



RULES OF PROCEDURE

1. Chair and Vice-Chair of the Police and Crime Panel

- 1.1 The Chair of the Police and Crime Panel (the Panel) will be appointed by the Panel members at its first meeting and thereafter every two years..
- 1.2 The Vice-Chair will be appointed at the same meeting as the Chair is appointed for a period of two years.
- 1.3 In the event of the resignation or removal of the Chair, a new Chair will be appointed by the Panel members at the next meeting of the Panel for the remainder of the two year period.
- 1.4 The Chair may be removed by agreement of a majority of the whole membership of the Panel and in that event the Panel will appoint a replacement Chair for the remainder of the two year period. If a motion is moved to remove the Chair, the Chair is not entitled to vote on that motion.
- 1.5 The Panel will elect another Panel member to preside at a meeting if the Chair and Vice Chair are not present during the whole or part of that meeting.

2. Meetings of the Police and Crime Panel

- 2.1 There shall be a minimum of six ordinary meetings of the Panel held in public in each municipal year to carry out the functions of the Panel. In addition, extraordinary meetings may be called from time to time.
- 2.2 An extraordinary meeting may be called by the Chair, by four members of the Panel or by the Chief Executive of the host authority.
- 2.3 Ordinary meetings of the Panel will:
 - a) receive any declarations of interest from Members,
 - b) approve the minutes of the last meeting,
 - c) receive written questions to the Commissioner from the public (see section 10).
 - d) consider reports from officers and Panel members

3. Quorum

A meeting of the Panel cannot take place unless at least one third of the whole number of its Members is present during the entire proceedings.

4. Substitution

For councillors unable to attend a meeting substitution may be arranged in accordance with arrangements at each individual Member's Authority. Substitute councillors will have the same entitlement to vote as the councillor for whom they are substituting. Details of any substitutions must be notified to the Monitoring Officer of the host authority no later than 3.30pm on the working day before the relevant meeting.

5. Voting

- 5.1 All Panel members may vote in proceedings of the Panel. Voting will be by show of hands and by simple majority unless otherwise required.
- 5.2 If there are equal numbers of votes in the proceedings, the Chair will have a second or casting vote. There is no restriction on how the Chair should choose (or choose not) to exercise a casting vote.

6. Interpretation

- 6.1. The ruling of the Chair, after consultation with the Monitoring Officer of the host authority, as to the application and meaning of any of these Rules of Procedure, in accordance with Clause 22.2 shall not be challenged at any meeting of the Panel.

7. Failure to Attend Meetings

- 7.1. Subject to the provisions of Section 85 Local Government Act 1972, any Member failing to attend any meeting of the Panel for a period of six months ceases to be a Member of the Panel unless within that period the Member's absence is approved by the Panel.
- 7.2. The Monitoring Officer will monitor absences from the meetings and, unless approval for any absence is given by the Panel, will report the failure to attend the Panel in order that it may declare a vacancy and notify the relevant constituent Council.

8. Disorderly Conduct

- 8.1 The Chair may, in the event of a disturbance interfering with the orderly despatch of business, adjourn or suspend a meeting for such period as the Chair considers appropriate.
- 8.2 If, in the Chair's opinion, any Member at a meeting is:
 - (a) persistently ignoring the ruling of the Chair;
 - (b) behaving irregularly, improperly or offensively; or
 - (c) intentionally obstructing the meeting;

the Chair can propose that “the Member named be not further heard” (cannot speak further at the meeting). If the proposal is seconded, it will be put to the vote without being discussed.

8.3 If it is agreed that the Member should not speak further at the meeting, but that Member continues to speak, the Chair will propose that:

- (a) “the Member named leaves the meeting”; or
- (g) the meeting is adjourned for a period the Chair considers appropriate.

8.4 If a member of the public interrupts the proceedings at any meeting the Chair shall warn him or her that if they continue to act in that way they will be removed from the meeting.

8.5 If members of the public are causing a general disturbance in any part of the meeting room, the Chair can make an order for that part of the meeting room to be cleared.

9. Work Programme

9.1 The Panel will be responsible for setting its own work programme taking into account the priorities defined by the Police and Crime Commissioner. In setting the work programme the Panel will also take into account the wishes of its Members.

