

## **Norfolk Police and Crime Panel**

### **Rules of Procedure**

#### **1. General**

- 1.1 These Rules of Procedure are made by the Police and Crime Panel (PCP) pursuant to Schedule 6, paragraph 25 of the Police Reform and Social Responsibility Act 2011 (the 'Act').
- 1.2 The PCP will be conducted in accordance with these Rules. The Rules should be read having regard to the Panel Arrangements.

#### **2. Chair of the Police and Crime Panel**

- 2.1 The Chair of the PCP will be appointed at the PCP's Annual General Meeting (AGM) and will be drawn from amongst all the members of the PCP, including independent members.
- 2.2 The Vice-Chair will be appointed at the AGM and will be drawn from amongst all the members of the PCP, including independent members.
- 2.3 In the event of the Chair and Vice-Chair being absent from a PCP meeting, the PCP will appoint a member to act as Chair for that meeting.
- 2.4 In the event of the resignation of the Chair/Vice-Chair or removal of Chair/Vice-Chair, a new Chair/Vice-Chair will be appointed and will be drawn from amongst all the members of the PCP. Other than at the PCP's AGM, the Chair and Vice-Chair may only be removed from office if a PCP member has given notice to the PCP secretary at least 10 working days prior to an ordinary meeting of the PCP, of his or her intention to propose a motion that the Chair or Vice-Chair be removed from office. At the subsequent meeting, removal will only be confirmed if at least two thirds of the persons who are members of the PCP at the time the decision is made vote in favour of it.

#### **3. Meetings of the Police and Crime Panel**

- 3.1 The PCP shall meet at least four times per year to carry out its functions.
- 3.2 The PCP secretary will give notice to the public of the time and place of any meeting of the PCP. At least 5 clear working days before meetings, the secretary will circulate to PCP members the agenda for the meeting setting out the date, time and place for the meeting and specifying the business to be transacted. The agenda and minutes of PCP meetings will be published on the County Council's website.
- 3.3 An extraordinary meeting may be called by the PCP by resolution, by the Chair or by any four members of the PCP signing a requisition presented to the PCP secretary.

- 3.4 All members of the PCP may vote in proceedings of the PCP. The validity of the proceedings of the PCP is not affected by a vacancy in the membership of the PCP or a defect in appointment.

#### **4. Quorum**

- 4.1 A meeting of the PCP cannot take place unless at least one half of the whole number of its members is present. In any period during which there are vacancies amongst the membership, the calculation of half shall be based on the number of members in office on the day of the meeting.

#### **5. Work Programme**

- 5.1 The PCP will be responsible for setting its own work programme taking into account the priorities defined by the PCC and taking into account the views of other agencies and partnerships.
- 5.2 The work programme must include the functions described in section 2 of the Panel Arrangements.
- 5.3 Any member of the PCP shall be entitled to give notice to the PCP secretary that they wish an item relevant to the functions of the PCP to be included on the agenda for a PCP meeting

#### **6. Sub-Committees and Task and Finish Groups**

- 6.1 Sub-Committees and time limited task and finish groups may be established from time to time by the PCP to undertake specific task based work and report back to the PCP.
- 6.2 The special functions of the PCP may not be discharged by a sub-committee of the PCP or a task and finish group.
- 6.3 In this paragraph 'special functions' means the following functions:
- (i) review of the Police and Crime Plan
  - (ii) review of the annual report
  - (iii) review of senior appointments
  - (iv) review and potential veto of the proposed precept
  - (v) review and potential veto of the appointment of a Chief Constable).
- 6.4 The work undertaken by a sub-committee or task and finish group will be scoped and defined beforehand, together with the timeframe within which the work is to be completed and the reporting time for the outcome of the work.
- 6.5 A sub-committee or task and finish group may not co-opt members but they shall be able to invite others to assist it with its work.

- 6.6 Sub-committees and task and finish groups need not be politically balanced if the PCP agrees to this.

