

**Decision No
DEL 2013/04**



**REPORT TO: CHIEF EXECUTIVE POLICE AND CRIME
COMMISSIONER FOR LANCASHIRE**

**REPORT BY: IAN DICKINSON, STANDARDS AND GOVERNANCE
OFFICER**

DATE: 26 JUNE 2013

TITLE: PROVISION OF HR SUPPORT AND ADVICE

Appendix A refers

EXECUTIVE SUMMARY

Agreement to engage the services of NW Employers for the provision of HR advice and support to the Office of the Police and Crime Commissioner between 14 June 2013 and 31 March 2014.

RECOMMENDATION

That the Chief Executive agrees to

- i) Engage the services for the provision of HR advice and support to the Office of the Police and Crime Commissioner (OPCC) between 14 June 2013 and 31 March 2014,
- ii) waive Standing Order 2.1.2 to enable the Chief Executive to engage the services of North West Employers without obtaining written quotations or inviting tenders.

Decision taken by the Police and Crime Commissioner for Lancashire:

Original decision, as set out in the attached report, approved without amendment (please delete as appropriate)	YES	NO
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Original decision required to be amended and decision as detailed below:

The reasons for the amended decision are as detailed below:

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Chief Executive: Comments

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DECLARATIONS OF INTEREST

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The PCC is asked to consider any personal / prejudicial interests he may have to disclose in relation to the matter under consideration in accordance with the law, the Nolan Principles and the Code of Conduct.

STATEMENT OF COMPLIANCE

The recommendations are made further to legal advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation.

Decision taken under delegated powers in accordance with Article 8 of the Interim Scheme of Governance – Officer Decision Making Standing Order 2.1.2 waived	Signed: Chief Executive and Solicitor: Date:
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	Signed: Chief Finance Officer: Date:
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1. Background and Advice

- 1.1 The Police Reform and Social Responsibility Act ('the Act') which created PCCs also sets out a statutory second '**Stage 2**' transfer which refers to the subsequent movement of certain staff, property, rights and liabilities from the PCC to the Chief Constable.
- 1.2 A Transfer Schedule must be submitted to the Home Secretary by 16 September 2013 and the deadline for Stage 2 transfers to be completed is 1 April 2014.
- 1.3 As part of the preparation for stage 2 transfers the Commissioner and Chief Executive have reviewed the support required in relation to independent HR, finance and legal advice to make the right decisions for their areas during both the period from 1 June 2013 to 31 March 2014 and beyond. HR services would normally be provided by Lancashire Constabulary HR Department. However, as the HR Department will also be providing HR advice and support to the Chief Constable in relation to 'stage 2' transfer process there is potential for a conflict of interest in relation to future staff transfers.
- 1.4 The Commissioner is committed to working with local partners to deliver better services and to ensure that resources are used effectively.
- 1.5 The NW Employers, of which the OPCC is a member, have agreed to provide HR services for the period from 14 June 2013 to 31 March 2014.
- 1.6 As part of the preparations for the Stage 2 transfer, over the coming few months, the OPCC will be exploring opportunities for working with local partners, and the short term nature of the agreement with the North West Employers at 31 March 2014 will provide flexibility when considering suitable arrangements for the longer term.
- 1.9 Standing Order 2.1.2 provides that the Chief Executive may enter into contracts

"between £6,000 and £60,000 in value, provided that a reasonable number of (not less than three) written competitive quotations or tenders for each contract have been received (unless the contract is one caught under Standing Order 6.1 in which case tenders and quotations will not be required.)" (Standing Order 6.1 does not apply in relation to this proposed agreement.)

If it proves impossible to comply with the requirements set out at 2.1.2, the Chief Executive may agree to waive these provisions provided that the reasons for doing so are lawful and recorded in writing.

The proposed charges represent value for money as, by entering into a partnership arrangement with a local authority, they are significantly lower than they would be by going out to tender. It is therefore recommended that Standing Order 2.1.2 be waived.

2. Consultations

N/A

3. Implications:

This item has the following implications, as indicated:

3.1 Risk management

It is essential the OPCC has continued access to adequate HR advice and support on a day to day basis. Given the knowledge and experience built up by the North West Employers over a number of years, this arrangement would provide support in the provision of HR services, during the initial interim period, when the OPCC team will be preparing for further significant changes as part of the Stage 2 transfer.

3.2 Financial Implications

The charges are on the basis that the OPCC will pay equivalent of £[] per year, charged at

4. Background Papers

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Contact / Telephone: Ian Dickinson 01772 533462

5. Public access to information

Information in this form is subject to the Freedom of Information Act 2000 and other legislation.

Any fact or advice that should not be made automatically available on request will not be included in Part I but instead as a Part II form.

Decisions will be available on the Police and Crime Commissioner's website within 2 working days of being approved.

Deferment of publication is only applicable where release before the decision date would compromise the implementation of the decision being approved.

Is the publication of this decision be deferred? No

Is there a Part II form:- No

Officer declaration	Date
The legal services team have been consulted on this proposal.	
LEGAL IMPLICATIONS	
The Chief Finance Officer has been consulted on this proposal.	
FINANCIAL IMPLICATIONS	
EQUALITIES IMPLICATIONS	