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**Appointments to Strategic Policing and Crime Board (Assistant Police and Crime Commissioners) and appointment of Strategic Adviser to the Police and Crime Commissioner**

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**EXECUTIVE SUMMARY**

The purpose of this report is to approve the following appointments:-

- Senior Assistant Police and Crime Commissioner
- Assistant Police and Crime Commissioner
- Strategic Adviser to the Police and Crime Commissioner

**DECISION**

1. To appoint to the position of Senior Assistant Police and Crime Commissioner (SAPCC).
2. To appoint to the position of Assistant Police and Crime Commissioner (APCC).
3. To appoint to the position of the Strategic Adviser to the Police and Crime Commissioner.
4. That the process used for the selection and appointment of the SAPCC and APCC be approved as meeting the principles of obtaining value for money as required by the rules for contracts and financial regulations.
5. The appointment to the position Strategic Advisor was subject to separate arrangements as detailed in this report.
6. That:

Ashley Bertie be appointed to the position of Senior Assistant Police and Crime Commissioner with a start date of 1 June 2017.

Lynnette Kelly be appointed to the position of the Assistant Police and Crime Commissioner with a start date of 1 June 2017.

Thomas McNeil be appointed to the position of Strategic Adviser to the Police and Crime Commissioner with a start date of the 10 July 2017.

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**West Midlands Police and Crime Commissioner**

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the Police and Crime Commissioner of the West Midlands. Any interests are indicated below.

Signature.....*David Jones*  
Date.....*2.6.17*

## **NON - CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER**

1. The purpose of the Strategic Policing and Crime Board (SPCB) is to ensure that the Commissioner is able to effectively engage and represent all areas of the West Midlands and to support the Commissioner in his role of ensuring an efficient and effective police service for the West Midlands through the setting of the strategic direction for the Force and holding the Chief Constable to account for the exercise of his functions.
2. The proposal is to continue a Board currently with 10 members plus one vacancy, including the Commissioner, a Senior Assistant Police and Crime Commissioner, an Assistant Police and Crime Commissioner, and 7 Non-executive Board members. The full membership of the Board is for eleven members (PCC, SAPCC, APCC and 8 non-executive members); there is currently a vacancy. The appointments to the 8 Non-executive Board members took place in May 2016 and the extension of 7 Non-executive contracts from 1<sup>st</sup> June 2017 to 31 May 2017 was subject to decision 021/2017 (one Non-executive Board member has stepped down and their seat remains vacant). The work of the Commissioner, and the Board, will be further supported by the appointment of a Strategic Adviser to the Police and Crime Commissioner. Therefore this decision deals with the appointments of:-
  - Senior Assistant Police and Crime Commissioner
  - Assistant Police and Crime Commissioner
  - Strategic Adviser to the Police and Crime Commissioner

## **STRATEGIC POLICING AND CRIME BOARD TERMS OF REFERENCE**

3. The principal terms of reference for the Board, which will work as a team under the leadership and direction of the Commissioner, are to:
  - maintain an overview of the implementation of the Commissioner's manifesto in order to ensure consistency in approach but having regard to the differing needs in the West Midlands
  - assist the Commissioner to monitor the implementation and achievement of the Police and Crime Plan and support the Commissioner in any work required to vary the Plan during his term of office
  - scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan
  - advise the Commissioner in exercising his functions in setting the budget and precept
  - ensure the effective working of arrangements for consulting with and engaging local residents, communities and victims of crime
  - ensure effective working with local authorities and other partners and advise the Commissioner on their effectiveness in achieving the outcomes from his award of crime and disorder reduction grants
  - advise and support the Commissioner in his decision making role and in holding the Chief Constable to account
  - support the Commissioner more generally in the fulfilment of his statutory duties, to include equalities and human rights obligations
4. The proposal is to establish the Board with effect from 1 June 2017, with a membership consisting of 11 positions: the Commissioner, a Senior Assistant Police and Crime Commissioner (SAPCC), an Assistant Police and Crime Commissioner (APCC), 7 Non-

executive Board members, and one vacancy for a Non-executive Board member. The work of the Police and Crime Commissioner, and the wider Strategic Policing and Crime Board, will be further supported by the appointment of a Strategic Adviser to the Police and Crime Commissioner.

