

**Section A
For Publication**

**THE OFFICE OF POLICE AND CRIME COMMISSIONER
FOR DERBYSHIRE
DECISION RECORD**

Request for PCC Decision	Received in OPCC Date: 16 January 2013	OPCC Ref: 05/13
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Title: Interim arrangements for designated posts of the Police and Crime Commissioner

Executive Summary: To be completed by PCC Specialist lead

On 31 January 2013 the contracts of the temporary Chief Executive and the seconded Treasurer and the Transition Accountant will come to an end and the arrangements for filling these posts was detailed.

The current Chief Executive will resume her substantive role as Treasurer. A recruitment process for a Chief Executive was outlined in the report. In the interim, until a full time Chief Executive is appointed, the Transition and Business Manager will act up.

Decision

Resolved that

i That under Schedule 1.6(1)(a) of the Police Reform and Social Responsibility Act 2011 the current Business and Transition Manager Phil Harper QPM is appointed from 1 February 2013 the as the interim Chief Executive and Monitoring officer, for a period limited to the successful recruitment and commencement of a new Chief Executive and Monitoring Officer.

li That under Schedule 1.6(1)(b) of the Police Reform and Social Responsibility Act 2011 from 1 February 2013, the Commissioner's Treasurer will be Helen Boffy .

lii That the recruitment timeline for the post of Chief Executive and Monitoring Officer is approved

Declaration

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

None

The above request has my approval.

Signature *Electronically Signed*

Date 21 January 2013

PUBLICATION SCHEME CONSIDERATIONS

Is the related Section B report to be published Yes

Is the publication of this approval to be deferred No

Date to be deferred to –

NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: *all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.*

OFFICER APPROVAL

Chief Executive:

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Signature

Electronically Signed

Name Helen Boffy

Date 17 January 2013

STRATEGIC GOVERNANCE BOARD
21 JANUARY 2013
REPORT OF THE CHIEF EXECUTIVE OF
THE POLICE AND CRIME COMMISSIONER

7D: INTERIM ARRANGEMENTS DESIGNATED POSTS OF THE POLICE AND
CRIME COMMISSIONER

1. PURPOSE OF THE REPORT

- 1.1 The Police Reform and Social Responsibility Act 2011 (PRORA) established new arrangements for policing governance in England and Wales, effective from 22 November 2012. The Commissioner is responsible for the totality of policing, including securing the maintenance of an efficient and effective police force, setting local policing and crime priorities, holding the chief constable to account, setting the Force budget and precept and disbursing community safety funding.
- 1.2 Certain posts are designated in statute and the Commissioner is required to have a Chief Executive, who is also the Monitoring Officer; and a Chief Finance Officer, called for ease of differentiation from the Chief Constable's Chief Finance Officer, as the Treasurer. The legislation makes no requirement that they be full time members of staff.
- 1.3 In August 2011 the Treasurer to the Police Authority undertook to carry out the role of Chief Executive and Treasurer as had become necessary until the arrival of the Commissioner. This was anticipated to be until the Police and Crime Commissioner elections in May 2012 and the Treasurer agreed for this to be extended when the elections were put back until November 2012. The job now successfully completed will see the contract of the current Chief Executive expire on the 31st January 2013 and they will resume their substantive role of Treasurer. The report outlines the interim arrangements to

satisfy the statutory requirements until the appointment of a new Chief Executive and Monitoring Officer.

2. INFORMATION AND ANALYSIS

2.1 The 31st January 2013 will see the conclusion of both the current Chief Executive's contract and the end of the seconded Treasurer and Transition Accountant employed to cover the post of Treasurer during the latter months of the Transition to the Office of the Police and Crime Commissioner.

