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Appointment of Strategic Policing and Crime Board

EXECUTIVE SUMMARY

The purpose of this report is to establish a Strategic Policing and Crime Board, and to approve the appointment of members to the Strategic Policing and Crime Board.

DECISION

1. That a Strategic Policing and Crime Board be established with effect from 1 June 2016 with the role profiles and terms of reference set out in this paper.
2. That the process used for the selection and appointment of the Assistant Police and Crime Commissioners and Non-Executive Board Members be approved as meeting the principles of obtaining value for money as required by the rules for contracts and financial regulations.
3. That:
Councillor Judy Foster
Ashley Bertie
be appointed as Assistant Police and Crime Commissioners on 1 June 2016.
4. That:
Brendan Connor
Rt Hon Bob Ainsworth
Dr Sarah Marwick
Ernie Hendricks
Gurinder Josan
Waheed Saleem
Cath Hannon
Councillor Liam Preece
be appointed as Non-Executive Board Members on 1 June 2016.

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 West Midlands Office for Policing and Crime. Any interests are indicated below.

Signature.....

Date.....1.06.16

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 establish a Board with 11 members, including the Commissioner, two Assistant Police and Crime Commissioners (APCCs) and 8 Non-executive Board members.
3. Appointments of the Assistant Police and Crime Commissioners and the Non-executive Board members are made on the basis of an open application process, using the criteria set out in this paper.

Strategic Policing and Crime Board Terms of Reference

4. 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.
5. The proposal is to establish the Board with effect from 1 June 2016, with a membership consisting of 11 people: the Commissioner, 2 Assistant Police and Crime Commissioners (APCCs) and 8 Non-executive Board members.
The APCCs 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.
6. The non-executive members will be full members of the Board. It is not envisaged that they will be given individual 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.

7. It is expected that the Board will meet in public on a monthly basis, and will also meet informally once each month.

ROLE OF BOARD MEMBERS

8. The role profiles for the APCCs and the Non-Executive Board Members are attached at Annex one to this report.

APPOINTMENT AND SELECTION PROCESS

9. The proposed appointments follow 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 23 May 2016. Shortlisting took place on 25 May 2016 and was undertaken by the Commissioner and the Chief Executive. Interviews took place on 26 May, 31 May and 1 June. The interviews for the APCCs were conducted by the Commissioner and the Chief Executive, and the interviews for the Non-Executive Board members were conducted by the Commissioner and the two successful candidates from the APCC selection process. The West Midlands Police and Crime Panel was invited to send a representative to observe the interviews. Panel member Councillor Lionel Walker observed the interviews for the Non-Executive Board members. The interviews for the APCCs were observed by the Commissioner's Legal Adviser.

PROPOSED TERMS OF APPOINTMENT

11. Persons appointed to the Board will 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. APCC Ashley Bertie will be contracted to perform an average equivalent to 22 days per month, and fees of £39,000 per annum will be paid for delivery of these services. APCC Councillor Judy Foster will be contracted to perform an average equivalent to 11 days per month and fees of £30,000 will be paid for delivery of these services.
13. Non-Executive Board Members will be paid at the rate of £7,500 per annum. In addition, extra payments may be made available to Non-Executive Board Members for undertaking additional duties. These extra payments will be made at the discretion of the Commissioner.
14. The time commitment expected of Non-Executive Board members is an average of 2 to 3 days per month. Attendance at required meetings and events will be monitored and failure to attend meetings without good reason may lead to deduction from fees or termination of the contract.

SELECTION CRITERIA

15. 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.

FINANCIAL IMPLICATIONS

16. The full year total costs for salaries, contract fees and all expenses for the PCC, APCCs and members of the Strategic Policing and Crime Board can be contained within the allocated budget of £326,000. Implementation of the proposals in this report will not create any additional commitment to the provision made for members' costs by the Commissioner in previous years.

LEGAL IMPLICATIONS

17. 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.
18. 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.
19. The Commissioner may delegate to individual Board members under Section 18 of the Act which provides that a Commissioner may arrange for any person (who is not the DPCC) to exercise any function of the Commissioner. Decisions will not be delegated to the Board itself.

EQUALITY IMPLICATIONS

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

