



NEW POLICE AUTHORITY REGULATIONS

JOINT APA / LGA GUIDANCE

**ON APPOINTING COUNCILLOR
MEMBERS TO POLICE AUTHORITIES**

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Local Government Association



1. Introduction

The purpose of this guidance, jointly produced by, the Association of Police Authorities (APA) and the Local Government Association (LGA), is to help councils and joint committees of councils in appointing elected members to police authorities, in light of the new "Police Authority (*Community Engagement and Membership*) Regulations 2010" ("the Regulations"), which came into force on 17 March 2010. It is also intended to guide police authorities on the process of formalising the appointment of new councillor members.

This guidance is meant to supplement, not supplant, the statutory requirements. It has been submitted to the Home Office for approval, as per paragraph 5 (8A)(c) of the Regulations. It is intended to help councils deliver a successful appointment process. It outlines the new rules on appointing elected mayors, and also provides advice on implementing the new requirements to consider diversity, time commitments, competencies, and ability to represent a wide range of people in appointing elected members.

The process of appointing elected members is vital to shaping the future of the police authority. To maintain public confidence the appointment process needs to be as fair and transparent as possible, and seen to be appointing members of high calibre able to ensure the delivery of local policing priorities. It is hoped that the new arrangements will assist councils and police authorities in achieving this more effectively.

It is expected that local authorities and police authorities will use this guidance for the first time in appointing elected members following the local elections which are due to take place in some areas in May 2010.

For the avoidance of doubt, this guidance follows the convention used in the Regulations of referring to members or other individuals as 'he', but this does of course, include 'she', where the context requires.

1.1 The key functions of police authorities

Police authorities are single purpose local authorities with a broad range of statutory functions and powers, some of which are derived from local government legislation and some from policing legislation.

Authorities' prime focus should be on setting a clear strategic direction for policing which reflects the views of the public and on securing the best value for money from resources. Their two overarching functions are:-

- To secure an efficient and effective police service for their area
- To hold the chief officer of police to account for the delivery of his functions and those of the people under his direction and control

As part of this they:

- Set the policing element of council tax (the police precept)
- Hold the police budget for their area
- Appoint (and if necessary discipline or dismiss) the chief officer of police
- Set the local policing priorities and local policing plan
- Obtain the views of local people about policing and crime in their area
- Promote and monitor diversity and human rights within both the force and police authority
- Ensure their police force continuously improves

More information about police authority functions can be found at **Annex A**.

1.2 The importance of effective links to local authorities

All police authorities are made up of a mixture of elected members and independent members (at least one of whom must be a magistrate). The number of each varies according to the size of the authority, but elected members are always in a majority of one to ensure democratic legitimacy. Outside London a police authority will have either 17 or 19 members in total, meaning that either 9 or 10 members respectively are appointed by local councils.

It has always been important for police authorities and local authorities to work together well, to ensure the effective delivery of community safety in their areas. But additional focus has been placed on this recently through developments such as Local Area Agreements, Comprehensive Area Assessments and the 'One Place' agenda, in England, Local Service Boards in Wales, as well as Overview & Scrutiny Committees for Crime and Disorder issues. In addition, the economic climate is imposing a step change in the need for all public bodies to collaborate effectively to drive efficiencies.

Local Councillors have the democratic mandate to represent local people and communities and provide the important strategic link between Local Authorities and Police Authorities. Committed and engaged elected members are vital to making the relationship between local authorities and police authorities work effectively. Not only do they provide an essential democratic link for police accountability, they have a key role to play in representing the views of all their communities in a policing context. They also bridge the link between effective policing and wider community safety issues, particularly at neighbourhood level.

Elected members on police authorities have a duty under S20 of the Police Act 1996 to report back to their local authority on policing matters, and therefore an important role in ensuring that the relationship between police authority and local authority is working effectively.

All members of police authorities are entitled to claim allowances and expenses for their work on police authorities. Details of the exact rates payable can be obtained from your local police authority, but the general scales which are currently applicable are set out in the Report of the Independent Panel on Police Authority Allowances 2008, accessible [here](#).

1.3 The context and background to the proposed changes

There has been a consistent push in recent years for greater strength and clarity in police accountability. Councils play a vital part in this, but this model needs to be strengthened to deal more effectively with community concerns.

The HM Inspectorate of Constabulary and the Audit Commission recently reported on their thematic findings from the first phase of their police authority inspection programme. This assessment has underlined the need for authorities to strengthen their capability to respond effectively to the demands being placed upon them and to ensure that all members are contributing equally to these challenges.

A number of changes are taking place to enable this, including for instance, a new role for police authorities in dealing with quality of service complaints. Another strand of this approach is to strengthen the contribution that councils can make by ensuring high calibre individuals are put forward to police authorities, based on a number of attributes which are thought to be essential in elected members, as well as a greater focus on providing skills which are under-represented amongst other police authority members.

1.4 The culture of police authorities and importance of the principle of political balance

In the past, the overriding principle in appointing elected members to police authorities has always been that of political balance. It is intended that this should continue (Regulation 8(b)), such that the overall political balance of all top tier authorities within the area of a police authority is reflected in the elected members appointed to the police authority.

However, the way in which this will happen will need to be changed slightly to take account of the new proposals about elected mayors and this is dealt with in more detail at paragraph 2.2 below.

As noted above, to achieve a structure which is democratically accountable, but avoids politicising policing, police authorities balance the roles of elected and independent members. Councillors will find the culture of police authorities very different to that of their local authorities. Generally, it is not a party political atmosphere, but focused on a more corporate approach aimed at balancing as best they can the interests of all their communities, to ensure that all receive a fair policing service.

As a result, when elected members have a police authority hat on, they will find this is not a political party role, but one which is focused on representing the interests of all their communities. Generally, they will find that the most 'political' decision that a police authority makes is the setting of the policing precept each year, and this must be tempered by consideration of ensuring that this will deliver a fair service to all.