## **7. Reports from the Police and Crime Panel**

- 7.1 Where the PCP makes a report or recommendations to the PCC, it will publish the report or recommendation on the PCP website. Copies of the report or recommendations will also be sent to each local authority within the police area.
- 7.2 The PCP must by notice in writing require the PCC, as appropriate, within a reasonable period of the date on which they receive the report or recommendations, to:-
- (i) Consider the report or recommendations
  - (ii) Respond to the PCP indicating what (if any) action the PCC proposes to take
  - (iii) Where the PCP has published the report or recommendations, publish the response
- 7.3 The publication of reports or recommendations is subject to the exclusion of any exempt or confidential information as defined in the rules on access to information in the Local Government Act 1972 (as amended).

## **8. Police and Crime Commissioner and Officers Giving Account**

- 8.1 The PCP may scrutinise and review decisions made or actions taken in connection with the PCC's role. As well as reviewing documentation, in fulfilling its role it may require the PCC, and members of the Commissioner's staff, to attend before the PCP (at reasonable notice) to answer any questions which appear to the PCP to be necessary in order to carry out its functions.
- 8.2 Where the PCC, or a member of the PCC's staff, is required to attend the PCP, the Chair of the PCP will inform them in writing, giving reasonable notice of the meeting. The notice will state the nature of the item for which they are required to attend to give account and whether any papers are required for production for the PCP. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.
- 8.3 Where, in exceptional circumstances, the PCC is unable to attend on the required date, an alternative date for attendance may be arranged following consultation with the Chair of the PCP.
- 8.4 If the PCP requires the PCC to attend before the PCP, the PCP may, by giving reasonable notice request the Chief Constable to attend before the PCP on the same occasion to answer any questions which appears to the PCP to be necessary in order for it to carry out its functions.

## **9. Attendance by Others**

The PCP may invite people other than those referred to above to address it, discuss issues of local concern and/or answer questions. It may, for example, wish to hear from residents, stakeholders, councillors who are not members of the PCP and officers in other parts of the public sector and may invite such people to attend. The PCP may not however invite officers of the constabulary other than the Chief Constable to attend meetings, without the prior agreement of the Chief Constable.

## **10. Special Functions**

10.1 The Special Functions of the PCP are those functions referred to in paragraphs 11-15, below, and which are conferred on the PCP in relation to:

- a) the review of the Police and Crime Plan as required by Section 28(3) of the Act;
- b) the review of the Annual Report as required by Section 28 (4) of the Act;
- c) the review of senior appointments in accordance with Paragraphs 10 and 11 of Schedule 1 of the Act;
- d) the review and potential veto of the proposed precept in accordance with Schedule 5 of the Act;
- e) the review and potential veto of appointment of the Chief Constable Part 1 the Act.

10.2 The Special Functions shall be undertaken having regard to the requirements of the Act and Regulations in each case.

10.3 The issuing of reports and recommendations by the PCP in relation to the Special Functions outlined above will be carried out in accordance with paragraph 7 above.

## **11. Police and Crime Plan**

11.1 The PCP is a statutory consultee on the development of the PCC's Police and Crime Plan and will receive a copy of the draft Police and Crime Plan, or a draft of any variation to it, from the PCC.

11.2 The PCP must

- (i) hold a public meeting to review the draft Police and Crime Plan (or a variation to it), and;

- (ii) report or make recommendations on the draft Plan, which the PCC must take into account.

## **12. Annual Report**

- 12.1 The PCC must produce an Annual Report about the exercise of his/her functions in the financial year and progress in meeting police and crime objectives in the year. The report must be sent to the PCP for consideration.
- 12.2 The PCP must comment upon the Annual Report of the PCC, and for that purpose must:
  - (i) arrange for a public meeting of the PCP to be held as soon as practicable after the PCP receives the Annual Report;
  - (ii) require the PCC to attend the meeting to present the Annual Report and answer such questions about the Annual Report as the members of the PCP think appropriate;
  - (iii) make a report or recommendations on the Annual Report to the PCC.

