

# POLICE & CRIME COMMISSIONER FOR LEICESTERSHIRE JOINT AUDIT, RISK & ASSURANCE PANEL

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Report of	OFFICE OF POLICE AND CRIME COMMISSIONER
Subject	TENURE AND EXTENSION OF JARAP MEMBER APPOINTMENTS
Date	TUESDAY 22 SEPTEMBER 2015 – 9.30AM
Author	FORCE FINANCE DIRECTOR AND OPCC CHIEF FINANCE OFFICER

## **Purpose of Report**

1. For the first Joint Audit Risk and Assurance Panel Members (JARAP) were recruited and appointed to the Panel in the Spring/Summer of 2013.
2. At the time of appointment, to reflect the new and developing role of the Panel, the tenure of JARAP appointments were made for different lengths of time which could mean that members could serve a maximum of between 7 and 8 years on the Panel.
3. Following its second full year of operation as a Panel and with the first JARAP member appointment falling due in Spring 2016, this report reviews the approach undertaken in respect of the tenure of member appointments and considers future and any transitional arrangements.
4. Furthermore, in line with the JARAP Terms of Reference, this report considers the process for re-appointment of JARAP members.

## **Recommendation**

5. That the JARAP note changes to the tenure of member appointments and any associated transitional arrangements proposed in paragraph 14 of this report.
6. That the JARAP consider the process for the appointment of JARAP members for a second term proposed in paragraph 15 of this report.

## **Existing JARAP Appointments**

7. The Terms of Reference enable JARAP members to serve two terms of up to 4 years for each term.
8. In 2013, members were recruited to the Panel in line with the following arrangements:

	<b>First Term</b>	<b>Second Term</b>
2 members	31 March 2016	31 March 2020
2 members	31 March 2017 (1 role now vacant)	31 March 2021
Chair	31 March 2017	-

9. The existing terms of reference (detailed below) states the following:
- a. *“The Chair of the JARAP will be jointly recruited by the PCC and the Chief Constable and will serve for one term in this role as Chair.*
  - b. *All JARAP Members will serve for a maximum of 2 terms, each term being a maximum of 4 years. To ensure continuity, where possible, members shall be rotated on and off the JARAP in turn rather than as a group, therefore the term of membership for the JARAP will be determined on recruitment of the member.*
  - c. *A process will be developed in respect of member appointments and/or extensions to the Panel and will be shared at the Joint Audit Risk and Assurance Panel at their meeting in September 2015 to enable timely extension or recruitment to take place.”*

### **Tenure of Appointments**

10. Since the recruitment of the JARAP a number of factors have arisen which give the opportunity to review the tenure arrangements as follows:
- a. Two members would be due to have their tenure considered in March 2016, however, this is only two months before the appointment of a new PCC in the May 2016 elections.
  - b. As the JARAP may be aware, there are currently discussions underway in respect of the potential for a strategic alliance with Nottinghamshire and Northamptonshire. Should these discussions progress, it may be appropriate for JARAP and Audit Committee members in these areas to discuss the most appropriate governance arrangements moving forwards.
  - c. Whilst there are benefits to staggering recruitment and training arrangements for JARAP members, to ensure continuity of knowledge, this is usually most beneficial with a wider group of members.
  - d. Learning from the initial JARAP member appointment process and the recent Ethics and Integrity Panel recruitment which reflects the significant cost and time incurred in recruitment, training, vetting and appointment to the roles. This is significantly increased by the staggered recruitment of members.
  - e. With only four members and one Chair, it is already evident that natural attrition has and may continue to affect the staggered process.
11. If JARAP appointments were aligned to a four year tenure arrangement, this would align to the PCC election arrangements, would enable consideration of potential strategic alliance issues, reduce recruitment costs and facilitate

consistent training and induction programmes for JARAP members but enable naturally occurring attrition.

12. On this basis, the following is recommended:
  - a. That all future appointments are made for a fixed four year term.
  - b. That the terms of reference is revised to reflect as follows:

*2.4 All JARAP Members will serve for a maximum of 2 terms, each term being a maximum of 4 years.*
  - c. That in respect of transitional arrangements, the tenure for the two members whose first term was due to cease on the 31 March 2016 are extended until the 31 March 2017, to enable all members to serve between 4 to 8 years on the panel.

#### **Process for Member Appointments to a second term**

13. The existing terms of reference do not determine the process for the appointment of a second term for members, therefore, to ensure a transparent process, the following is recommended:
  - a. Six months prior to the end of the first term, on behalf of the chair, the CFO seeks an expression of interest from the JARAP member for the second term.
  - b. Within one month of this letter, the JARAP member advises the Chair of their intention whether to seek a second term.
  - c. If the JARAP member seeks a second term, the Chair will, within one month, recommend the appointment (or otherwise) for a second term to the PCC and CC, outlining their reasons for the recommendation. This could include considerations such as attendance, additional responsibilities undertaken etc.
  - d. The PCC and CC will consider the recommendation of the Chair, seeking input from their offices as appropriate. If they support the Chair's recommendation, they will write to the JARAP member with the outcome within one month of the Chair's recommendation.
  - e. Any queries with the recommendation will be discussed by the PCC and the CC with the Chair and a majority agreement reached.
  - f. The Chair, PCC and CC decision is final and there is no appeal mechanism.
14. It is recommended that the process for member appointments to a second term is approved.

#### **Vetting**

15. Existing JARAP members are vetted to the Recruitment Vetting (RV) level which is consistent with the vetting levels now used for staff and Non Police Personnel vetting Level 2 (NPPV2).

16. Whilst RV provides clearance for 10 years, NPPV2 provides clearance for 3 years and the recommended approach is to review vetting when changes occur (e.g. move of roles etc.).
17. In respect of JARAP members, the force Vetting team advice is that it would be appropriate to align these to the terms in JARAP roles (e.g. review at the time of the second term). This will be built in to the revised terms of reference.
18. Due to the slightly different nature of their roles, (including the requirement to review operational complaints and ethical practices), Ethics Committee members have been vetted to Management Vetting (MV), NPPV3 level which give clearance for 7 and 5 years respectively. Additionally all MV roles require National Security Vetting at SC clearance level.

### **Recommendations**

19. That the JARAP note changes to the tenure of member appointments and any associated transitional arrangements proposed in paragraph 12 of this report.
20. That the JARAP consider the process for the appointment of JARAP members for a second term proposed in paragraph 14 of this report.

### **Implications**

Financial :	It is anticipated that there will be reduced recruitment costs arising from the proposed changes to tenure.
Legal :	There are no legal implications associated with this report.
Equality Impact Assessment :	Equality and Diversity practices are included within recruitment.
Risks and Impact :	The change in approach would reduce the risk to the continuity of the JARAP.
Link to Police and Crime Plan :	The JARAP is key to ensuring the delivery of priorities within the Police and Crime Plan.

### **List of Appendices**

None.

### **Background Papers**

None.

### **Person to Contact**

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