



DECISION PAPER

RESTRICTED - Information relating to this decision is restricted as it contains information which relates to or includes personal information; financial interests of the Police & Crime Commissioner or any other person or company.

It is considered that in all circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

DECISION: 2018/29	DATE: 25th July 2018
TITLE: RECRUITMENT OF A DEPUTY POLICE & CRIME COMMISSIONER	
REPORT BY: ANGELA HARRISON, DIRECTOR OF THE OPCC	

Executive Summary

The report presents to the Commissioner the relevant paperwork and process to pursue the recruitment of a Deputy Police & Crime Commissioner.

Recommendation

The Commissioner is requested to agree with the process and procedures set out in the report and to present a report to the Police & Crime Panel for their input at a meeting on 25th July 2018.

Signature <i>Clive Grunshaw</i>	Signature <i>Althea Dineen</i>
Police and Crime Commissioner	Dineen
Date 25-7-2018	25.7.2018

PART II

1. Background and Advice

- 1.1 The Police Reform and Social Responsibility Act 2011 (S18) specifically allows for a Police & Crime Commissioner to appoint a Deputy Police & Crime Commissioner and to arrange for him/her to exercise some, but not all, of the Commissioner's functions. It also requires that any proposed appointment for a Deputy shall be subject to a Confirmation Hearing by the Police & Crime Panel (Schedule 1 10 (2)).
- 1.2 The mandate for the Commissioner is to represent the views of nearly 1,490,497 (ONS 2017 mid-year population estimates) people who live in Lancashire across 3,075 square kilometres.
- 1.3 Further, the business of the Commissioner's has changed since its creation in 2012 and as such, the business is not directly comparable to Police Authorities. The role of the PCC now extends to a commissioning role in relation to Victims Services and further work is underway nationally to develop further devolution of Victim & Witness Services to PCCs, including formal responsibilities for the local performance monitoring of compliance with the Victims Code.
- 1.4 In addition, PCCs are working with government and local partners to develop the role of PCCs across the Criminal Justice System in order to improve outcomes for victims and the wider public at a local level.
- 1.5 Similarly, the Policing & Crime Act 2017, gives PCCs enhanced powers and responsibilities relating to the Police complaints system. These are likely to be in place in April 2019.
- 1.6 Elected Commissioners are also taking forward referrals set out in the Policing & Crime Act 2017, including the statutory duty to collaborate across emergency services and for PCCs to take on governance of Fire & Rescue Services, subject to a local business case and the Home Secretary's approval.
- 1.7 On coming into Office in November 2012, the Police & Crime Commissioner for Lancashire appointed a Deputy PCC and 3 Assistant Commissioners. These posts were structured out in an office restructure in November 2014.

2. Looking Ahead

- 2.1 In the light of the changing demands on PCCs, the PCC for Lancashire feels the time is right to seek to appoint a Deputy PCC, through an open and transparent recruitment process.
- 2.2 The Police Reform and Social Responsibility Act 2011 states that:

- The Commissioner may appoint a Deputy;
 - Certain functions can be delegated to that Deputy;
 - The Deputy, will be a member of the Commissioner's staff;
 - The Deputy may not be appointed under certain conditions, i.e., under 18 years of age; disqualified from appointment or if still an elected member of certain specialist bodies;
 - The appointment is to end not later than the term of the Office of the Commissioner (i.e., May 2020).
- 2.3 One of the unique elements of the appointment of a Deputy is that Section 7 of the Local Government Act 1989, does not apply (i.e., appointment of staff on merit). However, any appointment needs to incorporate criteria for selection, along with reasons which the candidate meets the criteria.
- 2.4 The legislation does not specify the actual role of the Deputy, as the intention is that this is developed locally.
- 2.5 In addition, the role of the Deputy is not subject to the rules of political restriction.
- 2.6 The Deputy will have employment status as a member of staff and will form part of the existing organisational structure for the Office of the PCC. The legislation also does not specify a salary, as this is also to be locally determined.
- 2.7 Research has been undertaken and currently, around 19 of the 42 PCCs have a Deputy (See Appendix A). The salary that is paid for a Deputy on a full time basis is roughly 75-80% of the Commissioner's salary. The schedule attached shows the current pay for Deputy PCCs across the country. 75% of the Commissioner's salary, £85k is £63,750 on a full time basis and £38,250 for 22.2 hours per week (the equivalent of 3 days per week).
- 2.8 However, due to the employment status of the Deputy, alignment and integration with existing staff in the Commissioner's offices is important. It is estimated that the Deputy role would broadly be the same as an LC12, which full time is £42,918. Therefore, for 22.2 hours per week, the salary would be £25,750. The diagram attached at Appendix B shows what the structure of the office would be.
- 2.9 In the light of these calculations, the Commissioner has decided to advertise the post for 22.2 hours per week at £25,750. In addition, the following additional provisions will apply:
- No annual increments will apply;
 - No payment for overtime, but with the expectation of working long and unsocial hours, including over weekends.
- 2.10 Other key terms and conditions would follow the principles that apply to the Commissioner's professional officers who report to the Director.