## **13. Proposed Precept**

- 13.1 The PCP will receive notification from the PCC of the precept which the PCC is proposing to issue for the coming financial year by 1 February of the relevant financial year. The Panel will arrange for a public meeting to be held by 8 February of the relevant financial year to review the proposed precept.
- 13.2 Having considered the precept, the PCP must:
  - (i) support the precept without qualification or comment; or
  - (ii) support the precept and make recommendations; or
  - (iii) veto the proposed precept (by the required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made).
- 13.3 The PCP has the power to veto the appointment of a candidate, by a required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made.
- 13.4 If the PCP vetoes the proposed precept, the report to the PCC must include a statement that the PCP has vetoed the proposed precept and indicate either:
  - a) That it has done so because the precept is too high and give reasons for that decision;

Or

- b) That it has done so because the precept is too low and give reasons for that decision.

- 13.5 The PCP will receive notification from the PCC of the revised precept which the PCC is proposing to issue for the coming financial year by 15 February of the relevant financial year.
- 13.6 The PCP will arrange for a public meeting to be held by 22 February of the relevant financial year to review the revised precept and make a report to the PCC. This may indicate whether the panel accepts or rejects the revised precept and make recommendations.
- 13.7 The PCP will receive a response from the PCC by 1 March of the relevant financial year.

#### **14. Appointment of Chief Constable**

- 14.1 The PCP must review the proposed appointment by the PCC of the Chief Constable.
- 14.2 The PCP will receive notification of the proposed appointment from the PCC, which will include:
  - (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 14.3 Within three weeks of the receipt of notification the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period shall not include the 'post election period', being any period between the date of poll at the ordinary election of the PCC, and the date of declaration of acceptance of office of the PCC.
- 14.4 Before reporting and recommending under paragraph 14.3 above, the PCP must convene a public meeting ('confirmation hearing') of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 14.5 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.

- 14.6 The PCC may accept or reject the PCP's recommendation as to whether or not the candidate should be appointed, and must notify the PCP accordingly.
- 14.7 The PCP has the power to veto the appointment of a candidate, by a required majority of at least two thirds of the persons who are members of the PCP at the time when the decision is made.
- 14.8 A confirmation hearing as in paragraph 14.4 must be held before an appointment is vetoed.
- 14.9 If the PCP vetoes the appointment under paragraph 14.7, the report referred to at paragraph 14.3 above must include a statement to that effect.
- 14.10 If the PCP vetoes an appointment the PCC must not appoint that candidate as Chief Constable
- 14.11 Where the Panel vetoes an appointment the PCC will propose another person for appointment as Chief Constable (a reserve candidate).
- 14.12 The PCP will receive notification of the proposed appointment from the PCC, which will include:
  - (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 14.13 Within three weeks of the receipt of notification of the reserve candidate, the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period shall not include the 'post election period', being any period between the date of poll at the ordinary election of the PCC, and the date of declaration of acceptance of office of the PCC.
- 14.14 Before reporting and recommending under paragraph 14.3 above, the PCP must convene a public meeting ('confirmation hearing') of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 14.15 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 14.16 The PCC may accept or reject the PCP's recommendation as to whether or not the candidate should be appointed, and must notify the PCP accordingly.

- 14.17 The PCP will receive a report from the PCC notifying the Panel of his decision as to whether he accepts or rejects the recommendation. This ends the confirmation process.

## **15. Senior Appointments**

- 15.1 The PCP must review the proposed appointments by the PCC of the PCC's Chief Executive, Chief Finance Officer and Deputy PCC.
- 15.2 The PCP shall receive notification of the proposed appointments from the PCC including
- (i) the name of the candidate;
  - (ii) the criteria used to assess suitability of the candidate,
  - (iii) why the candidate satisfies the criteria; and,
  - (iv) the terms and conditions proposed for the appointment
- 15.3 Within three weeks of the receipt of notification the PCP must consider and review the proposed appointment, and report to the PCC with a recommendation as to whether the candidate should be appointed. The three week period will not include the post-election period.
- 15.4 Before reporting and recommending under 15.3 above, the PCP must convene a public confirmation hearing of the PCP where the candidate must attend, either in person or by telephone or video link and answer questions relating to the appointment.
- 15.5 The PCP must publish the report on its web site and send copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 15.6 The PCC may accept or reject the PCP's recommendation, and must notify the PCP accordingly.