9.2 The work programme must include the functions described in the terms of reference of the Panel.

9.3 The work programme will be a standing item at each Panel meeting.

10. Agenda Items

10.1 The Chair, Vice-Chair, Commissioner, OPCC Chief Executive and Monitoring Officer hold timely work planning meetings to consider the work programme and forthcoming agendas. Members of the Panel wishing to suggest an item for the agenda can do so under the relevant item at Panel meetings.

10.2 The Panel’s agenda will be issued to Panel members at least five clear working days before the meeting (unless the Chair is satisfied that there is good reason to consider an urgent item). It will also be published on the host authority’s website and by sending copies to each of the authorities and by any other means the Panel considers appropriate.

11. General Questions by Members of the Public at Panel Meetings

11.1. Subject to paragraph f), a member of the public may ask one written general question of the Panel.

- 11.2. Except in the case of exceptional issues (as determined by the Monitoring Officer / Chair and Vice-Chair) there will be no oral questions from the public.
- 11.3. In respect of written questions, a member of the public must give at least five working days' notice in writing to the Monitoring Officer, before the day of the Panel meeting, of any question to be put to the Panel.
- 11.4. The notice, given under paragraph 10.2, must contain the text of the question (not exceeding 100 words in length).
- 11.5. The Chair, after taking such advice from the Monitoring Officer that he/she considers appropriate, may –
- a) exclude a question from the order of business for the meeting on the grounds that the question concerns a matter which is outside the Panel's area of responsibility or influence or is offensive, unlawful, repetitious or vexatious;
 - b) make clerical amendments to a question in order to render it fit for adding to the order of business for the meeting.
 - c) The Chair shall invite the member of the public to read aloud any question submitted and invite the Commissioner to respond.
 - d) In accordance with this rule, a question and reply shall be put and answered without debate.
 - e) A question may be answered by –
 - i. responding directly to the question put; or
 - ii. referring the questioner to a publication of the Panel, the Police and Crime Commissioner or South Yorkshire Police; or
 - iii. undertaking to provide a written answer to the questioner and to circulate the answer to the members of the Panel in advance of the date of the next scheduled Panel meeting.
 - f) If a question put in accordance with this rule is answered, the questioner may ask, with the Chair's permission, one supplementary question.
 - g) The reply shall be made in one of the ways specified in sub-paragraph e).
 - h) The public questions agenda item shall last no more than 15 minutes for public questions, unless the Chair of the meeting extends this period.

11.6. A written general question asked under procedure rule 10.1:

- a) must not exceed 100 words in length;
- b) must not relate to an individual case; and
- c) must not repeat, or substantially repeat, any question that has been asked and answered at a meeting of the Panel in the six months preceding the date of the meeting.

12. Questions to the Commissioner by Members of the Panel

12.1 A Member may submit a question to the Commissioner-that appears to the Panel to be necessary in order to carry out its functions and that the Panel think appropriate.

12.2 The question asked:

- a) must fall within the remit of the Police and Crime Panel;
- b) must relate to the statutory functions of the Commissioner;
- c) must not relate to an individual case _except where there are evident wider policy or governance implications agreed by the Panel; and
- d) must be fair and reasonable (as determined by the Monitoring Officer / Chair and Vice-Chair).

12.3. Following the reply to a question put under procedure rule 12.1 the Member who asked the question may ask a supplementary question of the Commissioner.

12.4. A supplementary question under procedure rule 12.3 –

- a) must relate to the subject matter of the original question and answer;
- b) must be fair and reasonable (as determined by the Monitoring Officer / Chair and Vice-Chair)

12.5. Responses to questions to the Commissioner from Members of the Panel

12.5.1. In respect of questions to the Commissioner at the meeting the rules above in respect of the nature of the question will apply.

12.5.2. The reply to questions shall be made in on one of the ways specified below:

- a) By the Commissioner on the day of the meeting, either in full or in part.

- b) By the Commissioner in full and in writing as part of the agenda at the next scheduled meeting of the Panel.