2. The New Regulations

2.1 The Legal Requirements

The primary legislation governing the appointment of elected members is the Police Act 1996, as amended by the Police and Justice Act 2006. The key provisions are contained in Schedule 2 of the 2006 Act.

The detailed legal requirements are set out in the *Police Authority Regulations 2008* (SI 630 2008) as amended by the *Police Authority (Community Engagement and Membership) Regulations 2010*. The scope of this guidance excludes the Metropolitan Police Authority and the City of London Police Authority, which are covered by slightly different legislation, but does include appointments to all other police authorities in England and Wales.

The selection and appointment of elected members must comply with the relevant statutory requirements.

2.2 The new role for elected mayors and political balance

As was previously the case, a top tier council is a 'relevant council' which appoints elected members to the police authority. In areas where there is more than one top tier council in the area of the police authority, the appointments must be made by a joint committee of all the relevant councils in the area.

The new position proposed for elected mayors is set out at Regulation 8(a). This allows them to be automatically appointed to the police authority if they **and** their council so desire. In most areas to which this potentially applies, a joint committee will be responsible for appointing an elected mayor, but the decision about whether or not to be on the police authority will be by mutual agreement between the elected mayor and his council, not the joint committee. Effectively joint committees will be under a duty to appoint the mayor, where both (s)he and their council have indicated they wish this to be the case, but equally if the council and the mayor do not reach agreement, then the joint committee is not under a duty to appoint the mayor to the police authority.

Regulation 8 specifies that a mayor will form a part of the wider political balance calculations. However, as the mayor is effectively entitled to an automatic seat, the political balance calculation will need to be performed after the mayor has been allowed for, but taking into account of the political allegiance of that individual. The balance of the remaining elected members to the police authority will need to be tailored accordingly. Political balance remains the over-arching consideration in appointing elected members to police authorities.

2.3 Key factors in appointing elected members.

Regulation 8A specifies that, in exercising its power to appoint elected members to a police authority (including elected mayors), the relevant council or joint committee is now obliged to consider four other key factors in relation to the members they appoint:-

- i. They should represent the interests of a wide range of people within communities in the area of the police authority
- ii. They should have skills knowledge or experience which are under-represented amongst the existing members of the police authority
- iii. They should promote diversity within the force and the police authority in question
- iv. They can commit sufficient time to take an effective role on the police authority

It is expected that local authorities and joint committees will meet all four of these factors as far as reasonably practicable.

Paragraph 8A of the regulations also states that a relevant council or joint committee must explain to the police authority, if so requested, how it met the requirements set out at 8A of the regulations. It also obliges relevant councils and joint committees to have regard to guidance issued or approved by the Secretary of State as to the qualities required by persons who serve as police authority members – and this guidance has that status.

2.4 Disqualification and Tenure of Office

The Police Authority Regulations 2008 sets out a number of grounds on which elected members are disqualified from being police authority members. The relevant provisions are in paragraph 14, and broadly debar elected members for the following reasons:-

- a. Bankruptcy
- b. 'Unspent' criminal convictions
- c. Employee of a police authority

The maximum term that a police authority member can be appointed for is four years. However, a member can be appointed for a lesser term at the discretion of the appointing body. Practice varies across the country on this point. Many councils appoint elected members to the police authority annually, particularly where the appointment is made by a joint committee, and local elections may occur in most years amongst the various councils in a police authority area. This requires that political balance be recalculated after each local election. Other councils, particularly if there is just one top tier council which appoints to the police authority, may appoint for longer terms.

There is no limit to the number of terms that an elected member can serve on a police authority, but councils are required to consider all the factors set out in paragraph 8 and 8A each time they make police authority appointments.

The Regulations also contain provisions at paragraph 24 about terminating the tenure of both elected and independent police authority members. Originally this allowed termination where a member, failed to attend police authority meetings for more than three months, was convicted of an offence, was incapacitated, or was unable or unfit to be a police authority member.

The new 2010 Regulations now include two additional grounds on which the tenure of a police authority member might be terminated:

- a. That the police authority is satisfied that the member has not committed sufficient time to take a proactive role in the work of the authority;
- b. That the member has failed to meet any requirement of the post that was set out by the police authority on his appointment – these are broadly the requirements set out in paragraph 8A of the regulations, but may include certain other requirements which are “qualities required by persons who serve as members of a police authority” set out in guidance approved by the Secretary of State.

Councils will also wish to ensure that elected members nominated to police authorities do not have a conflict of interest within the terms of the Code of Conduct (see *The Local Authorities (Model Code of Conduct) Order 2007*, Statutory Instrument 2007 No. 1159, which applies to both local and police authorities. It might also include factors such as whether a personal or prejudicial interest would be created if an elected member has a close associate or family member who is a serving police officer.

2.5 What this means in practice for police authorities

A police authority will wish to take some preparatory steps, such as conducting a skills audit, considering relevant competencies, or establishing other desirable qualities for elected members.

In good time before the appropriate meeting of the relevant council or joint committee, the police authority should write to the local authority(ies) in its area, setting out those key qualities and competencies which are under-represented on the police authority.

In considering the competencies and qualities which are most desirable for elected members locally, police authorities will want to consider the key competencies for police authority members, which are set out at **Annex B**. These have been agreed by the APA, LGA and the Home Office. In addition to general competencies, a police authority might also want to request specific skills, knowledge or experience, for example, strategic planning and financial management, understanding of protective services or engagement with young people, where it has a need for these. We would recommend that authorities take account of the HMIC/Audit Commission’s thematic findings on what authorities need to be able to do better. In addition, where an authority has undergone an inspection it will want to consider how any new members will help address the areas for improvement that have been identified.

In addition to requesting skills, knowledge or experience which is under-represented on the police authority, information about the time commitment expected of members should also be included. It might also be helpful to include information about the diversity of police authority membership, as well as information about the communities within its area, and which of these are under-represented on the police authority.