## **16. Appointment of an Acting Police and Crime Commissioner**

- 16.1 The PCP must appoint a person to be acting Commissioner if:
- (i) no person holds the office of PCC;
  - (ii) the PCC is incapacitated (i.e. unable to fulfil the functions of the PCC) which is a matter for the PCP to determine; or
  - (iii) the PCC is suspended.
- 16.2 In the event that the PCP has to appoint an acting Commissioner it will meet to determine the process for appointment which will comply with these Rules of Procedure and any legal requirements.
- 16.3 The PCP may appoint a person as acting Commissioner only if the person is a member of the PCC's staff at the time of the appointment.



- 16.4 In appointing a person as acting Commissioner in a case where the PCC is incapacitated, the PCP must have regard to any representations made by the PCC in relation to the appointment.
- 16.5 The appointment of an acting Commissioner will cease to have effect upon the earliest of the following:
- (i) the election of a person as PCC;
  - (ii) the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner;
  - (iii) in a case where the acting Commissioner is appointed because the PCC is incapacitated, the PCC ceasing to be incapacitated; or
  - (iv) in a case where the acting PCC is appointed because the PCC is suspended, the PCC ceasing to be suspended.
- 16.6 Where the acting Commissioner is appointed because the PCC is incapacitated or suspended, the acting Commissioner's appointment does not terminate because a vacancy occurs in the office of PCC.

## **17. Complaints**

- 17.1 The PCP will delegate the Initial Handling of Complaints and Conduct Matters (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 2) to the Commissioner's Chief Executive.
- 17.2 The PCP will delegate the resolution of other complaints (as set out in The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012, Part 4) to Norfolk County Council's (NCC's) Director of Democratic and Regulatory Services for informal resolution.
- 17.3 The Panel will appoint a member (or members) to sit in association with the Chief Executive of the Office of the PCC to give consideration to the initial sift of complaints and with the Director of Democratic and Regulatory Services to undertake informal resolution.
- 17.4 The Commissioner's Chief Executive and NCC's Director of Democratic and Regulatory Services will provide the PCP with annual monitoring reports, setting out the number and spread of complaints handled during the period.
- 17.5 The PCP shall give all such assistance and co-operation to the Independent Office for Police Conduct (IOPC) in carrying out investigations of serious complaints and conduct matters as it may reasonably require.
- 17.6 The PCP shall receive notification by the IOPC of any determination that it has made under the Regulations (Part 3) in relation to the investigation of serious complaints and conduct matters.

## **18. Suspension of the Police and Crime Commissioner**

- 18.1 The PCP may suspend the PCC if it appears to the PCP that:
- (i) the commissioner is charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
  - (ii) the offence is one which carries a maximum term of imprisonment exceeding two years.
- 18.2 The suspension of the PCC ceases to have effect upon the occurrence of the earliest of these events:
- (i) the charge being dropped;
  - (ii) the PCC being acquitted of the offence;
  - (iii) the PCC being convicted of the offence but not being disqualified under Section 66 of the Police Reform and Social Responsibility Act by virtue of the conviction, or
  - (iv) the termination of the suspension by the PCP.
- 18.3 In this section, references to an offence which carries a maximum term of imprisonment exceeding two years are references to:
- a) an offence which carries such a maximum term in the case of a person who has attained the age of 18 years, or
  - b) an offence for which, in the case of such a person, the sentence is fixed by law as life imprisonment.

## **19. Suspension and Removal of the Chief Constable**

- 19.1 The PCP will receive notification if the PCC suspends the Chief Constable.
- 19.2 The PCC must also notify the PCP in writing of his/her proposal to call upon the Chief Constable to retire or resign together with a copy of the reasons given to the Chief Constable in relation to that proposal.
- 19.3 The PCC must provide the PCP with a copy of any representations from the Chief Constable about the proposal to call for his/her resignation or retirement.
- 19.4 If the PCC is still proposing to call upon the Chief Constable to resign, they must notify the PCP accordingly (the 'further notification').
- 19.5 Within six weeks from the date of receiving the further notification, the PCP must make a recommendation in writing to the PCC as to whether or not they should call for the retirement or resignation. Before making any recommendation, the PCP may consult the chief inspector of constabulary, and must hold a scrutiny hearing.

