

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

Request for PCC Decision	Received in OPCC Date: April 2018	OPCC Ref: 15/2018
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OFFICE RESTRUCTURE

Executive Summary:

Approval is being sought for a change in office structure within the OPCC to respond to changing statutory responsibilities for the PCC relating to the handling of complaints against Police Officers and to better support the PCCs general approach to delivering the role of Police and Crime Commissioner

Decision

That following consultation with the existing OPCC staff and with representatives from UNISON that the new proposed staffing structure outlined in the attached report is adopted.

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 Hardyal Dhindsa	Date
PUBLICATION SCHEME CONSIDERATIONS	
Is the related Section B report to be published Yes The report contains commercially sensitive information.	

Is the publication of this approval to be deferred No If Yes, provide reasons below Date to be deferred to – NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: <i>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”.</i>
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OFFICER APPROVAL	
Chief Executive or Nominee: 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	
Name David Peet	Date

STRATEGIC GOVERNANCE BOARD
18TH APRIL 2018
REPORT OF THE CHIEF EXECUTIVE

OFFICE RESTRUCTURE

1. PURPOSE OF THE REPORT

- 1.1 To update the Police and Crime Commissioner (PCC) on work to review the current office structure and propose a revision to structure to ensure that the Commissioner is able to discharge their statutory functions.
- 1.2 To recommend the adoption of the new office structure, subject to engagement with existing OPCC staff and representatives from UNISON

2. BACKGROUND

- 2.1 The Police Reform and Social Responsibility Act 2011 (PRSRA) saw one of the most significant changes in policing governance in a generation.
- 2.2 One of the most significant changes was the abolition of Police Authorities and a single directly elected role, the Police and Crime Commissioner (PCC), taking their place.
- 2.3 In preparation for this all police authorities undertook extensive work to ensure that their offices were realigned to meet the new governance arrangements, and new statutory responsibilities that were given to PCCs, including the commissioning of victim services.
- 2.4 One of the most significant challenges during this period of realignment was a lack of understanding of how exactly the new role of PCC would function. The PRSRA was clear that there needed to be a head of the Commissioner's staff appointed as well as a person responsible for the proper administration of the commissioner's financial affairs. Beyond that commissioners were free to arrange their offices as they saw fit.

- 2.5 It must be noted at this point that the scope of the role of the PCC was intended to be significantly larger than that of the Police Authority and includes responsibilities around wider crime and community safety issues that were not part of the Police Authority's remit.
- 2.6 In accordance with the legislation a Chief Executive and a Chief Finance Officer (Treasurer) role were established in Derbyshire.
- 2.7 Below these roles the work of the office was split into three main work-streams: Compliance and Engagement, Governance and Administration and Finance & Commissioning.
- 2.8 The Compliance and Engagement stream was responsible for dealing with all matters relating to complaints, casework, specific elements of the police misconduct process (inc. appointing chairs to Police Appeals Tribunals (PATs), providing independent members to sit on PATs and more recently responsibilities around the provision of Legally Qualified Chairs (LQCs) for initial Police Misconduct Hearings). They also headed up the PCC's consultation and engagement activity to secure the views of the public on the issues that mattered to them both as members of the public and more specifically as victims of crime.
- 2.9 The Governance and Administration stream supported the work of the PCC in ensuring transparency in decision making, the maintenance of accurate records of PCC public meetings, dealing with requests for information under the Freedom of Information Act 2000, the management of the PCC's Independent Custody Visiting Scheme, assistance with analysis of data including crime statistics and work on oversight and development of local, regional and national policy.
- 2.10 The Finance and Commissioning stream looked to ensure the proper management of the public funds that the PCC held as well as the commissioning of services to support those who had been the victim of crime to enable them to 'cope and recover'.
- 2.11 In addition to this, the first PCC for Derbyshire, Mr Alan Charles, wanted to give an opportunity to young people to gain the skills and practical experience

to start a career within public service/policing and as such created two roles within the office to achieve this. An apprentice role was created to allow someone who did not want to pursue a higher education path to gain skills in business administration. This role was for a year for a level 2 qualification, or 18 months if the person was undertaking a level three qualification. A year-long paid internship was also created to offer a recent graduate the opportunity to apply the theoretic knowledge they had gained in a relevant field within a practical policing environment. Both roles have proven highly successful with all of those who have gone through the process gaining work, and in the vast majority of cases within an associated field.

