

# Independent Police Panel

## Terms of Reference

### 1. Purpose of the Panel

- 1.1 To be involved with the recruitment of the Sark constables
- 1.2 To deal with complaints against or from the Sark constables
- 1.3 To report to Chief Pleas via the Douzaine on constable matters

### 2. Outline of Functions

- 2.1 To oversee the annual appointment of the Sark Constable and Vingtenier, passing the nominations to the Douzaine for approval by Chief Pleas at the Michaelmas meeting.
- 2.2 To deal with any complaints against or from the Constables, passing on any serious complaints to the Guernsey Police and making recommendations to Chief Pleas through the Douzaine for action where appropriate.
- 2.3 To monitor the Service Level Agreement with Guernsey Police.

### 3. Membership

- 3.1 Any person fully resident in Sark, subject to a Police Check may become a member other than serving Conseillers, Constables and Specials.

A minimum of five and a maximum of seven, quorate of three members

- 3.2 Selection

New members can be chosen by the Panel, using an open and transparent system involving a person specification, an application form, character references and question and answer interviews. Where it is deemed appropriate and where there is a vacancy, new members may be 'head-hunted' provided they meet the criteria outlined in 3.1.

The names of those recommended for membership will be passed to the Douzaine for approval by Chief Pleas.

### 3.3 Frequency of meetings

Twice yearly with the Constables or, more often if either party requests this.

When the Panel receives a complaint, Panel to meet at the earliest opportunity. with a minimum of three members present if a written complaint is received or as the Panel sees to be necessary

### 3.4 Length of Service

Four years, with an option to continue if the majority of the remainder of the panel is content.

Ex-constables may apply but require a time away from office of three years before being accepted.

Ex-conseillers and Ex-officials may apply but require a time away from the office of one year before being considered.

## 4. Roles and Responsibilities

It is essential that all matters discussed and undertaken by the Panel are treated with the utmost confidentiality. A sworn oath of confidentiality will be taken in the Seneschal's Court on acceptance onto the Panel.

When a written complaint is received by any member of the public the Panel will meet at the earliest opportunity with the Chairman or Deputy contacting all members. A minimum of three members should consider any complaint by an established and published procedure to ensure transparency.

If the complaint is considered serious, for example that the Constable has broken the Law, the complaint should be passed through the usual channels to the Guernsey Police. If it is a matter where the Constable or Vingtenier should receive a warning the Panel

will meet with the Constable or the Vingtenier, discuss the matter, where appropriate issue a warning and make a record, which will be checked by both parties, and a copy given to the person against whom the complaint has been made and the complainant will receive the decision, how it was reached and any sanctions implemented.

Any complaint received by the Panel will be reported to the Douzaine along with any action taken.

When a new Vingtenier is to be appointed, the serving Vingtenier will take a nomination to the Panel, after having gained the consent of the nominee and explained the work of the Constable using the document 'The Constable's Role'. The Panel, if in agreement will recommend the nomination to Chief Pleas through the Douzaine

## 5. Meetings

### 5.1 Chairmanship

The Panel will elect a Chairman and Deputy Chairman. Length of chairmanship to be a two year term

### 5.2 Venue

Where possible in the Assembly Room

### 5.3 Minute of Meetings

A minute taker will be provided from Committee Support staff

Secure storage will be provided at the Committee Offices

## 6. Accountability

The Panel is accountable to Chief Pleas through the Douzaine and will write an annual report for the Douzaine to bring to Chief Pleas.

## 7. Review

A review should be carried out in the first year of the Panels work on order to establish whether their role is working in practice. This would be done by the Panel and may result in some changes to the Terms of Reference to be agreed by Chief Pleas. After that the Panel will review its work every two years. In each case any amendments would be taken by the Douzaine to Chief Pleas.