

## **POLICE AND CRIME PANEL**

**Meeting to be held on 12 October 2021**

### **Succession Planning**

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#### **EXECUTIVE SUMMARY**

To provide the Panel with the proposed plans in place for succession planning should the Police & Crime Commissioner be unable to continue undertaking the role.

#### **RECOMMENDATION**

That the Panel agrees the proposed arrangements for succession planning

### **1. Background**

- 1.1. The Policing Minister, Kit Malthouse, wrote to all Police & Crime Commissioners (PCCs) in July 2021 requesting that all PCCs work to develop succession planning arrangements.
- 1.2. The Police Reform and Social Responsibility Act 2011 (the Act) at section 51 sets out the statutory steps that are required to be taken in the case of a vacancy in the office of PCC.
- 1.3. Where there is a vacancy an election must be held to fill the vacancy. If the vacancy occurs within the period of six months before the next ordinary election then no election is to be held in respect of the vacancy, and the office is to be left unfilled until the ordinary election.
- 1.4. Section 59 of the Act provides that a vacancy can occur in the case of:
  - an election irregularity;
  - a notice of resignation being given;
  - death;
  - declaration by the High Court or appropriate officer.More detail is found at sections 59-61 of the Act.
- 1.5. Section 62 of the 2011 Act provides that in a situation where:
  - no person holds the office of PCC because it is vacant.
  - the PCC is incapacitated; or
  - the PCC is suspended under section 30 of the 2011 Act, the responsibility for appointing an Acting PCC rests with the Police and Crime Panel.
- 1.6. Section 62(2) states that the appointment can only be of a member of the PCC's staff at the time of appointment.

- 1.7. For clarity, where a Deputy PCC has been appointed, they are defined within the legislation as being a member of staff, and therefore able to take up the role of Acting PCC, if required.
- 1.8. It is the Government's intention to mandate the appointment of a Deputy PCC, which may form part of the Part 2 of the PCC review they are currently undertaking.
- 1.9. All functions of a PCC are exercisable by an Acting PCC with the exception of issuing and varying a Police & Crime Plan.

## **2. Proposed Approach for Lancashire**

- 2.1. The Commissioner has proposed that that in the event of an appointment being required, the person holding the role of Deputy Police and Crime Commissioner will be considered for appointment as acting PCC in accordance with the relevant legislation.
- 2.2. A formal appointment decision will be required by the Panel under section 62 in respect of the person to act as PCC if the circumstances necessitate such an appointment being made.
- 2.3. Should the Deputy Police and Crime Commissioner be unable to undertake the role, or the Deputy Police and Crime Commissioner post be vacant, the person holding the statutory role of Chief Executive (Director) of the Office of the Police and Crime Commissioner will be considered for appointment as acting PCC in accordance with the relevant legislation.