

2001 No. 1035

PROBATION

**The Local Probation Boards (Appointments and
Miscellaneous Provisions) Regulations 2001**

<i>Made</i> - - - - -	<i>15th March 2001</i>
<i>Laid before Parliament</i>	<i>19th March 2001</i>
<i>Coming into force</i> - -	<i>10th April 2001</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 4(3) and 25 of and paragraphs 2(4), (5) and (6) and 6 of Schedule 1 to the Criminal Justice and Court Services Act 2000(a) hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Probation Boards (Appointments and Miscellaneous Provisions) Regulations 2001 and shall come into force on 10th April 2001.

Applications for appointment to local probation boards

2.—(1) The procedure for the appointment of the chairman, chief officer and other members of local probation boards, except the member to be appointed by the Lord Chancellor, shall be in accordance with the following provisions of these Regulations.

(2) A person seeking appointment to a local probation board shall apply on a form provided for the purpose by the Secretary of State.

(3) The completed application form shall be submitted to the Secretary of State within the time set for such applications.

(4) In the case of an application for the post of chief officer, candidates who on the basis of the completed application form appear to the Secretary of State to be best qualified for the post shall be referred for assessment of their suitability to an assessment centre established for the purpose by the Secretary of State.

(5) Paragraph (4) above shall not apply in relation to a temporary appointment to fill a vacancy in the post of chief officer where it appears to the Secretary of State that the period for which the person appointed will hold the post is not likely to exceed 12 months.

(6) The Secretary of State shall not make an appointment except on the recommendation of a selection panel appointed under regulation 3 below.

(7) In paragraphs (1) to (4) above references to the Secretary of State, except for the second reference in paragraph (4), include a reference to a person providing services to him.

(a) 2000 c. 43; section 25 is an interpretation provision and is cited because of the meaning ascribed to the word "regulations".

Selection panels

3.—(1) Selection panels shall be established by the Secretary of State in accordance with this regulation.

(2) Subject to paragraph (3) below, a selection panel shall consist of a chairman and two or more other members appointed by the Secretary of State.

(3) Where the panel is considering the appointment of a chief officer, one of the members shall be appointed from the members of the local probation board on which the person appointed as chief officer will serve.

(4) The Secretary of State shall—

- (a) provide the selection panel with such accommodation and assistance as they may reasonably require; and
- (b) meet any expenses of the panel in the exercise of their functions.

Functions of selection panel

4.—(1) A selection panel shall interview any person who has applied to the Secretary of State for appointment to a local probation board and who either—

- (a) in the case of a candidate to whom regulation 2(4) applies (applications for post of chief officer), has been selected as a suitable candidate at an assessment centre in accordance with that regulation; or
- (b) in the case of any other candidate, has been referred to the panel by the Secretary of State or a person providing services to him.

(2) All candidates selected for interview in accordance with paragraph (1) above shall be notified in writing by a person acting on behalf of the selection panel of the date, time and place of the interview.

(3) The notification shall be sent to the candidate at least 5 days before the date set for the interview.

(4) A person who has been notified in accordance with the provisions of this regulation but who fails to attend for interview at the date, time and place notified to him must be given the opportunity to explain his absence and be given an alternative date for the interview where it appears to the selection panel appropriate to do so.

(5) When the selection panel has completed interviews of the candidates, other than for the post of chief officer, it shall draw up a short list of the candidates, if any, considered suitable for appointment.

(6) The short list shall be submitted to the Secretary of State.

(7) Where a selection panel has completed interviews of candidates for the post of chief officer, it shall determine which, if any, of the candidates interviewed it considers suitable for the post, and if more than one candidate is selected, it shall prepare a list naming the suitable candidates in order of merit.

(8) A selection panel shall inform the Secretary of State of its decision under paragraph (7) above and supply him with a copy of any list prepared in accordance with that paragraph.

Appointments

5.—(1) Appointments other than for the post of chief officer made by the Secretary of State to a local probation board must be made from the short list of candidates submitted to him by the selection panel for that board under regulation 4(6) above and must, so far as practicable, be made from candidates who live or work in the area of the board to which the appointments are to be made and who are representative of the local community in that board's area.

(2) Any person appointed chief officer by the Secretary of State must be a person who was selected by the selection panel as being the only or the most suitable candidate for the post.

(3) Where a person on a list prepared by a selection panel rejects or fails to take up an offer of appointment as chief officer, the next person on the list (if any) shall be regarded as the most suitable.

Re-advertising unfilled posts

6. Where the Secretary of State makes no appointment to a post for which candidates were interviewed by a selection panel, the post shall be re-advertised.

Audit committees

7.—(1) Regulation 7 of the Local Probation Boards (Miscellaneous Provisions) Regulations 2001^(a) is amended in accordance with the following paragraphs of this regulation.

(2) For paragraph (4) there is substituted—

“(4) The quorum of an audit committee shall be not less than 3.”.

(3) For paragraph (6) there is substituted—

“(6) The chairman of an audit committee must be appointed by the local probation board.”.

Home Office
15th March 2001

Paul Boateng
Minister of State

(a) S.I. 2001/850.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for appointments to local probation boards, established under Chapter I of Part I of the Criminal Justice and Court Services Act 2000.

Regulation 2 makes provision for the application to be made to the Secretary of State or a person providing services to him. Appointments may only be made on a recommendation of a selection panel, established in accordance with regulation 3.

Regulation 4 establishes the functions of selection panels. Appointments made by the Secretary of State must be from the persons selected by the selection panel (regulation 5), but where no appointment is made, the post is to be re-advertised (regulation 6).

Regulation 7 amends the Local Probation Boards (Miscellaneous Provisions) Regulations 2001. It provides that a quorum of the audit committee is 3 or more and that the chairman of the committee is to be appointed by the local probation board.

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