures may be amended by the Panel.

## **2. Options for appointments in 2016**

- 2.1 It is proposed that the Panel amend the terms of reference to make clear the options in terms of process for appointing independent members. A proposed revision of the Terms of Reference is attached as Appendix 1. The primary changes relate to the formal recognition of the Panel's authority to choose whether to directly appoint individuals or to recruit through an advertised interview process. Additionally, where an independent member has served for 2 terms, it is proposed that the Panel should not re-appoint that individual without an interview process which allows for alternative candidates. The Panel would still be able to directly appoint a replacement should that be deemed desirable.
- 2.2 Since their appointment the 2 independent members have developed a thorough understanding of the Panel and its work as well as continuing to provide the additional community insights and understanding for which they were appointed. The stability and continuity offered through re-appointment would be a positive balance to the potential changes that may be anticipated among the elected representatives due to elections or role changes.
- 2.3 Mrs Bolton and Mr Sandher have been asked if they would be willing to continue as independent members of the Panel. Both have said they would be willing to continue

but would be happy to re-apply and be considered alongside other candidates if that is the Panel's preference.

- 2.4 It is recommended that the Panel decides whether to advertise for independent members (and if so to appoint a sub-Committee to consider applications and to recommend appointments) or whether to appoint Mr Sandher and Mrs Bolton without advertisement from November 2016.
- 2.5 It is normal for independent members to be appointed for a 4 year term as this provides stability and continuity. Mr Sandher and Mrs Bolton have suggested that they could be appointed for 2 years if the Panel would prefer to advertise and select at an earlier stage. It is recommended that, if the Panel decide to re-appoint they also decide on the length of the term.

### **3. Recommendations**

- 3.1 That the Panel consider and agree the proposed revision to its Terms of Reference (Appendix 1) in relation to the appointment of independent members.
- 3.2 That the Panel decides whether to re-appoint Mr Sandher and Mrs Bolton as independent members of the Panel in November 2016 or whether to advertise the roles.
- 3.3 That, if the Panel agree to re-appoint Mr Sandher and Mrs Bolton, the Panel decide whether to appoint them for a further full 4 year term or for 2 years.
- 3.4 That, if the Panel decide to advertise for independent members, the Panel appoint a sub-committee to consider applications and to recommend appointments.

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