2.12 At the time of transition from Police Authorities to PCCs the overall cost of the office was reduced by £100,000 and this money was re-invested into policing.

2.13 For the current structure see Appendix A

3. REVIEW

3.1 Since its inception a much greater understanding of the potential reach of the role of PCC has been understood. Up and down the country PCCs all take subtly different approaches to discharging their functions, and their offices are structured accordingly.

3.2 Additional statutory responsibilities and/or opportunities have come into effect. One of the most significant is the ability for PCCs to take over the governance of Fire and Rescue services – locally the PCC is on record as saying that this is not something he wishes to pursue.

3.3 A later paper on this SGB meeting agenda talks about a new statutory responsibility that all PCCs will need to respond to coming into effect that will see PCCs taking on a responsibility as a review body for appeals made against the outcome of complaints against the police.

3.4 With these changes in mind it has become clear that a review into the current office structure and its ability to fit with the PCCs approach to the role and new statutory responsibilities is necessary.

3.5 As with any review it has been necessary to consider the potential impact on the bottom line costs for the office and the significant financial pressures facing the police service and wider public sector.

3.6 For the proposed structure see Appendix B

4. COMPLIANCE & ENGAGEMENT

4.1 As outlined at 2.8 of this report, the Compliance and Engagement Team currently deal with all aspects of casework, providing people into designated roles within the police misconduct process and developing and delivering the PCC's consultation and engagement programme.

4.2 Over the past couple of years (2015/16-2017/18) there has been an increase of 14% in the total amount of casework undertaken by the office. (A detailed report on the nature of casework will be presented to the new Strategic Priorities Assurance Board (replacement for the SGB) later in the year.)

4.3 Engagement activity has seen a significant increase in work through the PCC's #D383 programme – an initiative that will see the PCC visit all 383 towns and villages in Derbyshire during his 4 year term in office. The aim is to ensure that the voices of those within the many and varied communities across the County are heard.

4.4 Once a #D383 visit has taken place there can often be pieces of follow up work that need to be undertaken which has also seen an increase in the workload for the team.

4.5 Looking to the future it is fair to say that the full impact of the new duty on the PCC to act as the appellant body for complaints against the police is yet to be fully understood. However, work has been undertaken to understand the current number of appeals made to the Force under the existing system to give a proxy indication of numbers. Care has been taken to factor in the new approach to complaints that will see 'any expression of dissatisfaction' being considered a complaint which will see an increase in potential cases for the PCC to consider.

- 4.6 The PCC has options under the new Policing and Crime Act 2017(PCA) as to the level of responsibility they wish to take for complaints/appeals, and this will be discussed in a later paper, but current indications are that the PCC will look only to handle appeals.
- 4.7 Taking these considerations into account it is proposed that 'compliance' and 'engagement' are separated, allowing each area of business to be resourced to a level that will maximise efficiency and impact.
- 4.8 As the current Head of Compliance is a qualified solicitor it is suggested that in addition to casework all aspects of legal compliance sit under this role on a day to day basis. This will include the new complaints responsibilities, compliance with the Specified Information Order 2011 – ensuring transparency, dealing with requests for information under the Freedom of Information Act 2000. The role will also take on a Deputy Monitoring Officer responsibility to provide cover when the Chief Executive is unavailable.
- 4.9 Engagement activity will continue to be delivered by both the Consultation and Engagement Officer and the Digital Engagement Officer and will be overseen by an Engagement Coordinator who will be responsible for both the development of the Engagement Strategy as well as line managing the two engagement roles. This additional capacity will enable the impact of the PCCs engagement work to be maximised and hopefully lead to greater interaction between the PCC and the public he represents. The line management arrangements for this function will, however, move as outlined in Section 5 of this report.
- 4.10 The result of these changes will see one additional role added to these areas of work.

5. GOVERNANCE & ADMINISTRATION

- 5.1 Currently the Governance and Administration work-stream includes the Meetings and Information Officer, a Performance Analyst, the Policy & Research Manager and the Intern & Apprentice Roles.