The police authority might also want to include information about any requirements arising from its local policy on security vetting members.

2.6 What this means in practice for local authorities

Once the relevant council(s) or joint committee has received a letter from the police authority setting out the desired competencies and other qualities for elected members, the

relevant council(s) or joint committee will need to determine how best to achieve this. This will require assessing whether the qualities can be met amongst the individual elected members who are interested in being appointed to the authority and balancing this against the requirements of political balance, which remains the overarching consideration in appointing elected members.

The regulations and guidance are not intended to change or interfere with the usual structures which relevant council(s) and joint committees use in nominating elected members to police authorities. They do, however, place a duty on those councils and joint committees to ensure that the key requirements notified by the police authority are met as far as reasonably practicable within existing structures.

Relevant councils and joint committees will therefore want to ensure they keep an audit trail of decisions that have been made and the reasons for making them, at the relevant meeting responsible for making appointments. Councils and joint committees will also find it helpful to keep a record about how they arrived at decisions where it was not reasonably practicable for them to comply with all the requests of the police authority concerned. Regulation 8A(b) specifically enables a police authority to request information from relevant councils and joint committees about how it met their requirements.

It should also be noted that the requirements of Regulation 8A also apply to elected mayors and will form part of the discussions that elected mayors will want to have with their council about whether they should be appointed to the police authority.

Relevant councils and joint committees will also wish to note that in appointing elected members to police authorities, in common with all other public bodies, they have a duty to have regard to:

The Race Relations (Amendment) Act 2000
The Disability Discrimination Act 2005
The Equality Act 2006

3. Attracting the Right Candidates

3.1 Information on the role of PA members

The role of a police authority member is a busy and important role, which involves real engagement on setting the direction of the police force, setting multi-million pound budgets, determining which priorities these should be directed to, and finding out what communities want from the police. It requires committed and effective individuals to fulfil this role.

It is not expected that every individual police authority member should be able to demonstrate all the competencies and skills required to enable the authority to operate effectively. But each member will have an important role to play in ensuring that the sum of the police authority's skills provides a wide range of competencies and experience on which to draw. All members are treated equally and expected to contribute equally according to the needs of the authority and their particular strengths, skills, and responsibilities on the police authority.

More information about the role of police authority members is set out at **Annex C**, and individuals that are interested in becoming elected police authority members should be encouraged to read this document to help decide if the role is right for them. This Annex also includes information about more senior roles on the police authority, such as lead members, committee chairs, and police authority vice chairs and chairs.

Police authorities are strongly committed to promoting diversity and encouraging members from the full range of local diverse communities to become police authority members. This is particularly important for elected members, who have a special role to play in representing the interests of local communities. It would therefore be helpful to encourage interest in the police authority amongst councillors from diverse backgrounds, but it is essential that elected members are able to promote diversity in this representational role.

Not every area will contain large ethnic minority populations, but all areas will be diverse in other ways, including age, sexual orientation, or faith. Councils should be alive to the benefits of encouraging applications from a wide range of councillors - both men and women, from different social groups, disabled groups, and from a range of ages across all sections of the community.

It is worth mentioning at this point that the Government White Paper "*Protecting the Public: Supporting the Police to Succeed*" has charged the Association of Police Authorities with forming a task force to improve the diversity of police authority members. This is an agenda that will be explored and developed jointly with the LGA and WLGA over the coming months, but one where it would be helpful if initial steps could be implemented following local elections in May 2010.

Police authorities have a good track record of recruiting independent members from a diverse range of backgrounds relative to many other public sector organisations. But there is always room for further improvement, and statistically speaking, the diversity record for police authority members from elected backgrounds is not as strong as that from independent backgrounds. Clearly this is linked to the requirement above that elected members should promote diversity, and also be able to represent a wide range of people

within the community. But, in addition, it would be helpful if councils could look at improving the diversity of the members they nominate to police authorities.

The minimum time requirement for a police authority member, whether elected or independent, is seven to ten hours per week, but in practice, many members spend longer each week on police authority business, particularly if they have more senior roles. Elected members who are interested in becoming police authority members should be encouraged to make a realistic assessment of whether they can devote at least this amount of time to the role.

It is always helpful for police authorities to have senior elected members, such as Council Leaders, or Community Safety Cabinet members, who are able to commit the local authority to effective partnership working. However, it is understood that they are busy people who may not be able to make the time commitment required. Where appropriate, this should be a matter for negotiation with the police authority in advance of appointment, about whether a lesser time commitment is acceptable, in light of the other benefits that such a member might bring. Otherwise, a member might risk falling foul of the requirement to "commit sufficient time to take an effective role in the work of the police authority".

3.2 Information about member competencies and skills

All police authorities are subject to Nolan principles in terms of the standards expected of members, which is supplemented by The Local Authorities (Model Code of Conduct) Order 2007, which also applies to local authorities.

In addition the APA, LGA and Home Office have agreed some key competencies for police authority members. These have been developed from previous key competencies that applied to independent members of police authorities, but have been reviewed to reflect the requirements of the Home Office White Paper "*Protecting the Public: Supporting the Police to Succeed*", and the special position of councillor members in partnership working and representing local communities. These competencies are set out in **Annex B**.

Councils will wish to encourage individuals that are interested in becoming elected police authority members to read this document to help decide if they have the right abilities and experience to contribute effectively to the work of the police authority.

After conducting a skills audit of the authority, police authorities may also request councils to appoint members with particular skills, where there is a shortage of an essential skill amongst the existing members of the authority. As an example, this might include (but is not limited to) financial management, experience of youth/childrens' issues, knowledge of procurement, or performance management. Further information about the specific skills that might be requested can be found in the model skills audit, which is attached as Annex G to the APA Induction Framework for Police Authorities.