- 19.6 The scrutiny hearing which must be held by the PCP is a PCP meeting in private to which the PCC and Chief Constable are entitled to attend to make representations in relation to the proposal to call upon the Chief Constable to retire or resign. Appearance at the scrutiny hearing can be by attending in person, or participating by telephone or video link.
- 19.7 The PCP must publish the recommendation it makes on its web site and by sending copies to each of the local authorities, and by any other means the PCP considers appropriate.
- 19.8 The PCC may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:
- (i) at the end of six weeks from the PCP having received notification if the PCP has not by then given the PCC a recommendation as to whether or not they should call for the retirement or resignation; or
  - (ii) the PCC notifies the PCP of a decision about whether they accept the PCP's recommendations in relation to resignation or retirement.
- 19.9 The PCC must consider the PCP's recommendation and may accept or reject it, notifying the PCP accordingly.
- 19.10 In calculating the six week period, the post election period is ignored.

## **20. Decision-making and Rules of Debate**

### **20.1 Principles of Decision-making**

These principles will underpin the way the PCP makes its decisions:-

- (i) Appropriate consultation will have been carried out and decisions will take account of its results and any professional advice given by officers
- (ii) The presumption that whenever possible, all decisions made by the PCP should be made in public
- (iii) Decisions will be clear about what they aim to achieve and the results that can be expected

### **20.2 Voting**

- 20.2.1 All matters to be considered by the PCP shall be decided by a majority of the members of the PCP present and voting at the meeting. This will be done following the moving of a motion by any member of the PCP. A simple majority is required to confirm a decision, except in the specific circumstances of the PCP seeking to veto the PCC's proposed

precept or the PCC's proposed appointment of a Chief Constable or as otherwise specified in these Rules of Procedure.

20.2.2 Voting will normally be by show of hands; but any member may demand a recorded vote and, if one quarter of the members present signifies its support, such a vote will be taken.

20.2.3 If there are an equal number of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

20.2.4 Where immediately after a vote is taken at a committee meeting any member of that committee so requires, there will be recorded in the minutes of the proceedings of that meeting whether that person casts their vote for the motion or against the motion or whether they abstained from voting

### 20.3 Rules of Debate

The rules of debate of the PCP shall be governed by the rules relating to meetings of County Council committees (section 7 onwards of Part 8B of the County Council's Constitution), which is set out below.

20.3.1 The Chair shall first explore through debate if there is a consensus on the views to be expressed by the Committee. If there is no consensus, the Chair will ask if any member wishes to move a formal motion as to the view to be expressed by the Committee.

#### 20.3.2 No debate or vote until motion seconded

No motion will be debated or voted upon after the mover has moved a proposal (other than a motion that the report of a committee or a recommendation within it be received and adopted) until the motion has been seconded.

#### 20.3.3 Right to require motion in writing

Unless notice of the motion has already been given, the Chair may require it to be written down and handed to them before it is discussed. The motion will be read out to the committee before any vote upon it is taken.

#### 20.3.4 Seconder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

#### 20.3.5 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed three minutes without the consent of the Chair.

#### 20.3.6 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except;

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since they last spoke;
- (c) if their first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- (d) in exercise of a right of reply;
  - on a point of order; and
  - by way of personal explanation;
- (e) to demand a recorded vote;
- (f) to move the suspension of these procedural Rules;
- (g) to move a resolution under paragraph 7.10 of these Rules;

#### 20.3.7 Amendments to motions

- a) An amendment to a motion must be relevant to the motion and will either be:
  - 1) to leave out words;
  - 2) to leave out words and insert or add others; or
  - 3) to insert or add words.as long as the effect of (1) and (3) is not to negate the motion.
- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendment, or if there are none, put it to the vote.