13. Motions

- 13.1 Any Member may put forward a motion to be considered at a meeting by giving the Monitoring Officer written notice at least 10 working days before the date of the meeting.
- 13.2 When the Monitoring Officer receives a notice of motion, he or she will:
 - (a) write the date it was received on the notice;
 - (b) number notices in the order they are received; and
 - (c) enter the notice in records which will be available for any Member to inspect.
- 13.3 The Member, or Members, who gave the original notice may withdraw a motion by notice in writing to the Monitoring Officer.
- 13.4. Every motion must be a seconded by a seconding Member.
- 13.5. Every motion must be directly relevant to some matter relating to the PCP's powers or statutory duties, and must not be to overrule or change any resolution that has been passed at a meeting of the PCP within the previous six months.
- 13.6. Any motion a Member gives notice of in line with Rule 12.1 will be included in the agenda for the next meeting, in the order in which the motions were received. If notice for a motion is received less than 10 days before the next meeting, it will be put on the agenda for the meeting after that.
- 13.7. If a motion set out in the agenda for a meeting is not put forward at the meeting by the Member who gave notice of it, or by another Member acting on his or her behalf, or fails to be seconded (supported by at least one other Member), it will be considered to have been withdrawn.

14. Rules of Debate for Meetings

- 14.1 The debate at meetings of the Panel shall be conducted by consensus unless any Member present indicates to the Chair that they require the following provisions to be invoked.
- 14.2 A matter can only be discussed if it has been proposed and seconded. The Chair can ask for a motion to be put into writing and handed to him or her before it is put to the meeting or discussed further.
- 14.3 When a motion is being debated, no other motion can be put forward at the same time unless that motion is:

- (a) to amend the motion;
- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) to proceed to the next business on the agenda;
- (e) for the matter to be put to the vote;
- (f) for a Member not to be allowed to speak further on the matter;
- (g) for a Member to leave the meeting under Rule 7.3
- (h) to exclude the public from the meeting under Section 100A of the Local Government Act 1972.
- (i) to suspend the Rules of Procedure.

14.4 Any Member may, after a speech by another Member, propose:

- (a) "That the question be now put" (the motion is voted on); or
- (b) "That the meeting of the PCP be now adjourned" (the meeting is put off till a later date).

If the proposal is seconded, the Chair will put that proposal to the vote without it being discussed.

14.5. A Member can raise a point of order (question whether the meeting is being conducted properly) if they think that a Rule or legal requirement is not being met, giving their reasons.

14.6. Any Member speaking must give way if a point of order is raised.

14.7. The Chair's decision on a point of order will be final and not open to discussion.

14.8. Any Member, when speaking, does so to the Chair. If two or more Members want to speak, the Chair will call on them to speak one at a time. While a Member is speaking, the other Members must remain silent unless raising a point of order.

14.9. A Member shall direct their speech to the question under discussion or to a personal explanation or a point of order.

14.10. A Member shall not speak for longer than five minutes on any matter without the consent of the Chair.

14.11. A Member can put forward an amendment proposing to:

- (a) refer a matter to a committee, group or panel for them to consider or reconsider;
- (b) to leave out, insert or add other words to the motion, as long as this does not make the motion ineffective; or
- (c) put a matter off until further information is provided.

The amendment must be relevant to the motion being discussed at the time.

14.12. Only one amendment can be made and discussed at a time, and no further amendment can be proposed until the previous amendment has been dealt with. If the Chair allows two or more amendments to be discussed (but not voted upon) together because this would allow the matter to be dealt with most effectively, he or she will decide what order the amendments will be discussed in.

14.13. If a proposed amendment to a motion is lost, other relevant motions or amendments can be put forward. If a proposed amendment is carried (approved by a majority vote), the amended motion will take the place of the original motion.

14.14. If the majority of Members at a meeting agree, a Member can, by making an amendment, alter a motion that they have given notice of, but which has not yet been put forward. If a motion has been put forward, the Member who put it forward can ask for an amendment as long as the majority of the Members, and the Member who seconded the motion, allows this.

14.15. A motion or amendment can be withdrawn by the Member who put it forward.

15. Notice of Meetings

15.1 Ordinary meetings will take place in accordance with a meetings schedule decided by the Panel, and will start at the time decided by the Panel.

15.2 Members of the Panel will be given at least 5 clear working days' notice of a meeting of the Panel (unless the Chair is satisfied that there is good reason to hold an urgent meeting).

16. Reports from Police and Crime Panel

16.1 Reports and their recommendations made by the Panel in relation to its functions will be carried out in accordance with the procedure outlined in this section.

16.2 Where the Panel makes a report to the Commissioner, it shall publish the report or recommendations and send a copy to each Metropolitan District falling within the Panel's area.