5. The SAPCC and APCC will have some functions delegated to them and will have particular roles to support the PCC generally in the exercise of the PCC's statutory functions, to support the delivery of the PCC's manifesto and the political ambitions of the PCC. The non-executive members will be full members of the Board. It is not envisaged that they will be given formal delegated responsibilities. They will be expected to provide an independent element of challenge to the work of the Commissioner, and may be required to form part of the membership of the Joint Audit Committee as required under the statutory Financial Code of Practice. Their inclusion in the Joint Audit Committee membership is supported by the Chief Constable. However the Chief Constable will not have a role in their selection.
6. It is expected that the Board will meet in public on a monthly basis, and will also meet informally once each month.
7. The Strategic Adviser to the Commissioner will have particular responsibilities in assisting with the delivery of the Police and Crime Plan.

#### **ROLE OF SAPCC, APCC and STRATEGIC ADVISER**

8. The role profiles for the SAPCC, APCC and the Strategic Advisor are attached at Annex one to this report.

#### **SAPCC AND APCC APPOINTMENT AND SELECTION PROCESS**

9. The proposed appointments to the SAPCC and APCC followed an open application process which was based upon the principles set out in the Code of Practice published by the Commissioner for Public Appointments relating to ministerial appointments to public bodies. The three basic principles are that appointments be made on merit by an objective, fair and open selection process.
10. The closing date for applications was Noon on 19 May 2017. Shortlisting took place on 23 May 2017 and was undertaken by the Commissioner and the Chief Executive. Interviews took place on 30 May 2017 conducted by the Commissioner, the Chief Executive and an independent member (a local JP).
11. Selection for the roles has been made using the role profiles set out at Annex One. Shortlisting and interviews were designed to test the knowledge and skills required for each role, as set out in Annex One

#### **STRATEGIC ADVISOR APPOINTMENT AND SELECTION PROCESS**

12. In relation to the Strategic Adviser the timeframe of the activities required to be completed by the position there has been no opportunity to undertake a competitive selection exercise. In addition the required skills and experience required for the post are of specialist nature which means it is unlikely there will be many individuals that can perform the role.
13. Given the above factors it is recommended Police and Crime Commissioner awards the contract for services of the Strategic Adviser to Tom McNeil.

## **PROPOSED TERMS OF APPOINTMENT**

11. Persons appointed to the posts of SAPPC, APCC and Strategic Adviser are not be members of the Commissioner's staff nor will they be employees. They will be engaged on a contract for services with detailed terms and conditions which will secure the proper performance of their role in the public interest. Appointees will not be politically restricted. A detailed list of proposed terms of appointment is set out in Annex 2.
12. SAPCC Ashley Bertie will be contracted to perform an average equivalent to 22 days per month, and fees of £41,620 per annum will be paid for delivery of these services. APCC Lynnette Kelly will be contracted to perform an average equivalent to 12 days per month and fees of £30,300 per annum will be paid for delivery of these services. Strategic Adviser Thomas McNeil will be contracted to perform 20 days per month and fees of £70,000 per annum will be paid for delivery of these services.

## **FINANCIAL IMPLICATIONS**

13. The full year total costs for salaries, contract fees and all expenses for the PCC, SAPCC APCC, Strategic Adviser and members of the Strategic Policing and Crime Board is estimated to be £342,300 this will be funded through the budget of the OPCC.

## **LEGAL IMPLICATIONS**

14. The Commissioner has power under paragraph 14 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 (the Act) to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the PCC. This includes entering into contracts.
15. The proposed appointments are to be contracts for the provision of services by the persons appointed. The proposed terms set out in Annex 2 will be incorporated into a legally binding contract for services.

## **EQUALITY IMPLICATIONS**

20. Appointments will be made in accordance with the Commissioner's Equality Policy.