3.3 More information about vetting/security checks

Most police authorities have a policy about member vetting and security checks. This might include Criminal Records Bureau checks, consistent with factors that would disqualify an individual from being a police authority member. Increasingly this is also likely to include

requirements for security vetting. This is in response to the greater emphasis being placed by Government on strategies to counteract terrorism and serious and organised crime, and the consequent need for police authorities to scrutinise these aspects of policing effectively.

Some police authorities only require those members directly engaged in scrutinising serious and organised crime or counter-terrorism activities to be security cleared. Others require all members to be vetted to at least a basic level. This is entirely a matter for the local police authority, and it is expected that all members will comply with the local policy, and that police authorities will supply information to their local councils about this to help inform the appointment of elected members.

4. Process When Appointed

4.1 Setting out requirements and expectations on appointment

Regulation 24 anticipates that police authorities will set out a description of the requirements expected of both elected and independent members on their appointment. It is suggested that this should be done, following an initial discussion with the new member, at the same time as the Police Authority Code of Conduct and the local Standing Orders would normally be signed.

A model form which sets out a Statement of Individual Responsibilities is included at **Annex D**. This can be adapted as required, to summarise the key factors relevant to an individual member's appointment. This might, for instance, include a note of the specific skills or competencies it is intended that member should bring to the authority, as well as a note of the general duties or particular committees or partnerships the member will sit on. It will also include information on the agreed minimum time commitment of the member and, where appropriate, agreement about any security checks or vetting requirements.

However, it is vital for all elected members to understand the importance of this document in setting out what is expected of them as a police authority member. In the hopefully rare and unfortunate event that a member cannot demonstrate he or she is meeting these expectations, this document will form the basis of any action taken by the police authority under Regulation 24 to terminate their appointment as a police authority member.

4.2 Process of development reviews

This Statement of Individual Responsibilities will also be an important document, because it will form the basis of a personal development process for all police authority members. [In the case of councillor members the LGA and APA have agreed that this should be reported to the council by exception].

4.3 Induction of new members

As a matter of good practice, all authorities usually arrange induction training for new appointees – including, for example, familiarisation visits to the authority and force, attending authority meetings, and training on specific issues. Authorities may also ask an appropriate more experienced member to mentor a new member.

The APA has developed an induction training framework, as mentioned above, which can be accessed [here](#). In addition, the APA uses a range of national partners, such as the National Policing Improvement Agency (NPIA) to provide specific training for authority members on a number of key areas of police authority business. Further information can be obtained from the APA Secretariat.

4.4. Handling failure to meet requirements

As noted in paragraph 4.1 above, a failure to meet the requirements set out in the Statement of Individual Responsibilities might result in the police authority terminating the appointment of the member.

This is a draconian step to take, and it is suggested that this should be a last resort at the end of a process. This process should include an initial discussion with the Chair or other appropriate senior member of the authority, setting out what aspects need to be improved, and sufficient time to enable the member to comply and demonstrate improvement.

If this does not result in the problems being resolved, it is suggested that, as a next step, the Chair or other appropriate senior member of the police authority should write to both the relevant council and the member concerned, and see if the council is able to assist and help the member to improve.

Finally, if this does not result in improvement, it is suggested that the matter is referred to the Standards Committee of the Police Authority to make a recommendation on whether the appointment of the member should be terminated.

If it is recommended that the member's appointment is terminated, the police authority, or one of its relevant committees, will need to make the decision whether or not to accept this recommendation. The police authority will then need to write to the member informing them of the outcome, and also write to the council with similar information. Where it has decided to terminate the appointment of the member concerned, the police authority will also need to invite the council or the relevant joint committee, to nominate an alternative elected member to the police authority.

May 2010

The functions of a Police Authority are defined in legislation. The main **statutory responsibilities**¹ of a police authority are to:

Strategic ie setting the Force's strategic direction, determining strategic objectives and providing clear definitions of responsibility

- Secure the effectiveness and efficiency of the local police force, ensuring that the Authority has regard to the views of local people about policing in their area
- Set local policing objectives within the national framework set by the Home Secretary, and publish plans and reports about the policing of their area
- Work in partnership with others to reduce crime and disorder, the fear of crime and anti-social behaviour

Resourcing ie ensuring that the necessary human and financial resources are in place to enable the Force and the Authority to meet their key objectives

- Set the policing precept and police budget (except in the Metropolitan Police area and the City of London)
- Appoint and where necessary dismiss the Chief Officer of police and senior force officers, setting the Chief Officer's objectives and remuneration package
- Secure collaboration between authorities and forces in the interests of efficiency and effectiveness
- Meet employer's liabilities, including equalities and health and safety requirements and ensure that the Force does likewise

Performance ie setting and monitoring the standards of performance of the Force and of the management of the Force

- Hold the Chief Officer to account and secure continuous improvement in the delivery of services
- Oversee professional standards and complaints issues within the Force, monitoring issues which the public complain about and the force's response, challenging and intervening if necessary to ensure that members of the public receive an adequate response
- Ensure that the local police Force keeps improving, receiving HMIC inspection reports, including HMIC reports on the requirement that the

¹ As set out in CIPFA's *Delivering Good Governance in Local Government: Interim Guidance Note for Police Authorities*, para 3.7; and amended to take account of Policing and Crime Act 2009 and consequent Regulations

Authority has regard to local people's views, and responding to HMIC about implementing recommendations

- Publish a Value for Money statement as part of the Local Policing Plan
- Monitor Force performance against plans and budget and issues raised through external inspections and the Police Report Card
- Require the Chief Officer to submit a written report on any matters connected with the policing of the area
- Participating in managing a Personal Development Review process for the Chief Officer, setting targets as appropriate and monitoring performance
- Monitor the Force's compliance with equalities human rights, health and safety, freedom of information, data protection and other relevant legislation
- Publish annual accounts to demonstrate the Authority's stewardship of funds
- Ensure that the Force has adequate arrangements for the management of risk