16.3 The Panel must, by notice in writing, require the Commissioner within one month of the date on which he / she receives the report or recommendations to

- a) consider the report or recommendations;
- b) respond to the Panel indicating what (if any) action the Commissioner proposes to take;

- c) publish the response; and
 - d) where the Panel has provided a copy of the report or recommendations to a Member, provide a copy of the response to the Member.
- 16.4. 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).
- 16.5. If the Panel cannot unanimously agree on one single final report to the Commissioner then one separate report may be prepared and submitted for consideration along with the majority report.

17. Police and Crime Commissioner and Officers Giving Account

- 17.1 The Panel must scrutinise and review decisions made or actions taken by the Commissioner in the discharge of his/her statutory duties, and make reports or recommendations to the Commissioner with respect to the discharge of those duties.
- 17.2 The Panel may, in discharging this function, review documentation, and require the Commissioner, and members of the Commissioner's staff, to attend before the Panel (at reasonable notice) to answer questions which appear to the Panel to be necessary in order to carry out its functions.
- 17.3 Where the Commissioner, or a member of the Commissioner's staff, is required to attend the Panel under this provision the Chair will inform them in writing giving, where practical, 15 days' notice of the meeting.
- 17.4. The notice will state the nature of the item on which he or she is required to attend to give account and whether any papers are required for production to the Panel. Where it is necessary to produce a report, sufficient time will be given to allow preparation of that report.
- 17.5 The Panel may require the PCC to respond in writing to any report or recommendation of the Panel.
- 17.6 Where, in exceptional circumstances, the Commissioner is unable to attend on the required date, then an alternative date for attendance may be arranged following consultation with the Chair of the Panel.
- 17.7 If the Panel require the Commissioner to attend before the Panel, the Panel may (at reasonable notice) request the Chief Constable to attend before the Panel on the same occasion to answer any questions which appear to the Panel to be necessary in order for it to carry out its functions.

18. Attendance by Others

18.1 The Panel 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 Panel and officers in other parts of the public sector and may invite such people to attend.

19. Sub-Committees, Task Groups and Special Functions

19.1 Time limited task groups may be established from time to time by the Panel to undertake specific task based work.

19.2 The special functions of the Panel are reserved to the Panel and may not be discharged by a sub-committee of the Panel or a task group.

19.3 The special functions reserved to the Panel are those conferred on the Panel by the following sections of the Police Reform and Social Responsibility Act (the Act):-

- a) Section 28(3) (scrutiny of police and crime plan),
- b) Section 28(4) (scrutiny of annual report),
- c) Paragraphs 10 and 11 of schedule 1 (review of senior appointments),
- d) Schedule 5 (issuing precepts), and
- e) Part 1 of schedule 8 (scrutiny of appointment of the Chief Constable).

19.4 The work undertaken by a sub-committee or task 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.

20. Carrying Out Special Functions

Reports and recommendations made in relation to the functions outlined in these Rules will be carried out in accordance with the procedure outlined at paragraph 9 of these rules.

20.1 Police and Crime Plan

20.1.1 The Panel is a statutory consultee on the development of the Commissioner'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 Commissioner.

20.1.2 The Panel must review the draft Police and Crime Plan or draft variation and make a report or recommendations.

20.1.3 The Commissioner must have regard to any report or recommendations made by the Panel in relation to the draft Plan or variation.

20.1.4 The Commissioner must give the Panel a response to any such report or recommendations and publish any such response.

20.2 Annual Report

20.2.1 The Commissioner must produce an annual report on the exercise of his or her functions in each financial year and the progress which has been made in that year in meeting the police and crime objectives in the Police and Crime Plan.

20.2.2 The Panel must comment upon the annual report of the Commissioner, and for that purpose must:-

- a) arrange for a public meeting of the Panel to be held as soon as practicable after the Panel receives the annual report,
- b) require the Commissioner to attend the meeting to present the annual report and answer questions about the annual report as the Members of the Panel think appropriate, and
- c) make a report or recommendations on the annual report to the Commissioner.

20.2.3 The Commissioner must give the Panel a response to any report or recommendations on the annual report and publish any such response.

20.3 Senior Appointments

20.3.1 The Panel is required by the Act to review the Commissioner's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner. The Panel is required to hold confirmation hearings in public for these posts.

20.3.2 The Panel will be notified of the need for a confirmation hearing in respect of proposed senior appointments made by the Commissioner. The Panel must review the proposed senior appointment, make a report and include a recommendation as to whether or not the candidate should be appointed.