#### 20.3.8 Alteration of motion

- a) A member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

#### 20.3.9 Withdrawal of motion

A member may withdraw a motion which they have moved with the consent of the seconder. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

#### 20.3.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion
- c) to postpone consideration of the motion;
- d) to proceed to the next business;
- e) that the question be now put;
- f) to adjourn a debate;
- g) to adjourn a meeting;
- h) to exclude the public and press in accordance with the Access to Information Rules;
- i) to not hear further a member named under Rule 11.3 or to exclude them from the meeting under Rule 11.4.
- j) that the procedural rules be suspended

#### 20.3.11 Closure motions

- a) A member may move, without comment, the following motions at the end of a speech of another member:
  - 1. That consideration of the motion be postponed
  - 2. To proceed to the next business;
  - 3. That the question be now put;
  - 4. To adjourn to a debate; or
  - 5. To adjourn a meeting

Procedure:

- b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed they will give the mover of the original motion a right of reply before putting their motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting or to postpone consideration of the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, they will put the procedural motion to the vote without given the mover of the original motion the right of reply.
- e) Provided that a second motion to the same effect under this section will not be moved in reference to the same motion or amendment within a period of twenty minutes unless it is moved by the Chair.

#### 20.3.12 Point of order

A member may raise a point of order at any time. The Chair will hear the member immediately. A point of order may only relate to an alleged

breach of these Rules of Procedure or the law. The member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the matter will be final.

**20.3.13**      Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

**21. Minutes**

- 21.1 Signing the minutes. The Chair will sign the minutes of the proceedings at the next suitable meeting. The only part of the minutes that can be discussed is their accuracy and any question as to their accuracy must be raised by motion.

**22. Record of attendance**

- 22.1 Each member attending a committee meeting must, with a view to securing the recording of their attendance, sign the attendance sheet provided by the Director of Democratic and Regulatory Services for that purpose. If any member arrives after the attendance sheet has been circulated, they must intimate their presence to the Director of Democratic and Regulatory Services. If the electronic voting system is available in the room where the Committee is being held, their presence can be indicated by inserting the member's card in the system rather than signing an attendance sheet.

**23. Exclusion of Public**

- 23.1 Members of the public and press may be excluded either in accordance with the Access to Information Rules at Part 11A or Rule 12.

**24. Members' Conduct**

**24.1**      Speaking

When a member speaks at committee meetings, they must address the meeting through the Chair, and should remain seated.

**24.2**      Chair Standing

When the Chair stands during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

**24.3**      Member not to be heard further

- 24.3.1 If a member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

24.4 Member to leave the meeting

- 24.4.1 If the member continues to behave improperly after such a motion is carried, the Chair may adjourn the meeting for a specified period or move that the member leaves the meeting. If seconded, the motion will be voted on without discussion. If the member continues to behave improperly, the Chair may give such direction as they consider appropriate for the removal of the member and the restoration of order.

24.5 General disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary.

**25. Disturbance by the public**

25.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair will order their removal from the meeting room.

25.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Chair may call for that part to be cleared.

**26. Interest of Members in contracts and other matters**

Norfolk County Council and Co-opted Independent Members

- 26.1 Where the relevant member has a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is on the Register of Interests, they must not speak or vote on the matter. If they have a Disclosable Pecuniary Interest in a matter to be considered at the meeting and that interest is not on their Register of Interests, they must declare that interest at the meeting and not speak or vote on the matter. In either case they may remain in the room where the meeting is taking place. If they consider that it would be inappropriate in the circumstances to remain in the room, they may leave the room while the matter is dealt with.
- 26.2 Where a matter arises at a meeting which relates to or affects an 'Other Interests', the relevant member must declare the existence and nature of the interest unless it has been entered in their local authority's register of interests.



- 26.3 An 'Other' interest is one which affects, to a greater extent than others in their division, the relevant member's:
- a) own wellbeing or financial position or
  - b) that of family or close friends
  - c) any body –
    - (i) exercising functions of a public nature
    - (ii) directed to charitable purposes; or
    - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union);

of which the member is in a position of general control or management.

- 26.4 Where an 'other interest' arises, the relevant member will declare an interest (an "Other Interest") but may speak and vote on the matter.

#### District Council Members

- 26.5 District Council members will be bound by their own District Council Code of Conduct.