Communication ie ensuring that the Authority's strategic objectives for the Force are informed by the views of the public and are widely known and understood by partners and local people

- Consult local people to enable their views to be reflected in the nature and style of policing objectives, ensuring that the Authority consults sufficiently regularly with a representative sample of local people
- Have regard to the views of the public in the execution of all the Authority's duties

Values and standards ie setting clear standards for the Authority and the Force, including standards of behaviour and standards of service delivery

- Ensure that the Force acts within its powers and in accordance with the law and Human Rights principles
- Ensure arrangements are in place within the Force for proper financial management
- Promote respect for diversity in the Authority and the Force

The **role**² of the Authority should therefore be to:
Strategic

² From the APA's Roles and Functions of a Strategic Police Authority, updated in 2010

- identify local and national expectations with regards to policing, now and in the future, where necessary managing those expectations, and ensuring that local people's views are regularly and reliably sought and obtained, and that due regard is had to those views by the Force and the Authority
- set a clear, unambiguous and achievable direction for the Force to deliver those expectations over at least a three year period

Resourcing

- to ensure, as far as possible, that the Force has sufficient resources to deliver agreed expectations
- to make sure that the Force has the right leadership to deliver those expectations and that the Chief Officer is effectively appraised in the performance of his/her role

Performance

- to ensure that there are adequate, business wide, governance (community engagement, risk management, internal control, performance management) frameworks in place to
 - ensure that resources are used efficiently and effectively
 - ensure that things going wrong, or requiring improvement, are identified and remedied early
 - ensure that such matters are made known to the Authority, and that dialogue takes place between the Authority and Force on issues requiring a strategic response or which impacts on the statutory plans
- as part of the governance framework, to ensure that there is an extant and effective performance management framework throughout the service, which includes a role for the Authority in monitoring top level performance indicators for key strategic objectives and for holding the Chief Officer to account for overall service delivery
- quality assure the governance frameworks, by means of external or internal inspection or scrutiny
- intervene or challenge in areas where the Authority considers the Force's response is inadequate, especially complaints and in meeting the requirements of the Policing Pledge

Communication

- be visible and accountable to local people. To ensure this takes place, the White Paper, *Protecting the Public*, proposes that individual members of the Authority be assigned to each BCU (or equivalent) as a Lead Member, and to be contactable by local people

- ensure that it is constantly aware of communities' views, including their level of confidence in the police, their satisfaction with the service they receive and how they wish to see it improved
- build effective working relationships between the Force Management Team and the Authority, both challenging and supportive
- build effective relationships with partner agencies, where those agencies either add value to the governance framework, or contribute to delivering operational objectives
- represent the interests of the area's communities, and the service, at national level and to contribute towards national development of the service at political level

Values and standards

- set and maintain appropriate standards for both the Authority and the Force, including consideration of human rights, diversity and equalities issues.

Summary

On this basis the role of a Member of the Police Authority can be summarised as:

- Contributing effectively to the development of the Authority's strategic plan and budget for the delivery of policing in the local area
- Exercising effective oversight over Force performance
- Representing the views of local people and acting as an ambassador for the Authority
- Demonstrating commitment to the Authority's values and high ethical standards
- Making an effective contribution to the Authority

The role and responsibilities of a Police Authority are diverse and new Members face a steep learning curve to acquire the necessary knowledge to be effective in their role. Members may also not possess all the skills needed from the outset. There are, however, some essential requirements for a Police Authority Member:

- A commitment to policing and to the delivery of a fair and non-discriminatory police service to all members of local communities
- Willingness to commit the time necessary to discharge their responsibilities
- Willingness to learn
- Ability to take a balanced approach, taking a strategic focus across the whole of the business but at the same time being mindful of the public's views across the whole Authority area on policing.

Competency	What it means	Evidence of effective performance
Strategic thinking & planning	Able to think and make decisions strategically informed by rigorous analysis and by an open-minded and objective approach; Able to rise above detail and see issues from a wide and forward-looking perspective	<ul style="list-style-type: none"> • Has a breadth of vision and the ability to rise above detail to see the bigger picture • Demonstrates good judgement and objectivity • Shows a clear way forward so others understand what they must do to align with police authority goals • Recognises and responds positively to change • Focuses on the longer-term view but examines both short and long term considerations, even when having to respond quickly • Contributes constructively to the development of strategy; concentrates on achieving results through careful planning, setting priorities and ensuring the effective use of resources; plans alternatives and contingencies • Ensures corporate decisions are implemented effectively • Checks plans, monitors progress and adjusts them in response to change • Has a sound understanding of costs and performance and where efficiencies can be achieved • Regularly reviews costs and expenditure to ensure delivery of services are effective, delivered within budget and provide value for money • Reviews structures and processes to take account of risk, threat and harm • Is aware of the social, economic and political environment and how this may impact on the Authority and Force • Understands policing within the context of reducing crime and disorder and the responsibilities of the voluntary and public sector agencies involved