- 5.2 The work of this part of the office is to ensure that the PCC and office colleagues are aware of developing areas of policy, are able to support and challenge the Force around performance, are able to comply with transparency requirements and to administer the PCC's Independent Custody Visiting Scheme.
- 5.3 It is proposed that this area of work is overseen by a Head of Operations who will lead on the enabling services within the office as well as overseeing the Engagement business area. The Head of Operations will also act as a deputy to the Chief Executive when the Chief Executive is not available.
- 5.4 Having moved Engagement away from the Compliance team it is proposed that a new role of Engagement Co-ordinator is established to manage the work on a day to day basis but also allow for an extra member of staff to undertake engagement activity. It is anticipated that this will allow for greater levels of general community engagement activity to take place as well as bespoke pieces of work targeting seldom heard groups and those who have been a victim of crime.
- 5.5 Currently the Meetings and Information Officer within the team is responsible for dealing with Freedom of Information requests into the office. With this function moving to the Compliance team it will free up time to allow the officer to further develop the Independent Custody Visiting Scheme. Currently the scheme visits custody and undertakes a general assessment of the suite and the care given to detained people. The Derbyshire PCC's office is currently working with the Independent Custody Visitors Association (ICVA) to develop new processes that will provide greater levels of oversight and assurance about the care of those people who have additional vulnerabilities such as those with mental health issues or detained people under 18.

6. FINANCE & COMMISSIONING

- 6.1 One significant difference between the role of the PCC compared to those of Police Authorities is the responsibility to commission support services for victims of crime.

- 6.2 Derbyshire was one of the 'early adopters' for this new responsibility and saw victim services being commissioned from the autumn of 2014.
- 6.3 Since then the PCC has commissioned a generic support service along with specialist services for domestic abuse, sexual violence, hate crime and a service for young people. The PCC has also worked with strategic partners to co-commission services such as SARC services (Sexual Assault Referral Centre) and support services for young people who have been the victim of Child Sexual Exploitation (CSE).
- 6.4 The PCC also has developed a number of grant programmes to support work by local third sector partners and the work of Community Safety Partnerships (CSP). In 2016 the PCC took the decision that in order to support the work of the CSPs he would make the funding for a 3 year period, allowing for some stability in this difficult financial climate.
- 6.5 The PCCs commissioning and grant making activity is now embedded into the office and with the retirement of the former Head of Commissioning it has been possible to review how these functions will be delivered in the future.
- 6.6 It is proposed that work around the PCCs commissioned services and grant making activity is brought closer together to maximise the potential benefits for the people of Derbyshire. Closer ties will also facilitate a greater understanding of the impact of those services the PCC chooses to fund.
- 6.7 The role of Grants and Partnerships officer will be deleted from the office structure with a new role, Commissioning and Grants Officer, being established. With access to appropriate training it is hoped to be able to succession plan within this function, with the Commissioning and Grants officer attending training delivered through the Commissioning Academy.
- 6.8 Given the large number of grants and commissioned services running through the office a new administrative role has been created to support this function as well as offering additional support to the Chief Finance Officer on the national programmes that the Derbyshire OPCC leads on.

7. OTHER IMPLICATIONS

- 7.1 Due to the significant developing agendas for PCCs such as the potential governance of Fire and Rescue services and the developing role of PCCs around the Criminal Justice System a Policy and Partnership Officer role has been developed to allow for the PCC to be briefed and advised on developments.
- 7.2 The role will also support the work that the PCC is undertaking nationally as part of his portfolio responsibilities around Substance Misuse and Hate Crime – supported by officer time at the Association of Police and Crime Commissioners.
- 7.3 The total staffing will see a shift from a headcount of 17 (15.21FTE) to a headcount of 19 (17.9FTE) excluding the PCC or the Deputy PCC.

8. COST IMPLICATIONS

- 8.1 The impact of this revision to the OPCC structure had been given a notional maximum cost of £100k within the 2018/19 budget.
- 8.2 Having reviewed the roles and assigned salary grades to each of them the revised cost is £90,700, including on-costs (pension contributions and national insurance).
- 8.3 It should be noted that during the 2018/19 financial year the cost will be less than this due to the time delay in recruiting into the roles.