### **27. Suspension and Amendment of Committee Procedure Rules**

#### **27.1 Suspension**

These rules may be suspended by motion on notice, or without notice if at least one half of the whole number of members of the PCP are present. Suspension can only be for the duration of the meeting. A motion to suspend any of these rules must specify the rule to be suspended and must be moved in terms limited to an explanation of the reasons for the suspension. It will be seconded in formal terms only and will be put to the PCP without debate. No suspension may be considered by the PCP which does not comply with the Police Reform and Social Responsibility Act 2011, relevant Regulations, statutory guidance or the Panel Arrangements.

#### **27.2 Amendment**

The Rules of Procedure shall not be amended unless notification of a proposed amendment is received by the PCP Secretary at least 10 working days prior to a PCP meeting. A report on the implications of the proposed amendment shall be considered by the PCP and the amendment shall require the agreement of at least two thirds of the persons who are members of the PCP at the time when the decision is made vote in favour of it. No amendment may be considered by the PCP which does not comply with the Police Reform and Social Responsibility Act 2012, relevant Regulations or statutory guidance or Panel Arrangements.

## **28. Adjournment of Panel Meetings**

- 28.1 When the PCP adjourns, whether by resolution or by decision of the Chair, the adjournment will by decision taken at that time be to a date, time and place specified, provided that where this is not practicable and a meeting is adjourned for an unspecified period and/or to an unspecified place, all members of the PCP will be notified of the new date, time and place when these have been determined.

## **29. Questions from the Public**

- 29.1 The Agenda for ordinary meetings of the Panel shall include the opportunity for members of the public to ask questions of the Panel's Chair on issues within the remit of the Panel.
- 29.2 The Agenda item will ordinarily allow no more than 30 minutes for this item, although the Chair of the Panel may reduce or extend this at his discretion.
- 29.3 Anyone living, working or studying within Norfolk will be entitled to ask questions.
- 29.4 A questioner can submit one question at each ordinary Panel meeting, limited to a maximum of 110 words.
- 29.5 Notice of questions must be received by the Lead Authority for the Panel at least five working days before the ordinary meeting of the Panel is held.
- 29.6 Questions must:
- a) relate to the Panel's role and responsibilities, and not be questions that:
    - i. should more appropriately be addressed to another party or organisation,
    - ii. relate to a police operational matter
    - iii. relate to matters covered by legal or other proceedings,
    - iv. cover matters relating to the employees of the office of the Police and Crime Commissioner for Norfolk.
  - b) not be substantially the same as a question which has been put at a meeting in the past 6 months;
  - c) not be defamatory, frivolous, vexatious or offensive;
  - d) not require the disclosure of confidential or exempt information; and
  - e) not refer to any matter of a personal nature.
- 29.7 The Director of Democratic and Regulatory Services in consultation with the Panel's Chair and Vice-Chair, will review each question to ensure that it meets the criteria for public questions set out in these Rules of Procedure. Questions that do not meet the criteria will be disallowed, but where appropriate, the question will be passed on to the appropriate organisation and the questioner advised of where the question has been directed to. Confirmation of receipt of the question

and whether it has been allowed will be provided, together with advice about attending the meeting. The final decision as to whether a question will be allowed is for the Director of Democratic and Regulatory Services in consultation with the Chair of the Panel.

- 29.8 Questioners must ordinarily attend the meeting to put their question and receive their answer. However, in circumstances where a questioner is unable to attend personally, either:
- a) with the prior consent of the Chair, a representative of the questioner may attend the Panel meeting and put the question on behalf of the questioner, or
  - b) the answer will be forwarded in writing to the questioner.
- 29.9 Where the questioner or their representative attends the Panel meeting in person, the questioner (or representative) may ask a supplementary question to follow-up the same subject matter as their original question (subject to time constraints).
- 29.10 Every question (and supplementary) shall be put and answered without discussion.

### **30. Interpretation**

- 30.1 The ruling of the Chair as to the construction or application of these rules or as to the proceedings of the PCP will be final for the purposes of the meeting at which it is given.
- 30.2 If there is any conflict in interpretation between these Rules and the Act or Regulations made under the Act, the Act and Regulations will prevail.