		<ul style="list-style-type: none"> • Understands the need for a citizen focussed agenda in improving service delivery, including improving public confidence and satisfaction
Working in collaboration and partnership	Able to build positive and productive relationships with others and work collaboratively to achieve strategic goals	<ul style="list-style-type: none"> • Values the contribution of others and recognises the added value of co-operating with partners and agencies • Builds good relationships with colleagues and the wider community, including private sector, voluntary sector and public sector agencies • Understands governance arrangements for partnerships and collaborative ventures • Appreciates how to influence local partnerships to achieve better outcomes for local people • Objectively assesses the added value from effective partnerships and is clear about expected outcomes from partnership working for policing and community safety priorities • Properly balances the focus on local issues with a recognition of how the wider needs of the public can be met through regional and national initiatives • Is realistic about overall advantage which collaboration can bring in terms of value for money and risk reduction
Analytical skills	Able to interpret and question complex material including financial, statistical and performance information; able to apply clear and consistent methodologies to complex social issues	<ul style="list-style-type: none"> • Analyses complex performance data and draws strategic conclusions relating to strategic plans • Identifies the salient points from data and prioritises information according to the Authority's needs • Checks the relevance and accuracy of information provided • Uses management information to inform Authority discussions and decisions • Integrates financial planning with strategic planning over the medium to long term • Monitors the quality of information provided and take appropriate steps to improve it if necessary, to ensure decisions are robust and based on facts • Understands the police performance framework • Understands statistical terminology eg confidence intervals and uses that knowledge to challenge performance and targets • Is familiar with the local government financial regime and how that impacts on policing
Scrutiny and challenge	Able to use data and resources appropriately in scrutinising Force performance; Able to act as a	<ul style="list-style-type: none"> • Identifies areas of concern that are suitable for more in-depth scrutiny and asks for explanations • Asks challenging questions in a constructive and impartial way

	critical friend; challenge accepted views in a constructive way; and to present arguments in a concise and meaningful way	<ul style="list-style-type: none"> • Provides robust challenge and/or constructive feedback as appropriate • Is objective and rigorous when challenging processes, decisions and people • Probes confidently to ensure receives accurate information • Sets challenging targets for the Force, including for efficiency, productivity and value for money
Leadership	Confidence to lead by example and build support and commitment with the Authority and Force	<ul style="list-style-type: none"> • Negotiates with and influences people at all levels • Generates personal trust and confidence, showing resilience even in challenging circumstances • Sets an example to others • Understands the Authority's responsibilities and those of other major stakeholders and partner agencies • Understands the various leadership styles and can adapt to suit the needs of the Authority and Force • Takes responsibility for own contribution to team-working in the Authority
Communication	Able to explain situations clearly, willing to listen to and represent the views of all sections of the community on policing issues, mediating fairly and constructively with the public when needed. Able to influence people or situations through effective communication	<ul style="list-style-type: none"> • Engages in constructive dialogue with local communities, the police and other key partners • Considers how different audiences will receive and interpret information • Creates opportunities to communicate with different sectors, including vulnerable and "hard to reach" groups • Deals effectively with the media, if required • Listens carefully, checks for understanding and adapts their own style when necessary • Provides regular feedback to other Members, the public, local authorities in the area and other stakeholders, keeping them informed and managing expectations
Community Focus	Able to understand of the importance of community views in shaping local policing style and strategic priorities; committed to providing a high level of service to local communities	<ul style="list-style-type: none"> • Puts citizens and communities at the heart of modern policing, thereby improving trust and confidence in all aspects of policing services • Actively participates in the Authority's community engagement activities, in order to learn, understand and be able to act upon issues of local concern • Has an in-depth understanding of the needs and expectations of individuals, local communities and diverse communities drawing where appropriate on their own understanding and knowledge of those communities • Works with the Chair to raise the profile and awareness of the Authority with local people • Willing to represent the views of local communities in an impartial way • Keeps up to date with local concerns and

		<p>opinions, shares information appropriately and sensibly with partnership agencies</p> <ul style="list-style-type: none"> • Is accessible to the local community, encouraging trust, openness and respect • Mindful, while a Member of the Police Authority, of the need to act with integrity and impartiality as a “guardian of the citizens’ interest” and make themselves accountable to local communities for policing • Ensures colleagues/members and officers of the secretariat are kept informed of activities, as appropriate
Team working	Willing to play an effective role in Authority business, listens, persuades and respecting the views of others in Authority meetings	<ul style="list-style-type: none"> • Actively contributes to the work of the police authority and helps others where necessary; is approachable • Listens to other views before drawing conclusions and shows respect for the opinions, circumstances and feelings of other Members, officers and members of the public • Breaks down barriers between people and groups and involves others in discussions and decisions, building good relationships with other Authority members and key Force staff • Reads Authority papers before meetings and is briefed on all issues before making decisions • Is a good attendee at Authority events/meetings and makes effective use of meetings • Manages personal time well, is able to prioritise, achieve results and meet deadlines • Respects the demands of other people’s time • Taking forward decisions reached by the Authority, regardless of own personal opinion • Work as part of a team, rather than an individual
Showing respect for others	Willing to treat all people fairly and with respect, and valuing diversity	<ul style="list-style-type: none"> • Acknowledges and respects the broad range of social or cultural customs and beliefs and has understanding of the needs of different sections of the community • Does not allow personal prejudices or biases to influence decisions • Listens and understands the needs and interests of others • Makes people from all backgrounds feel valued, trusted and included • Uses appropriate language and behaviour and is sensitive to how these may affect people; challenges inappropriate behaviour and attitudes
Personal responsibility for improvement	Willing to take personal responsibility for own	<ul style="list-style-type: none"> • Strives for excellence, continually looking for ways to improve performance of the Authority and of self

	<p>development and the contribution they make to the Police Authority, displaying motivation, commitment and perseverance; Willing to embrace high standards of conduct and ethics</p>	<ul style="list-style-type: none">• Has a positive attitude towards change• Takes personal responsibility for own learning and development• Is committed to maintaining and developing their skills and experience to improve the performance of the Authority• Is willing to take on new or different responsibilities or change roles• Understands and uses new technology to improve performance• Maintains high personal and professional standards, acting in a consistent way in regard to moral, professional & ethical values• Considers the moral and ethical consequences of actions• Respects confidentiality, when appropriate• Takes decisions based only upon the principles of transparency, accountability and responsibility• Takes personal responsibility for ensuring that all information is stored or destroyed in accordance with legal and ethical requirements for data protection• Ensures that the Authority is directed and managed with probity and integrity
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ROLE PROFILE STATEMENTS ¹

There follows a series of role profile statements, setting out the roles and responsibilities of members undertaking various roles on the police authority, from member to chair.