20.3.3 The Panel is required to report on senior appointments within a period of three weeks, beginning with the day on which the Panel receives the notification from the Commissioner of the proposed senior appointment.

20.3.4 In calculating the period of three weeks any relevant post-election period is ignored. This begins with the day of the poll at an ordinary election of the Commissioner and ends with the day on which the person elected as Commissioner delivers a declaration of acceptance of office.

20.3.5 Confirmation hearings will be held in public, where the candidate is requested to appear for the purpose of answering questions relating to the appointment. Following this hearing, the Panel is required to review the proposed appointment and make a report to the Commissioner on the appointment.

20.4 Appointment of Chief Constable

20.4.1 For a confirmation hearing for the proposed appointment of the Chief Constable, in addition to the requirement to review and report, the Panel has the requirement to publish the report and make a recommendation on the appointment and has the power to veto the appointment.

20.4.2 Having considered the appointment, the Panel will be asked to either:-

- a) support the appointment without qualification or comment,
- b) support the appointment with associated recommendations, or
- c) veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the Panel and voting at the time when the decision is made).

20.4.3 If the Panel vetoes the appointment of the candidate, the report to the Commissioner must include a statement that the Panel has vetoed the appointment with reasons.

20.4.4 Where the Panel exercises the power to veto the proposed appointment, the Commissioner shall propose another person for appointment as Chief Constable (a reserve candidate).

20.4.5 The Commissioner proposes a reserve candidate by notifying the Panel of the following information:-

- a) the name of the reserve candidate,
- b) the criteria used to assess the suitability of the reserve candidate for the appointment,
- c) why the reserve candidate satisfies those criteria, and
- d) the terms and conditions on which the reserve candidate would be appointed.

20.4.6 Within the period of three weeks, beginning on the day on which the Panel receives notification of the proposal of the reserve candidate, the Panel shall:-

- a) review the proposed appointment, and

- b) make a report to the Commissioner on the proposed appointment. The report must include a recommendation to the Commissioner regarding whether or not the reserve candidate should be appointed.

20.4.7 The Commissioner should have regard to the report detailed at 19.4.6, and notify the Panel of his decision as to whether he accepts or rejects the recommendation.

20.4.8 The Commissioner may then appoint the reserve candidate as Chief Constable or propose another person for appointment as Chief Constable (who would then be treated as a reserve candidate as at 19.4.4).

20.5 Suspension and removal of the Chief Constable

20.5.1 If the Commissioner suspends the Chief Constable the Panel must be notified.

20.5.2 The Panel must be given written notification if the Commissioner is proposing to call upon the Chief Constable to retire or resign. In addition, the Panel must be provided with a copy of the reasons given to the Chief Constable for the proposal.

20.5.3 The Commissioner must provide the Panel with a copy of any representations from the Chief Constable about the proposal to call for his or her resignation or retirement.

20.5.4 If the Commissioner is still proposing to call upon the Chief Constable to resign, he or she must notify the Panel accordingly (the 'further notification').

20.5.5 Within six weeks from the date of receiving the further notification the Panel must make a recommendation in writing to the Commissioner as to whether or he or she should call for the retirement or resignation. Before making any recommendation the Panel may consult the Chief Inspector of Constabulary, and must hold a scrutiny meeting.

20.5.6 This scrutiny hearing is held in private. The Commissioner 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.

20.5.7 The Panel must publish the recommendation it makes on its website and by sending copies to each of the constituent authorities, and by any other means the Panel considers appropriate.

20.5.8 The Commissioner may not call upon the Chief Constable to retire or resign until the end of the scrutiny process which will occur:

- a) at the end of six weeks from the date the Panel received notification, if the Panel has not by then given the Commissioner a recommendation

as to whether or not he or she should call for the retirement or resignation, or

- b) when the Commissioner notifies the Panel of a decision about whether he or she accepts the Panel's recommendations in relation to resignation or retirement.

20.5.9 The Commissioner must consider the Panel's recommendation and may accept or reject it, notifying the Panel accordingly.

20.5.10 In calculating the six week period, the post-election period is ignored.

20.6. Appointment of an Acting Police and Crime Commissioner

20.6.1. The Panel must appoint a person to act as Commissioner if:-

- a) no person holds the office of Commissioner,
- b) the Commissioner is incapacitated, or
- c) the Commissioner is suspended.

