

## **Police and Crime Commissioner for the West Midlands**

### **Deputy Police and Crime Commissioner - summary of terms and conditions of appointment**

Under Section 18(10) of the Police Reform and Social Responsibility Act 2011 ("the Act") the deputy police and crime commissioner (DPCC) is a member of the PCC's staff.

The DPCC will be employed by the PCC and be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC's staff.

The main terms and conditions of appointment are:-

1. The DPCC will be required as a condition of appointment to make a declaration of eligibility that the appointment is held subject to the requirements of the Act and is not subject to a relevant disqualification<sup>1</sup>.
2. Allowances – travelling and subsistence allowance will be paid at the rates applicable to the PCC's staff. Allowances paid will be disclosed quarterly under the Elected Local Policing Bodies (Specified Information) Order 2012 (as amended) and in accordance with the Home Secretary's determination, attached as an appendix to this summary.
3. Hours of work and salary – 32 hours per week for which she will be paid £65,000 per annum with provision for attendance on days and at times reasonably required by the PCC which will involve work outside normal office hours. No overtime will be paid. Salary reviews will be in line with those made to the Commissioner's salary which is set by the Home Secretary.
4. Holiday entitlement – 28 days annual leave pro rata plus public and bank holidays.
5. Sickness absence – SSP is payable from the fourth qualifying day in any period of incapacity for work.
6. Pension – entitlement to join the LGPS.
7. Termination – the appointment as DPCC may be terminated at any time by the PCC and will terminate in any event upon the PCC ceasing to hold office for any reason, including reaching the end of the term of office under which the appointment is made. Three months' notice is required by either party to terminate the contract of employment. The appointment will end if the appointee becomes disqualified under the Act.
8. Conduct – Any PCC code of conduct will apply and in addition the DPCC will be subject to the complaints process under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.
9. Performance review and appraisal – the DPCC will conduct regular performance review and appraisal.
10. The DPCC will be subject to the Official Secrets Act 1989.

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<sup>1</sup> Defined in para. 8(6) of Schedule 1 to the Act

## Appendix

### Expenses

#### **Secretary of State for Home Department's determination on police and crime commissioner expenses.**

Paragraph 3 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 ('the 2011 Act') provides that a police and crime commissioner (PCC) is to be paid authorised allowances. 'Authorised allowances' means allowances, in respect of expenses incurred by the commissioner in the exercise of the commissioner's functions, which are of the kinds and amounts determined by the Secretary of State. A determination under paragraph 3 may make different provision for different cases.

#### **Authorised allowances**

The purpose of authorised allowances is to reimburse expenses incurred by PCCs in carrying out their duties, not to provide a general gratuity for undertaking the role. Commissioners are paid a salary determined by the Secretary of State on the advice of the senior salaries review board.

The kinds of allowances determined by the Secretary of State for the purposes of paragraph 3 of Schedule 1 to the 2011 Act are allowances in respect of:

- travel expenses
- subsistence expenses
- exceptional expenses

reasonably incurred by a PCC in the exercise of the commissioner's functions.

The amounts of such allowances determined by the Secretary of State are set out in the below table:

**Table of PCC authorised allowance amounts**

| Type of expense  | Key restriction  | Rates  |
|--|--|--|
| Train  | In course of business  | Reimbursed up to standard class rates                          |
| Mileage allowances   | Only if necessary  | As per HMRC rates  |
| Taxis  | Only where public transport not available  | Cost of taxi fare  |
| Foreign travel   | Prior authority from chief executive and for business purposes                     | Economy class for flights                                      |
|  | Business purposes and agreed in advance  |  |
| Hotel accommodation  | Value for money and best use of public funds - lower priced suitable accommodation | No explicit limitation on star standard of hotel accommodation |
| Subsistence (UK and foreign)                                   | Only paid for evening meals and, where applicable, breakfast (not lunch)           | Breakfast £10<br>Dinner £30                                    |
| Exceptional expenses not falling within any of the other types | Reasonable incurred in carrying out business of the authority                      | As approved by the chief executive                             |

## **Chief executive approval**

The commissioner's chief executive should subject all of the commissioner's claims for expenses to rigorous verification and auditing.

Any claims for exceptional expenses incurred by the commissioner in the exercise of the commissioner's functions will require the approval of the commissioner's chief executive. In considering whether to grant this approval the chief executive shall take into account the following factors:

- a. whether there are exceptional circumstances warranting additional support
- b. whether the Commissioner could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability
- c. whether the Commissioner's performance of their Commissioner functions will be significantly impaired by a refusal of the claim

## **Publishing allowances**

Under paragraph 1(d) of the Schedule to the Elected Local Policing Bodies (Specified Information) Order 2011, PCCs are required to publish the allowances paid to them and to their deputies in respect of expenses incurred by the commissioner or deputy in the exercise of the commissioner's functions.

PCCs and their deputies should publish a breakdown of their expenses including:

- their name, force area, financial year, month, date, claim reference numbers, expense type (e.g. travel, accommodation), short description, details, amount claimed, amount reimbursed, amount not reimbursed, and the reason why a claim was not reimbursed
- for travel and subsistence claims: date, place of origin, place of destination, category of journey, class of travel, mileage, length of hotel stay, category of hotel stay.