

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

PAPER MARKED

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Report of	CHIEF FINANCE OFFICER/ FINANCE DIRECTOR
Subject	TERMS OF REFERENCE – TENURE OF THE CHAIR
Date	MONDAY 19 th SEPTEMBER 2016 – 1:00PM
Author :	HELEN KING/PAUL DAWKINS

Purpose of Report

1. For the first Joint Audit Risk and Assurance Panel the Chair was recruited and appointed to the Panel in the Spring/Summer of 2013 under the term of the first Police and Crime Commissioner, Sir Clive Loader.
2. At the time of appointment, to reflect the new and developing role of the Panel, the tenure of JARAP Chair was for one term of 4 years, although members could serve up to two terms of up to 4 years and this was revised in September 2015 to align for all current members to serve up to 8 years in total.
3. Following its third full year of operation as a Panel and with the appointment of the second Police and Crime Commissioner, Lord Bach has sought views as to whether one term is sufficient for the Chair to enable consistency and continuity and wishes to seek views on whether as a principle this should be increased to up to a potential two terms in office.
4. Paragraph 2.3 below of the Terms of Reference refers:

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.
5. This report considers the national and regional context for Chairs and Members tenure and summarises the feedback received from members and officers.

Recommendation

6. That the JARAP consider the report and provide a view for consideration by the Police and Crime Commissioner and Chief Constable on the following:
 - The principle of a second tenure for the Chair
 - If appropriate, consideration of the length of tenure to avoid recruitment of Chair and members at the same time.
7. Following receipt of these views, should any changes be considered by the PCC and CC, these will be reported to the December JARAP.

Review of other JARAP or similar panel Appointments

8. The Chief Finance Officer has reviewed the tenure for chairs and members from a sample of the Terms of Reference available on other Force and OPCC websites.
9. This review highlighted that whilst there are small variations nationally, for both Chairs and Members, periods of tenure are mainly for up to two terms of either 4-5 years per term.
10. This is consistent with the approach of other Public Sector organisations.

Comments received from Officers and Members

11. Comments were sought and received from four recipients and whilst all were supportive of the principle of a second term, the following points were made which need consideration:
 - To extend further than two 5 year terms could potentially be perceived to compromise independence (as per external audit appointments).
 - There is value in planning to avoid recruitment enbloc – perhaps one term of 6 years with a 4 year extension
 - The current JARAP T.O.R disadvantage the Chair.
 - Recruiting the best person to the post may be made more difficult by the current disparity in tenure between the Chair and panel members.
 - The broad range of competencies and understanding required of the Chair take considerable time to develop whilst in post, to lose this experience after one period of tenure may be detrimental to the effectiveness of the JARAP.
 - Should the Chair's performance be below that required this can be managed using the appraisal process referred to in the JARAP T.O.R.
 - Should the principle be agreed to increase the Chair's tenure to two terms, the same approach could be used as for members' reappointment which is detailed within the Terms of Reference, but for the Chair, amended to reflect input from the CC and PCC instead.

Summary

12. Subject to discussion at the JARAP there appears to be support for the principle to increase the potential maximum tenure of the Chair to two terms, although consideration of the length of each term is required.
13. This would be consistent with regional and national arrangements both in the Policing and Local Government Sector.

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

Helen King - Tel 0116 229 8702