Police Authority Member*Role*

Collectively all the Members of the Police Authority are accountable to the local communities in their policing area for:

- Ensuring that there is an effective and efficient police force for the area, securing continuous improvement in the way that police functions are carried out
- Holding the Chief Constable to account for the delivery of policing services in the area, ensuring that policing services are provided fairly and in a way which does not discriminate against any group or individual;
- Seeking out, and paying due regard to, local people's views in discharging all aspects of their role and securing local people's co-operation in preventing crime
- Participating constructively in the good governance of both the police authority and the force

Responsibilities

1. Participate in the formulation of policy, decision-making and other activities of the full Authority, including determining local policing priorities, the budget and precept, and agreeing the annual policing and other associated strategies.
2. Ensure all financial matters are conducted with probity, that risk is appropriately managed and that internal controls operate effectively
3. Rigorously scrutinise, challenge and monitor all aspects of Force performance, complying with inspections and audits of the Force and Authority and ensuring there is continuous improvement in services
4. Secure collaboration arrangements where collaboration is in the best interests of efficiency and effectiveness
5. Participate fully in local consultative arrangements and actively engage in communication and dialogue with local people about local policing

¹ Updated from the APA's role description for individual members 2008 in the Members' Allowances Report October 2008

services, including as a BCU Lead Member if required by the Authority; to represent the views of the police authority (not personal views) to local communities and representing the views of local communities back to the Authority

6. Participate fully in partnership arrangements if required by the Authority and represent the views of the police authority
7. Promote equality of opportunity and work to eliminate unlawful discrimination both internally within the police authority and force and in the provision of policing services;
8. Discharge the responsibilities unique to the Authority, including
 - the appointment, discipline or dismissal of senior officers, as appropriate; and
 - ensuring that an effective independent custody visiting scheme is maintained
9. Participate effectively as a member of any committee, panel, or other police authority forum to which the Member is appointed and to carry out the individual responsibilities assigned to the Member
10. If nominated to do so by the Authority, answer questions at council meetings, and ensure there is regular feedback between the Authority and Council
11. Comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics
12. In carrying out their responsibilities, all Members are expected to:
 - discharge the Authority's functions and responsibilities across the whole of the Authority's area and not to represent individual wards, divisions, councils or interest groups as such
 - maintain an up-to-date knowledge and awareness of national and local policing issues, attending local, regional and national conferences, seminars and briefings, if nominated by the police authority and reporting back;
 - maintain a good working knowledge of force policies and practices and establish good working relationships with officers of both the Police Authority and the Force;
 - participate actively in any outside body or forum on which the member is appointed to represent the Police Authority
 - participate in all workshops and training, as required, in relation to Police Authority business

Police Authority Members undertake additional responsibilities, including as a Lead Member, member of a CDRP, or as a chair of a Committee or Panel. Role descriptions are below.

Lead Member

Role

- To take responsibility for a particular policy portfolio as designated by the Authority and to act as the Authority's "champion" for that area
- To lead on the development of new policy and practice in the particular policy area, encouraging Member involvement as appropriate
- To support effective performance monitoring and scrutiny in the policy area, ensuring issues of concern are reported to the relevant Committee Chairman.

Additional Responsibilities

1. Gain an in-depth knowledge of the key issues relating to the designated role, and keep up-to-date with developments at local, regional and national level where appropriate.
2. Establish an effective relationship with the appropriate personnel in the Force, bearing in mind that on occasions the Lead Member will require the freedom to act in a scrutiny or challenging/questioning capacity.
3. Be the initial point of contact for those in the Force or others wishing to discuss issues informally with an Authority Member or to sound out views.
4. Advise the Authority on the particular portfolio and, in the event that the Chairman is unable to speak to any media, act as a spokesperson on that issue.
5. Contribute to the Authority's response to national consultation documents on the subject and represent the Authority on outside bodies as appropriate.
6. Keep the Authority informed of activity, progress and developments by way of regular written or verbal updates, highlighting any issues of concern or any cross-cutting issues, noting that Lead Members do not have the authority to commit the Authority to a course of action or to make decisions on its behalf.
7. Lead Members can request briefings or information on their subject area from the Authority or Force Officers.

Member of a CDRP²

Role

- To represent the Authority at the designated Crime and Disorder Reduction Partnership (CDRP)
- To work in partnership with the responsible authorities and other local partners to tackle crime and disorder in the local area

Responsibilities

1. Help ensure a clear understanding of the roles, responsibilities and priorities of the Police Authority, where these are relevant to the Partnership's work
2. Contribute to the audit of crime and disorder, antisocial behaviour and substance misuse for the CDRP area and the Joint Strategic Intelligence Assessment
3. Contribute to the development of the strategic audit and community safety strategies and related Plans that deal effectively with the issues which are identified
4. Help ensure coherence and consistency between the targets in the Authority's Policing Plan and the targets set in the CDRP's community safety strategy
5. Assist in the regular review of local policing performance against targets in the Authority's annual policing plan and the local community safety strategy and report back findings to the Police Authority
6. Be involved in community engagement and consultation activity on community safety in the local area organised by the Authority and/or CDRP partners, seek to reduce duplication of activity wherever possible
7. Keep up to date with the feedback from the Authority's engagement and consultation activities relevant to the CDRP area
8. Provide public support for local crime prevention work and initiatives including financial support
9. Report all key issues arising at the CDRP back to the Police Authority

² The CDRP Role Profile is based on role descriptions from Lancashire PA and Surrey PA

Chair of a Committee or Panel

Role:

- To chair a Committee or Panel of the Authority.

