

**WEST MIDLANDS POLICE
AND CRIME
COMMISSIONER**

NON-CONFIDENTIAL

NOTICE OF DECISION

001 2013

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Title: Establishment of and appointments to the Strategic Policing and Crime Board

EXECUTIVE SUMMARY

To approve arrangements for the establishment of a Strategic Policing and Crime Board with effect from 1 April 2013 and the process for the selection and appointment of members of the Board.

DECISION

1. That a Strategic Policing and Crime Board be established with effect from 1 April 2013 with the role profiles and terms of reference set out in this paper.
2. That the process for the selection and appointment of members of the Board be approved as meeting the principles of obtaining value for money as required by the Rules for Contracts and Financial Regulations.

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...Signed Bob Jones

Date...9 January 2013.

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

INTRODUCTION AND BACKGROUND

1. The purpose of the proposed Strategic Policing and Crime Board 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 8 members, including the Commissioner, the Deputy Police and Crime Commissioner (DPCC), 3 Assistant Police and Crime Commissioners (APCCs) and 3 Non-executive Board members.
3. Appointments of the Assistant Police and Crime Commissioners and the Non-executive Board members will be on the basis of an open application process and appointments will be made on the basis of the criteria set out in this paper.
4. Appointments of the Assistant Police and Crime Commissioners will be on a geographic basis with responsibility for the following areas:-
 - a. Coventry and Solihull
 - b. Walsall and Wolverhampton
 - c. Dudley and Sandwell
5. The DPCC already has responsibility for the Birmingham area.
6. The DPCC and the APCCs will have some functions delegated to them and will have particular roles to engage with the local policing and crime boards, these being one of my manifesto commitments. The three non-executive members will be full members of the Board. It is not envisaged that they will be given individual delegated responsibilities.
7. The three Non-executive members will be full members of the Board and will be expected to provide an independent element of challenge. The three Non-executive members of the Board will also be expected to form part of the membership of the Joint Audit Committee as required under the statutory Financial Code of Practice. Their inclusion in the Panel membership is supported by the Chief Constable. However the Chief Constable will not have a role in their selection.
8. It is expected that the Board will meet regularly on a monthly basis. The Board will meet in public and in addition would welcome an observer from the Police and Crime Panel to attend all of its meetings.

ROLE OF BOARD MEMBERS

9. The proposed role profiles are attached as Appendix 1.

APPOINTMENT AND SELECTION PROCESS

10. The proposed appointments will be made following an open application process. The

selection process will be based upon the principles set out in the Code of Practice published by the Commissioner for Public Appointments which relate 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.

11. The closing date for applications will be Noon on 28 January 2013. Shortlisting will take place on 12 February 2013 by the Commissioner and DPCC. The Commissioner will invite a representative of the Police and Crime Panel to also be included in the selection process. Interviews will take place on 6 and 14 March 2013. The interview panel will comprise the PCC, DPCC and, if agreed by the Panel, a representative of the Police and Crime Panel.

12. Selection of the short list and appointments will be made by the Commissioner, supported by the DPCC.

PROPOSED TERMS OF APPOINTMENT

13. 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 Appendix 2.

14. APCCs will be engaged for the duration of the current period of office of the Commissioner and the contract for services will be liable for termination by the Commissioner at any time with immediate effect without any further payment other than outstanding fees. The contract for services will include a requirement for regular reviews of performance under the contract.

15. Fees will be paid at the rate of £22,500 per annum in respect of each APCC and £7,500 per annum for each Non-executive Board member.

16. The services provided under contract will require attendance at Board meetings and as required at meetings representing the Commissioner including the Local Policing and Crime Boards being established as part of my manifesto commitments.

17. The time commitment expected of APCCs will be between 6 and 10 days per month and in the case of Non-executive Board members an average of 1 to 2 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

18. All applicants will be required to demonstrate that they meet the following selection criteria for appointment to Board membership:

- A commitment to the manifesto commitments of the Commissioner
- Experience in governance of a public body and governing board membership (essential)
- Experience in governance in a policing body (desirable)
- Skill in public engagement and consultation

- Skill in questioning, probing and holding to account
- Skill in strategic management of budgets
- Communication skills
- Knowledge of the current issues affecting policing and community safety

19. Applicants for the APCC posts will be subject to the following additional criteria:-

- Knowledge of the current issues affecting policing and community safety in Coventry and Solihull or Walsall and Wolverhampton or Dudley and Sandwell with residency in the area preferred
- Experience of decision making
- Flexibility to accommodate other meetings and events as required by the Commissioner

STRATEGIC POLICING AND CRIME BOARD – TERMS OF REFERENCE

20. The Board will work as a team under the leadership and direction of the Commissioner.

21. The principal terms of reference are:-

- To maintain an overview of the implementation of the Commissioner's manifesto in order to ensure consistency in approach but having regards to the differing needs in the West Midlands
- 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
- To scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan
- To advise the Commissioner is exercising his functions in setting the budget and precept.
- To ensure the effective working of arrangements for consulting with and engaging local residents, communities and victims of crime
- To ensure effective working with the local policing and crime boards and advise the Commissioner on their effectiveness in achieving the outcomes from his award of crime and disorder reduction grants.
- To advise and support the Commissioner in his decision making role and in holding the Chief Constable to account
- To support the Commissioner more generally in the fulfilment of his statutory duties, to include equalities and human rights obligations.

FINANCIAL IMPLICATIONS

22. The full year costs of appointments is £90,000. The budget set by the Police Authority for 2012/2013 in respect of Members costs and support was £332,800. The full year total costs for salaries for the PCC, DPCC and members of the Strategic Board, including national insurance and pension costs will be £291,895. Implementation of the proposals in this report will not therefore create any additional commitment to the provision made for members' costs by the former West Midlands Police Authority.

LEGAL IMPLICATIONS

23. 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.

24. The proposed appointments are to be contracts for the provision of services by the persons appointed. The proposed terms set out in Appendix 2 will be incorporated into a legally binding contract for services.

25. 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

26. Appointments will be made in accordance with the Commissioner's Equality Policies.

Schedule of Background Papers

Nil

Public Access to Information

Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.