

Decision Note – Appointment of a Deputy Police, Fire and Crime Commissioner



REQUEST FOR DECISION BY THE STAFFORDSHIRE COMMISSIONER

| | Policing: | Crime: | Fire & Rescue: |
|---------------------------|-----------|--------|----------------|
| This decision relates to: | x | x | x |

APPROVAL (for completion by Staffordshire Commissioner only)

Rationale for approval

STAFFORDSHIRE COMMISSIONER

Signature

Date

Date decision required by:

If an urgent approval is required, please state reasons:

For completion by Staffordshire Commissioner's Office only:-

Decision Number:

Date Received:

| | Yes | No |
|---|-----|----|
| Has the required decision been considered under the guidance of the Staffordshire Commissioner's Decision Making Policy? | x | |
| Has the required decision been deemed to be a Key Decision as defined within the Staffordshire Commissioner's Decision Making Policy? | x | |
| Who is empowered to make the required decision? | | |
| The Police, Fire and Crime Commissioner | | |

| | |
|---|---|
| Title | Appointment of Deputy Fire Police & Crime Commissioner |
| Summary: | |
| <p>To agree the appointment of a Deputy Police, Fire and Crime Commissioner (DPFCC) in line with section 18 and schedule 1 paragraph 8 of the Police Reform and Social Responsibility Act 2011 and the subsequent provisions within the the Police, Fire and Crime Commissioner for Staffordshire (Fire and Rescue Authority) Order 2018.</p> <p>The appointment is subject to a confirmation hearing by the Police, Fire and Crime Panel at its meeting on 21st June 2021</p> | |
| Recommendation: | |
| <p>That the Police, Fire and Crime Commissioner (PFCC) approves the appointment of Mrs Helen Fisher as his Deputy, as detailed in this decision form.</p> | |
| Chief Executive | |
| <p>I hereby approve the recommendation for consideration.</p> | |
| Signature | Date |

REPORT AND ADVICE TO THE STAFFORDSHIRE COMMISSIONER

1. Introduction and background

- a. Section 18 of the Police Reform and Social Responsibility Act 2011 provides the PFCC with the ability to “appoint a person as the deputy police and crime commissioner for that area”. The Police, Fire and Crime Commissioner for Staffordshire (Fire and Rescue Authority) Order 2018 extends these provisions to the FRA role in Staffordshire.
- b. Paragraph 8 of schedule 1 sets out the framework by which that appointment should be made.
- c. The terms and conditions of a person appointed must provide for that appointment to end not later than the day when the PFCCs current term of office ends.
- d. Section 7 of the Local Government and Housing Act 1989, which relates to the appointment of staff on merit, does not apply to the appointment of the DPFCC.
- e. Paragraph 9 of schedule 1 requires the PFCC to notify the Police, Fire and Crime Panel of the proposed appointment, including: -
 - Their name
 - The criteria used to assess the suitability of the candidate for appointment
 - Why the candidate satisfies those criteria
 - The terms and conditions on which the candidate is to be appointed.
- f. The Police, Fire and Crime Panel is required to hold a confirmation hearing in public, at which the candidate is requested to appear and answer questions relating to the appointment. The Panel will meet on 21st June 2021.
- g. The proposed DPFCC is required to either attend the panel meeting in person, or participate in some other way. The panel will then report to the PFCC with a recommendation as to whether or not the candidate should be appointed. This must be within 3 weeks of the PFCC’s notification to the panel. The panel will be notified of the proposed appointment on the day that this decision is confirmed by the PFCC.
- h. The Commissioner can then accept or reject the Police, Fire and Crime Panel’s recommendation, notifying the panel of his decision. Employment then commences.

Proposal

- a. That Helen Fisher be appointed as the Deputy Police, Fire and Crime Commissioner for Staffordshire.
- b. The following criteria has been used by the Commissioner in seeking his Deputy: -
 - An ability to apply robust challenge;
 - An ability to think strategically;
 - Experience of scrutinising public service and achieving value for money;
 - A mix of experience in public service;
 - An ability to undertake effective community engagement;
 - Being an effective communicator;
 - A record of successfully delivering positive outcomes;
 - An ability to work in a collaborative way and strengthen partnership working.

- c. The Commissioner is confident and satisfied that Helen Fisher meets the above criteria for the appointment of Deputy Police, Fire and Crime Commissioner. The panel can explore the detail of this further in the meeting.
- d. The terms of the proposed appointment will last for the term of the current Police, Fire and Crime Commissioner, with Helen's contract directly linked to this. It is intended that the appointment will require average of 22.2 hours per week (3 days per week), and normally will require attending any day, or parts of days as reasonably required by the PFCC
- a. Remuneration for the hours above will equate to an annual salary of £31,800. Expenses will be paid in line with the OPFCC allowances and expenses scheme in line with the Home secretary's determination. The DPFCC will be a member of staff of the Office of the PFCC, but will not be politically restricted as all other staff are.

2. Issues for consideration

The appointment of a DPFCC will provide the PFCC with the additional resilience necessary to deliver his plans, as he will set out in his Police, Fire and Crime Plan and his statutory duties.

The DPFCC will deputise for the Commissioner across the whole of his role and be responsible for a specific portfolio of projects to be determined by the Commissioner

3. What other options have been considered?

N/A

4. Consultation and Engagement undertaken

N/A

Report Implications

Monitoring Officer comments:

The appointment is being made in compliance with guidance and legislation on the appointment of a Deputy PFCC.

Signature

Date

Section 151 Officer comments:

This salary costs and associated on-costs for this post are included within the Staffordshire Commissioner's Office approved revenue budget for 2021/22 and MTFS.

Signature



Date 8 June 2021

Yes

No

| | | |
|--|------------|-----------|
| Has legal advice (outside of that provided by the Monitoring Officer) been sought on the content of this report? | | x |
| Legal Comments: | | |
| The process for the appointment of the DPFCC is clearly set out within the Police Reform and Social Responsibility Act 2011, as referenced in this report. | | |
| 5. Equality Comments | | |
| The appointment of the DPFCC is a personal appointment and is not subject to the requirements of Section 7 of the Local Government & Housings Action 1989, which requires appointment of staff on merit. | | |
| An Equality Impact Assessment for this appointment is not required | | |
| 6. Background/supporting paper | | |
| Police Reform & Social Responsibility Act 2011 | | |
| 7. Public access to information | | |
| This report is not protectively marked and can be made available for public inspection | | |
| 8. Data Protection Impact Assessment | | |
| A Data Protection Impact Assessment for this appointment is not required | | |
| 9. Is the publication of this form to be deferred? | | |
| No | | |
| 10. If the report is for publication, is redaction required? | | |
| | Yes | No |
| Of the Decision Note? | | x |
| Of the Appendix? | | x |

ORIGINATING OFFICER DECLARATION:

| | |
|---------------|--|
| Author | |
| Signed | |
| Date | |