



Stop and Search Scrutiny Panel

Terms of Reference

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Purpose of the Panel

External scrutiny is an important part of police legitimacy. It opens police practices to communities for closer examination, with a view to them providing constructive oversight, discussion, and challenge. If done well, it can provide opportunities for the police to understand communities' concerns and take steps, where appropriate, to improve policies, procedures, and practices.

The purpose of the Panel is to support the PCC to discharge their statutory duty and hold the Chief Constable to account. They do this by providing independent scrutiny and feedback on the appropriate, proportionate, and ethical use of Stop and Search powers within national and local statutory frameworks. The Panel also make sensible and proportionate recommendations on the Constabulary's procedures and practices relating to Stop and Search.

Aim and Role of the Panel

The aim and role of the Stop and Search Scrutiny Panel is to:

- Increase confidence internally and externally regarding the level of compliance associated with the recording of Stop and Search within Derbyshire.
- Increase transparency and legitimacy around police powers in Derbyshire.
- Increase public trust and confidence in the use of police powers amongst the communities of Derbyshire.
- Maintain an organisational culture of learning, providing appropriate feedback to individuals and the wider organisational learning regarding police powers.
- Maintain staff accountability relating to Stop and Search in Derbyshire and ensure compliance with the Code of Ethics and the Standards of Professional Behaviour.

Membership

The Panel will consist of members of the public who live, work or study in Derbyshire and where possible, should represent the demographics of the county.

Admission to membership of the panel will be subject to a call with the scheme coordinator, the completion of an application form, passing of the relevant vetting level and confirmation of appointment from the OPCC. Following confirmation of appointment, membership of the panel will begin with an initial 3-year term and after a period of three years a full tenure review/renewal will be conducted.

Mandatory training must be completed before any new member can partake in scrutiny exercises. All members are required to undergo training prior to joining any panels and on an ad hoc basis thereafter or if deemed necessary by the OPCC.

The OPCC will lead on the recruitment of new members in line with the needs of the Panel.

Members are volunteers and as such are not remunerated for their work. Members can submit expense claim forms to the OPCC for any reasonable travel expenses incurred for their Panel work.

Members can be appointed to more than one of the OPCC's scrutiny panels at any given time. They can also undertake other volunteer work for the OPCC, for example as an Independent Custody Visitor. The OPCC will provide advice on any potential conflict of interest to individual members as appropriate.

There are no limits on member numbers, but a minimum of four independent panel members must be in attendance at a meeting to make it quorate. Members of the panel must attend at least one meeting in every six-month period to remain as part of the panel. If panel members do not participate in one meeting in any 6-month period, then they may be removed from the panel.

Panel members will also be required to excuse themselves from consideration of any material where they know or have personal knowledge of the officer or detained individual being the subject of the footage under consideration. All members are required to be in a quiet room alone when joining meetings online and ensure that their back is against the wall to prevent any other individuals viewing restricted/personal information. Where possible, headphones should be utilised by members.

There will be representatives from both the Office of the Police & Crime Commissioner (OPCC) and Derbyshire Constabulary, to assist the Panel with enquiries and ensure feedback is provided back to the force on matters raised.

Governance

All Panel members are required to sign an annual Undertaking of Confidentiality Agreement. This sets out their personal liability under the Data Protection Act 2018 or any wilful or reckless act regarding the misuse of information.

Cases discussed will remain confidential and Panel members cannot disclose details of cases to any individuals outside of the meetings. All panel members will be subject to appropriate vetting and Panel members will also be required to declare any conflict of interest and withdraw from the panel meeting.

Meeting / Facilitation

The Stop Search Scrutiny Panel will meet on a bi-monthly basis and will run for three hours initially; however, this may be extended if required.

Meetings will take place online via Microsoft Teams and the OPCC will be responsible for chairing the meeting and the administration of the meeting including sending out invites, capturing the outcome of the Panel's findings, and publishing the minutes on the OPCCs website.

Derbyshire Constabulary will be responsible for producing the case studies and Body Worn Video (BWV) for the panel to review.

Findings & Feedback

The Panel's findings will be recorded on an approved feedback report template. This will ensure that the Panel's findings can be acted upon by the Constabulary/OPCC at the appropriate level, such as providing feedback to staff and holding the Constabulary to account.

Representatives of the Force and OPCC must report back to the Panel on steps undertaken following any recommendations made.

Forces should maintain auditable records of Panel data, findings and other materials generated from the Panels, subject to local storage and data retention requirements.

Vacancies & Recruitment

Where a vacancy on the panel arises, it will be the responsibility of the OPCC to identify and provide a suitable replacement. The OPCC will also be responsible for managing vetting requirements, including the application/renewal process.

Summary of Findings/Output

The Panel's findings will be shared with the wider policing area, via the OPCC website. This will be done via the production and publication of the meeting minutes and annual report.

Both of which can be found here: [Stop and Search Volunteer Scheme | Office of the Derbyshire Police and Crime Commissioner](#)