20.6.2 The Panel may appoint a person as acting Commissioner only if the person is a member of the Commissioner's staff at the time of the appointment.

20.6.3 In appointing a person as acting Commissioner in a case where the Commissioner is incapacitated, the Panel must have regard to any representations made by the Commissioner in relation to the appointment.

20.6.4 The appointment of an acting Commissioner ceases to have effect upon the occurrence of the earliest of these events:-

- a) the election of a person as Commissioner,
- b) the termination by the Panel, or by the acting Commissioner, of the appointment of the acting Commissioner,
- c) in a case where the acting Commissioner is appointed because the Commissioner is incapacitated, the Commissioner ceasing to be incapacitated, or
- d) in a case where the acting Commissioner is appointed because the Commissioner is suspended, the Commissioner ceasing to be suspended.

20.7 Proposed Precept

- 20.7.1 The Commissioner will notify the Panel by 1st February of the precept which the Commissioner is proposing to issue for the following financial year. The Panel must review the proposed precept by 8th February and make a report including recommendations.
- 20.7.2 Having considered the precept the Panel will either:-
- a) support the precept without qualification or comment,
 - b) support the precept and make recommendations, or
 - c) veto the proposed precept as being either too high or too low (by the required majority of at least two thirds of the persons who are members of the Panel and voting at the time when the decision is made).
- 20.7.3 If the Panel vetoes the proposed precept, the report to the Commissioner must include a statement that the Panel has vetoed the proposed precept with reasons. The Panel will require a response to the report and any such recommendations.
- 20.7.4 Where the Panel exercises the power of veto, the Commissioner shall, by 15th February notify the Panel of the precept he or she now proposes to issue subject to the following:-
- a) Where the Panel report indicates that the Panel vetoes the proposed precept because it is too high, the revised precept shall be lower than the proposed precept,
 - b) Where the Panel report indicates that the Panel vetoes the proposed precept because it is too low, the revised precept shall be higher than the proposed precept.
- 20.7.5 On receiving a response containing notification of a revised precept under the regulation the Panel shall, by 22nd February:-
- a) review the revised precept, and
 - b) make a report (the second report) to the Commissioner on the revised precept.
 - c) The second report may indicate whether the Panel accepts or rejects the revised precept (but rejection does not prevent the Commissioner from issuing the revised precept as the precept for the financial year); and make recommendations, including recommendations as to the precept that should be issued for the financial year.
- 20.7.6 The Commissioner shall, by 1st March having paid regard to the 'second report', provide the Panel with a response and publish that response.

20.7.7 The Commissioner may then issue the proposed revised precept for the financial year or issue a different precept, but only if it would be in accordance with a recommendation made in the Panel's report to do so.,

20.8 Complaints

20.8.1 Criminal and non-criminal complaints will be dealt with in accordance with the Act and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.

20.8.2 The Panel shall appoint a Complaints Panel to act as a sub-committee of the Panel which will meet in accordance with the Panel's Complaints Procedure and abide by these Rules of Procedure. Where there is a conflict between these Rules of Procedure and the Complaints Procedure, the Complaints Procedure will take precedence for the conduct of the Complaints Panel.

20.9 Suspension of the Police and Crime Commissioner

20.9.1 The Panel may suspend the Commissioner if it appears to the Panel that:-

- a) the Commissioner has been charged in the United Kingdom, the Channel Islands or the Isle of Man with an offence; and
- b) the offence is one which carries a maximum term of imprisonment exceeding two years.

20.9.2 The suspension of the Commissioner ceases to have effect upon the occurrence of the earliest of these events:-

- a) the charge being dropped;
- b) the Commissioner being acquitted of the offence;
- c) the Commissioner being convicted of the offence but not being disqualified under section 66 of the Act by virtue of the conviction; or
- d) the termination of the suspension by the Panel.

20.9.3 In this paragraph 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.

21. Access to Information

The Panel shall act in accordance with the Access to Information Rules of Barnsley Metropolitan Borough Council (the host authority).

22. The Panel's relationship with District Crime and Disorder Scrutiny Committees (Community Safety Partnerships)

22.1. The Police and Justice Act 2006 contains provisions under Section 19 requiring local authorities to have a Crime and Disorder Scrutiny Committee to review or scrutinise the decisions and actions of Crime and Disorder Reduction Partnerships (CDRPs) in England and Wales. The provisions came into effect on 30 April 2009.