- 2.11 Other than the post being politically restricted and subject to a contract fixed to the tenure of the Commissioner, there are no other special terms for the post of Deputy Police & Crime Commissioner. As with all employees of the Commissioner, the Deputy will be accountable to the Head of Paid Services (the Director), who with the Commissioner, will oversee his/her performance. The role does not include a company car, but the post holder will be able to claim appropriate mileage for travel outside that of communities to a permanent place of employment. Expenses and mileage will be paid in accordance with the allowance and expenses scheme.
- 2.12 The successful candidate, subject to a Confirmation Hearing, will be required to sign a Contract of Employment and he/she will be required to sign Declaration of Eligibility, the Official Secrets Act and the Code of Conduct. In addition, the successful candidate will need to be subject to successful vetting clearance.
- 2.13 For the avoidance of doubt, if at any time the PCC is unable to continue as PCC (temporarily or permanently), the DPCC will not automatically become interim PCC. The legislation says that the interim PCC must be a member of OPCC staff and it would be for the Panel to determine which member of OPCC staff should perform those duties for the period of absence or up to 6 months. It would be reasonable however, to assume that the Panel would appoint the DPCC in to the temporary PCC role, as they will have unrestricted ability to perform the political functions of the role.

3. Criteria for Selection

- 3.1 The Director has developed a role profile in conjunction with the Commissioner and it is attached at Appendix C. It sets out the work to be undertaken, along with the specification of experience, skills and qualities of the individual to perform it.
- 3.2 The key tasks to be carried out by the Deputy are:
- Develop and promote effective working relationships with key internal and external stakeholders, including local and national media, strategic partners and politicians, in order to further the aims and objectives of the PCC;
 - Hold portfolios of work as required by the PCC;
 - Support the Commissioner, as required, including summarising and briefing the PCC on these issues;
 - Assist the PCC in holding the Chief Constable to account;
 - Support the PCC with the development and shape of the future strategy;
 - Develop an enhanced understanding of the political landscape in Lancashire and to lobby and influence political stakeholders to support the PCC policy;
 - To represent the views of the PCC to all relevant stakeholders, including media and politicians;
 - Undertake other duties commensurate with the nature, level of responsibility and grading of this post, as required.

3.3 The person specification sets out the key criteria for selection, the core elements include:

Skills and Experience:

Essential Requirements:

- This post is a political appointment. As such, candidates are expected to share the Commissioner's principles and values;
- Educated to a degree level or equivalent experience;
- Broad understanding of national policing and criminal justice challenges;
- Senior experience in governance in a private, public or third sector body;
- Proven experience of persuading and influencing, including with political and organisational leaders;
- Proven track record of working with local communities and representing their needs;
- Demonstrable ability to network, build relationships with, and engage with, a wide variety of stakeholders including MPs and councillors;
- Excellent interpersonal and communication skills and the ability to chair and make presentations to meetings with partners or the general public;
- Participation in successful delivery of major organisational change;
- Political astuteness;
- Experience of managing and improving performance;
- Proficient use of IT and Office software
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Personal Attributes:

- Selflessness;
- Honesty and integrity;
- Objectivity;
- Accountability;
- Openness;
- Personal judgement;
- Respect for others;
- Leadership
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Special conditions for the role:

- The PCC is an equal opportunities employer and welcomes applications from all sections of the community;
- All applications must meet the eligibility criteria and must not be disqualified;
- The post holder is required to be vetted and to sign the Official Secrets Act;
- The successful candidate will be required to work flexibly, including working evening and weekends;
- The role requires regular travel across Lancashire. A full driving licence and access to transport is required.

4. Timescales & Process

4.1 The timetable for the recruitment process is set out below:

Advert: 26th July 2018

Closing Date for applications: 17th August 2018, 12 noon

- 4.2 The Panel are requested to authorise David Fairclough, the Secretary, to oversee the recruitment process and observe the interviews and report back to Panel on the processes adopted.
- 4.3 The Interview Panel will consist of the Commissioner, the Director and the Chair of Audit & Ethics Committee (who will act as an independent member of the panel).
- 4.4 The advert will be placed on the Commissioner's website and will be promoted by social media.

5. Implications

- 5.1 The cost of the Deputy PCC will be contained in the office budget.
- 5.2 The Commissioner is entitled to appoint a Deputy PCC further to the provisions of the Police Reform and Social Responsibility Act 2011. In addition to the legal requirements, the process is compliant with the 2015 Committee on Standards in Public Life 'Tone from the Top', which made recommendations about selecting and appointing Deputy Police & Crime Commissioners.
- 5.3 The Deputy will be a staff appointment and subject to the terms and conditions set out above.
- 5.4 There are no equality impacts.

6. Conclusion

- 6.1 The Commissioner is therefore recommended to agree with the process and procedure set out in this report and to present a report to the Police & Crime Panel for their input at a meeting on 25th July 2018.

Background Papers

Police Reform and Social Responsibility Act 2011

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