2.2 The Commissioner has determined that in line with the statutory requirement to do so, the new Chief Executive will be appointed on merit and a recruitment process has commenced. A time line for recruitment is provided and a short term gap is anticipated between the 31st January and appointment of the successful candidate, to include any term of notice that they may have to serve before taking up the post

2.3 The recruitment process time line:

Chief Executive of the Office of the Police and Crime Commissioner		
Date	Activity	Owner
4 Jan	Job Description and Grading	N Smith - Complete
4 Jan	Preparation of Application pack	M Corah
10 Jan	Intervention Pack sent for approval	Commissioner
14 Jan	Pack amended and to advert	M Corah
17 Jan	Advertisements in DET/Twitter/FB/APCCE etc	M Corah
3 Feb	10.00 Monday 3rd Feb closing date for applications	M Corah
4 Feb	Acknowledge applications, sift and long list	M Corah
8 Feb	Intervention Short listing of candidates	Commissioner
14 Feb	Test period and interview dates set for candidates	M Corah
25 Feb	Reports from tests expected on each candidate	External provider
4 Mar	Intervention Interviews; prepared question booklets	S Watts
22 Apr	Complete; Vetting, Drug Test, References, Medical	M Corah/PSD

30 Apr	Confirm successful candidate, publish decision	Commissioner
	Police & Crime Panel proposed senior appointment	
30 May	Period of potential notice served by candidate	

- 2.4 In order to satisfy the on-going need to have a Chief Executive and Monitoring Officer the Commissioner is to act up the Transition and Business Manager on an interim measure. This post has been responsible for overseeing the change of governance from the former Police Authority to the Office of the Police and Crime Commissioner, working in partnership with the set up arrangements of the Police and Crime Panel and the drafting of the Police and Crime Panel.
- 2.5 The resumption of the current Chief Executive to the substantive role of Treasurer resolves the issue of maintaining a Chief Financial Officer role and being a TUPE transfer is not required to be subject to a proposed senior appointment Confirmation Hearing before the Police and Crime Panel
- 2.6 In regard to the need for a Confirmation Hearing for an Interim Chief Executive, legal advice has been sought and received on the 9th January 2012 from the Director of legal Service to Derbyshire County Council and the Police and Crime Panel. Having carefully considered the circumstances as described a Confirmation Hearing is not required in relation to the appointment of an Interim Chief Executive. The appointment to this temporary position represents an acting-up arrangement and has not required a recruitment and selection process.
- 2.7 In addition to the nature of the process of appointment, taken into account is the short term nature of the interim post and the fact that the interim chief executive will not be applying for the substantive post.

2.8 In keeping with the Guidance, the County Council's Director of HR has been consulted in considering this matter and concurs with the legal advice. The Chair of the Police and Crime Panel, Councillor David Chapman has also been consulted and he too approves of the above.

3. RECOMMENDATIONS

- i. That under Schedule 1,6(1)(a) of the Police Reform and Social Responsibility Act 2011 the Commissioner appoint on 1 February 2013 the current Business and Transition Manager Phil Harper QPM as the interim Chief Executive and Monitoring officer for a period limited to the successful recruitment and commencement of a new Chief Executive and Monitoring Officer.**
- ii. That under Schedule 1,6(1)(b) of the Police Reform and Social Responsibility Act 2011 the Commissioner's Treasurer will be Helen Boffy from 1 February 2013**
- iii. That the recruitment timeline for the post of Chief Executive and Monitoring Officer be approved**

4. IMPLICATIONS

All implications are assessed and scored to the table below.

HIGH – supporting explanation and narrative required and to be contained within the report

MEDIUM – narrative to be contained within the report at the discretion of the author

LOW – no narrative required

	LOW	MEDIUM	HIGH
Crime & Disorder	√		
Environmental	√		
Equality & Diversity		√	
Financial	√		
Health & Safety	√		
Human Rights	√		
Legal			√
Personnel		√	

Contact details in the event of enquiries	Name: Phil Harper QPM External telephone number: 01773 733766 Email address: Philip.harper.16203@derbyshire.pnn.police.uk
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BACKGROUND PAPERS

1. Police Reform and Social responsibility Act 2011

ATTACHMENTS

None.