22.2 Under the arrangements every local authority is required to have in place a committee with power to review and scrutinise, and make reports or recommendations, regarding the functioning of the responsible authorities (local authorities, fire and rescue authorities, police and crime commissioners, the police, clinical commissioning groups and the probation service within the area) which comprise a CDRP or Community Safety Partnership.

22.3 Whilst the Panel's role is to scrutinise the Police and Crime Commissioner and not the Responsible Authorities as defined by the Crime and Disorder Act 1998, including South Yorkshire Police and local authorities, the Panel's Terms of Reference shall reflect the links with the four Crime and Disorder Scrutiny Committees (Community Safety Partnerships) to avoid duplication and promote collaborative working. The Panel will also have regard to the work of the Commissioner's Countywide Community Safety Forum.

23. Status and Maintenance of the Rules of Procedure

23.1 These Rules of Procedure are made by the Police and Crime Panel ('the Panel') pursuant to Schedule 6 paragraph 25 of the Police Reform and Social Responsibility Act 2011 (the 'Act').

23.2 The Panel will be conducted in accordance with the Rules. The Rules should be read in conjunction with other Panel Arrangements. In exceptional conditions (as determined by the Monitoring Officer / Chair and Vice-Chair) these Rules may be suspended to deal with those matters, or matters in the opinion of the Monitoring Officer, Chair and Vice-Chair, which merit suspension of the Rules.

23.3 A report on the implications of the amendment to the Rules shall be considered by the Panel and the amendment shall require agreement of three quarters of the current Membership of the Panel. No amendment may be considered by the Panel if it does not comply with the Act, relevant Regulations or statutory guidance.

23.4 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.

APPENDIX 1

PROTOCOL FOR FILMING, AUDIO RECORDING AND REPORTING SOUTH YORKSHIRE POLICE AND CRIME PANEL MEETINGS

The South Yorkshire Police and Crime Panel supports the principle of transparency and encourages the filming, audio recording and reporting by social media of its meetings that are open to the public. This includes full Panel meetings and its sub committees

To facilitate these arrangements and to ensure that everyone has an equal opportunity the following arrangements will apply -

1. The filming and audio recording and reporting by internet and social media, of all public meetings whilst those meetings are open to the public is permitted in line with the Openness of Local Government Bodies Regulations 2014 and accompanying Government guidance
2. Those wishing to film or audio record proceedings should, out of courtesy, inform the Chair (or Secretariat to the Panel) of the meeting of their intentions to record prior to the start of the meeting
3. Film or audio recordings by members of the public (including press) may only be taken overtly from the area(s) designated for the public and:
 - i) Recording devices must be in silent mode; ii) No flash or additional lighting is permitted; and
 - ii) Recordings must be taken from a position so as not to obstruct others from observing proceedings and focus on those participating in the meeting.
4. Members participating in the meeting are entitled to record proceedings from their seats, subject to the same requirements at 3 (i) to 3 (iii) above.
5. All those attending a meeting open to the public are entitled to report on the meeting whilst it is taking place using any communication method, save oral reporting or commentary during the meeting, including the internet and social media by blogging and tweeting.
6. The Chair has the authority to instruct that recording and reporting be stopped (recording or reporting equipment must be switched off) where:
 - i) The press and public have been excluded from the meeting because exempt or confidential business is being discussed;
 - ii) There is public disturbance or a suspension/adjournment of a meeting;
 - iii) The recording or reporting has become disruptive or distracting to the good order and conduct of the meeting or contrary to paragraph 3 above; and

Continued film recording is against the expressed wishes of a member of the public or deemed inappropriate to ensure the protection of children or vulnerable adults (however continued audio recording will be permitted where the contributions are material to the decisions to be made).

Whilst the Panel is keen to work within the spirit of the Regulations and encourages transparency, it does however ask that those recording proceedings act reasonably and responsibly in so doing by not editing any film or audio record in such a way that could lead to misinterpretation of the proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being filmed and recorded

At the beginning of each meeting, the Chair will make an announcement that the meeting may be recorded and reported. A copy of the Protocol will be included in the South Yorkshire Police and Crime Panel website. Meeting agendas will also carry this message as will notices displayed in prominent positions at the meeting venue. All those attending meetings will be deemed through their consent to being recorded and reported