Additional Responsibilities:

1. Lead the work of a Committee or Panel of the Authority, ensuring that the Panel's work plan addresses key strategic priorities and that challenge and scrutiny is constructive, robust and purposeful.
2. Monitor key risks and lead, where appropriate, specific scrutiny exercises relevant to the area of responsibility.
3. Harness all the skills, knowledge and energies of all Committee/Panel Members by fostering a constructive and participative culture, through inclusive chairing, ensuring all play an active role, if necessary by designating specific tasks to individual Members in accordance with their specialist areas of responsibility.
4. Ensure a report of the Committee/Panel's work is submitted annually to the Authority.
5. Act as the Authority's lead Member and spokesperson on the areas within the Committee or Panel's remit.
6. Offer guidance and support to other Committee/Panel Members and Chairs in their own specialist responsibility areas and encourage Member progress updates at Committee/Panel meetings.
7. Develop and maintain up-to-date knowledge and specialist expertise on the areas for which the Committee or Panel is responsible.
8. Liaise closely with the Authority Secretariat in developing and managing the work of the Committee or Panel and in particular ensure that matters or actions arising from minutes are completed.
9. Contribute to national policy development, national events or APA networks/initiatives on areas for which the Committee or Panel is responsible.

Chair of the Police Authority

The position of Chair of the Authority is clearly a key role. Although the Chair usually has no specific delegated powers (in that sense s/he is *primus inter pares*), the Chair needs to take a strong leadership role.³ The Chair has two main functions: raising the profile of the Authority and making sure that meetings of the Authority are run effectively and inclusively, in line with any agreed agenda, to deal with the business at hand.⁴

The role description for a Police Authority Chair is as follows⁵:

Role

- To raise the profile and awareness of the Authority by acting as the public face of the Authority, and ensuring there is a strong relationship with the Chief Constable, the Authority's Chief Executive and the Members of the Authority
- To provide visible and confident strategic leadership for the Authority in its roles of securing the maintenance of an efficient and effective police force for local police area and holding the Chief Constable to account through scrutiny.
- To ensure that the Police Authority works as an effective and coherent corporate body, with support from the Chief Executive and, where appropriate, the Vice-Chair and Committee Chairs, to make sure that the Authority's business is run effectively and in accordance with the Authority's constitution and procedural rules.

Additional responsibilities

1. Presiding at Police Authority meetings, applying standing orders and ensuring that Members have a fair opportunity to participate in debates
2. Dealing with matters of urgent business between meetings, where necessary, in accordance with delegations from the Authority
3. Promoting and maintaining a good working relationship between the Authority and the Chief Constable and the Chief Officer team and with the Chief Executive and his/her team
4. Representing and promoting the Authority at meetings and events of local, regional and national bodies, speaking for the Authority and reporting back to the Authority on issues of significance where appropriate

³ The recent White Paper, *Protecting the Public*, building on David Blunkett's report *A People's Police Force*, makes clear that the Chair of a Police Authority is expected to exercise leadership and must have the competencies to do so.

⁴ From the IDeA's Local Leadership Academy: Chairing Skills

⁵ The APA's recent review of Members' Allowances, amended with reference to the role descriptions of chair from various Police Authorities

5. Raising awareness of the Authority's role with the public, developing its profile in and communication with the local community and the media; and being the Authority's key spokesperson in relation to the Authority's media relations
6. Ensuring that the views and concerns of local people are fed back to and considered by the local Force
7. Ensuring that the Authority is effective in discharging its core governance roles
8. Holding annual development discussions with all Members
9. Conducting the performance development review for the Chief Executive and contributing to the PDR process for the Chief Constable

Members should be clear about what is expected of them. A draft Statement of Individual Member Responsibilities is attached¹. This would be agreed by the Chair and each Member shortly after the completion of the Authority's business plan. It can be reviewed 6-monthly.

Statement of Member Responsibilities

Member's Name:
<p>General duties:</p> <ul style="list-style-type: none"> • To represent the public of and uphold the Authority's vision for policing of the local area • To comply with the Members' Code of Conduct, the Authority's Standing Orders and other statutory duties including upholding the Authority's single equality scheme • To fulfil those duties set out in the Member's role description • To develop and improve personal knowledge and understanding as appropriate to responsibilities • To attend [75%] of Police Authority meetings and allocated panels / committees and other agreed activities in order to fulfil responsibilities • To report back significant issues from meetings/events if a designated representative of the Authority
Chairing duties:
<p>Panel / Committee membership: Member of.... Member of.... Read papers in advance, attend committee/panel meetings (should not miss more than 2 consecutively) or give apologies</p>
<p>Divisional/ department link: Linked to Y Division/BCU, meet regularly (at least 4 times a year) with divisional commander. Discuss performance and other issues of concern to the Authority and division in accordance with the divisional meeting agenda. Discuss CDRP issues and any issues raised by members of the public. Ensure Secretariat is aware of any major issues. If the reporting member for the division, provide written reports after each divisional meeting to the Secretariat.</p>
<p>CDRP membership: Authority representative at.... Attend CDRP. Convey Authority priorities to CDRP and feed back to the Authority. Oversee police work on CDRP ensuring that issues from Neighbourhood Panels are considered regularly. Be the voice of the public on CDRPs. Monitor performance against LAA targets and ensure budget is allocated in accordance with agreed priorities.</p>

¹ Based on Statement developed by Surrey PA and amended for Yorkshire and Humber PAs

Regional role:
APA groups / other bodies:
Lead Member role(s): Lead Member for Keep up to date with national developments. Report key issues back to relevant Committee/Panel as part of Lead Member updates. Provide member update reports following attendance at out-of-Authority / Force events. Deliver any work agreed for the Lead Member, in support of the Authority's priorities.
Other responsibilities:
Security Check/Vetting Requirements:
Key deliverables for the year:
Personal Development Priorities for the Year:
Agreed Member Chief Executive Authority Chairman
Review date:

For more information please refer to:

- Members' handbook
- Code of Corporate Governance
- Members' Code of Conduct
- Authority's Standing Orders
- National CDRP guidance
- Authority's Business Plan
- Divisional meeting agendas
- (All available from the Authority Secretariat)