

INDEPENDENT PERSON SITTING ON THE POLICE VETTING APPEALS PANEL (PVAP)

TERMS OF REFERENCE

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1 AIMS AND OBJECTIVES

1.1 Aims:

- 1.1.1 To assist vetting appeal panels in coming to fair and evidence-based judgements about new Police Applicants' who have appealed a vetting rejection and reviewing known antecedent history/conduct of the Applicant/Appellant in order to decide whether or not it is appropriate to award Police Security Clearance.
- 1.1.2 To ensure that there is an independent and impartial voice on Vetting Appeal Panels.
- 1.1.3 To provide assurance to the public and the community that Vetting Appeals are treated seriously and that Police Vetting Applications properly conducted and adjudicated.

1.2 Objectives:

- 1.2.1 To provide feedback, as the Independent Person, to the Constabulary's Police Vetting Appeals Panel members.
- 1.2.2 To provide support and scrutiny in helping to discharge the PCC's duty to have oversight over Avon and Somerset Constabulary.
- 1.2.3 To give independent, lay-persons' views of the appeals.
- 1.2.4 To ensure that Avon and Somerset Constabulary's Police Applicants Vetting Appeal handling process is operating without bias or discrimination.
- 1.2.5 To identify best practice in Appeals handling and in operational policing where appropriate.
- 1.2.6 To seek to ensure that the right people are employed by the Constabulary, thereby improving quality of policing provided to members of the public, including those applying to be a Police Officer.

2 REVIEW METHODOLOGY

- 2.1 Firstly, the independent Panel member will individually review each appeal documentation, as provided by the Constabulary via the PCC's office, at any Police Premises, carrying a panel member photo-identification card and having personal computer login access. Secondly, meeting as a Panel at Police Headquarters to discuss the appeal documentation. This will be on a monthly basis if there is a vetting appeal. A decision will be made by the Panel whether or not to uphold the appeal.

3 CONFIDENTIALITY

- 3.1 The proceedings of all appeal documentation and Panel meetings are sensitive and all Panel members must not externally reveal any information outside the Police or PCC's office.

- 3.2 To operate effectively, Panel members will have sight of restricted – official sensitive - material that must be treated as strictly private and confidential. The requirements of the General Data Protection Regulation (GDPR) will apply to all work undertaken by Panel members. Please refer to Avon and Somerset Constabulary's and the PCC's website for information about the GDPR, the latter which is within the [Privacy Notice](#), including the Rights of the independent Panel member.
- 3.3 The Independent Panel member will be asked to sign a Volunteer Agreement and uphold this at all times.
- 3.4 Any breaches of these confidentiality arrangements will lead to an investigation by the office of the PCC (and Constabulary if required), and possible expulsion of the member from the Panel where it is demonstrated that a clear breach of confidentiality has occurred.

4 SELECTION/DE-SELECTION OF THE PANEL MEMBER

- 4.1 The Independent Panel member will principally be appointed from the Independent Residents' Panel membership.
- 4.2 The Panel member's term will be for an initial 3 years and the member may choose to continue for a second 3 year term at the end of this period, but no longer than 2 consecutive terms, totalling 6 years.
- 4.3 The Independent Panel member is expected to disclose to the PCC's office any changes in their material circumstances which may have a bearing on their proper membership of the Police Vetting Appeals Panel. Such disclosures will be kept confidential, and discussed only with the CEO, PCC and the PCC's staff member managing the volunteer member, if required. The CEO or PCC will then decide whether the independent person's membership needs to be re-assessed in light of the disclosure.
- 4.4 The Independent Panel member is expected to act within these agreed Terms of Reference, the Volunteer Agreement and the Confidentiality Agreement.
- 4.5 The Independent Panel member is expected to attend up to 12 Panel meetings per year and to send apologies, with reason, to the office of the PCC where they are unable to attend.
- 4.6 The Independent Panel member who does not attend 3 consecutive meetings without satisfactory reason will have their position on the Panel reviewed by the office of the PCC. Breach of these Terms of Reference, the Volunteer agreement or the Confidentiality Agreement will also trigger a member's review.

5 FREQUENCY OF MEETINGS

- 5.1 The Vetting Appeals Panel propose to meet once a month. The frequency of meetings may reduce if there are no appeals in any month.

6 SERVICING OF MEETINGS

- 6.1 The office of the PCC will provide administrative support to the Independent Panel member and will be responsible for communicating with the member, advising of documentation for Appeals and informing the member of meeting dates and times.

7 REIMBURSEMENT OF EXPENSES

- 7.1 Reasonable out of pocket travelling expenses will be available for reimbursement from the office of the PCC to the Independent Panel member for travelling to the Police premises to review the documentation and also for attending Panel meetings.
- 7.2 Expenses will not be paid if the member represents the Panel at other meetings without the prior authorisation from the PCC's office.
- 7.3 Claims are required to be submitted on a quarterly basis within each financial year, running from 1 April to 30 March.

8 REPORTING

- 8.1 The Panel member may like to write their review summary as a document at the Police Premises, within the Police computer system or write it by hand and post it to the PCC's office in pre-paid and addressed envelopes which can be provided if requested. This will be in advance of the Panel meeting at Police Headquarters and can be made available to the Independent member prior to the Panel meeting. This is the only optional documentation of the Independent member. A Constabulary Panel member will be responsible for writing the final outcome letter to the appellant.

9 TRAINING

- 9.1 The office of the PCC and Avon and Somerset Constabulary will be responsible for providing induction training, and any ongoing learning, for the member, as necessary.

11 RIGHTS AND RESPONSIBILITIES OF THE INDEPENDENT PANEL MEMBER

- 11.1 The independent member should not make subjective judgements about other Vetting Appeal Panel members or Appellants. It is imperative that every member respects other members and that any conflicts are negotiated with dignity and professionalism. The PCC's office will intervene in any disputes which members may not be able to resolve between themselves which are escalated to the PCC's office.
- 11.2 The member is expected to abide by these Terms of Reference and where breaches occur or are likely to occur, the member is expected to declare this to the PCC's office.

- 11.3 The member will by necessity of being an Independent Residents' Panel member, have submitted to NPPV Level 2 vetting checks.
- 11.4 When representing the Panel as an independent member, the member must refrain from any political activity that may cause a compromise of independence.
- 11.5 The member should not have any contact with the media in relation to Police Vetting Appeals Panel matters or comment in their capacity as a Panel member without discussing this in advance with the PCC's office. The member is not expected to comment generally to the media in their capacity as a Panel member.
- 11.6 The Panel member must give correct and up-to-date definitions of their role within the Panel if communicating with members of the public.
- 11.7 The Panel member must refer any personal data amendments, such as change of address, or conflicts of interest which could interfere with their membership, to the PCC's office as soon as possible. Likewise, any complaint made against a panel member must be so referred.
- 11.8 The Panel member's role and responsibilities is referred to in the Role Profile and will be provided to a member of the public or the media if requested.
- 11.9 These Terms of Reference will be provided to a member of the public or the media if requested.

12 REVIEW OF TERMS OF REFERENCE

- 12.1 The Terms of Reference will be reviewed annually and amended as necessary.