9. RECOMMENDATIONS

- i) That the staffing structure of the OPCC is revised as set out in this report

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	x		
Environmental	x		
Equality & Diversity	x		
Financial		x	
Health & Safety	x		
Human Rights	x		
Legal	x		
Personnel			x

Contact details in the event of enquiries	David Peet External telephone number: 0300 122 6000 Email address: david.peet.16406@derbyshire.pnn.police.uk
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BACKGROUND PAPERS

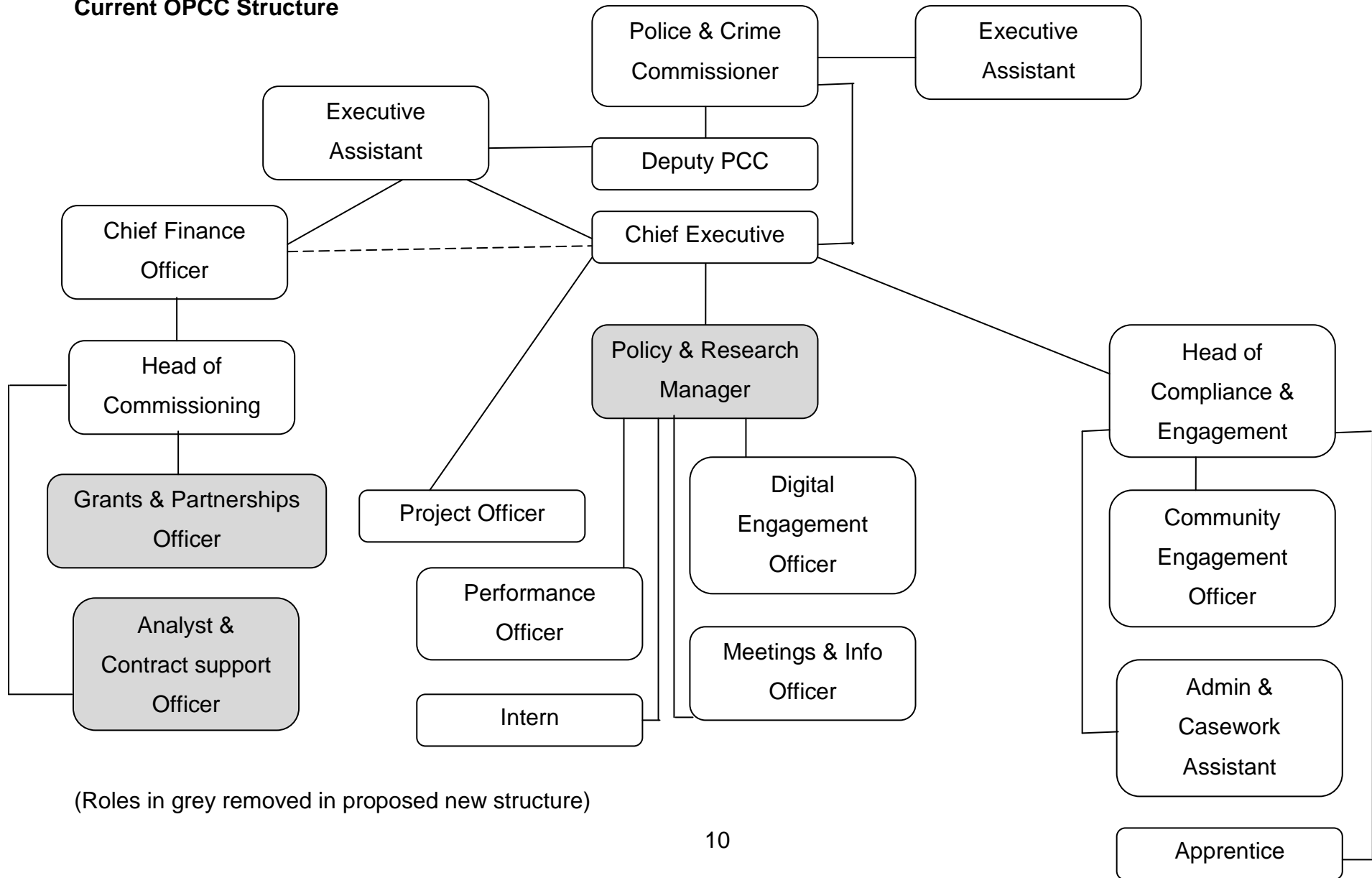
None

ATTACHMENTS

Appendix A: Current Structure

Appendix B: Proposed new Staffing Structure

Appendix A
Current OPCC Structure



(Roles in grey removed in proposed new structure)

Appendix B
Proposed Structure

