

Warwickshire Police and Crime Panel - Item 6

REPORT OF THE POLICE AND CRIME COMMISSIONER

APPOINTMENT OF CHIEF CONSTABLE

Background

1. The respective roles of the Police and Crime Commissioner and the Police and Crime Panel.

The Police Reform and Social Responsibility Act 2011 (the Act) sets out the respective responsibilities of the Police and Crime Commissioner and the Police and Crime Panel.

It is the responsibility of the Commissioner to appoint the Chief Constable. The Panel's role is to consider the recommendation made by the Commissioner and that the preferred individual meets the requirements of the role.

2. Current Temporary Chief Constable Arrangements

In December 2011, the then Chief Constable of Warwickshire, Mr Keith Bristow was seconded to the Home Office in order to take up the role of Deputy General of the National Crime Agency once it was formally established. That secondment has been extended to 1st December 2013 with the current expectation that Mr. Bristow will have taken up his new role in the Autumn of 2013.

The then Police Authority unanimously resolved on 19th October 2011 to appoint Mr. Andy Parker as Chief Constable on a temporary basis under a fixed term contract from 1st December 2011 until, in the first instance, 13th July 2013.

At the time of this appointment there was a Home Office moratorium on Police Authorities making permanent Chief Constable appointments in the run up to the Police and Crime Commissioner elections in November 2012. Police Authorities were advised therefore to instead consider making a temporary appointment.

Mr. Parker's current position is therefore that he is a Deputy Chief Constable exercising or performing the functions of the Chief Constable in accordance with Section 41(1)(a) of the Act.

3. Extension of the Chief Constable's Existing Fixed Term Contract

My proposal is to allow Mr. Parker to continue in his current role for a further period of two years.

In considering how best to secure the leadership of the Warwickshire force, I have had discussions with Her Majesty's Inspectorate of Constabulary (HMIC), and taken into account the current context of policing in Warwickshire.

I have also taken formal advice from the Home Office who confirmed in correspondence dated 18 April 2013 that this proposal is acceptable to them. The Home Office's view is that Mr Parker's fixed term contract will be extended automatically in line with Regulation 11 of the Police Regulations 2003 (as amended) and that 'I do not need to formally take any other action'.

My view is that the Force in Warwickshire is in the middle of a period of unprecedented change. The Panel will be aware that on 13 March 2012 the Police Authorities in Warwickshire and West Mercia agreed a 'Strategic Alliance' between the two police forces while preserving their separate identities. Within the policing model agreed by the former Police Authorities in the Alliance 'Blueprint' on 20 June 2012 all staff, both warranted officers and civilian staff below the rank of Deputy Chief Constable work across the Alliance area. The implementation has now reached the point of 'populating' the new policing model. The recent inspection carried out as part of the 'Valuing the Police' programme spoke very positively of the way the change had been managed but commented that inevitably in such a period of change, uncertainty had impacted on morale.

In this context, I believe it to be very important to maintain stability and continuity in the leadership of Warwickshire Police and of the Alliance. I believe that, at the current time, a lengthy recruitment process for a Chief Constable and the possible recruitment of a new Chief Constable would adversely affect the implementation of the Alliance Blueprint at a critical time and adversely impact on morale within the Force during a period of significant change.

I have the utmost respect for Mr. Parker and the highest regard for his leadership of Warwickshire Police. In my experience that view is widely shared within the Force and within all the many and various agencies and organisations involved in policing and crime reduction across the county. There has been a year on year reduction of reported crime in the County

My intention therefore, was to look to extend the current fixed term contract of Mr. Parker by a further two years, subject to satisfactory interview and agreement from Mr Parker to such an extension.

On 29 June 2013 I convened an interview panel comprising of myself, Dr. Eric Wood the Deputy Commissioner and an independent member being Ms Liz Stafford, the Chief Executive of the Warwickshire Probation Trust.

The panel was seeking to assure itself in the interview that Mr. Parker, as Chief Constable :-

- Would provide strong leadership for Warwickshire Police as part of the Strategic Alliance and in a period of considerable change

- Had a strong vision for policing in Warwickshire
- Had plans in place to continue to bear down on crime in the county at a time of diminishing resources and faced potentially with further reductions in funding
- Was committed to the Strategic Alliance and to regional collaboration
- Would work in partnership with the range of agencies and organisations who work with the Police to reduce crime and anti-social behaviour including the District / Borough Councils and the County Council
- Was committed to equality and promoting diversity
- Was prepared to deliver the priorities as set out in my Police and Crime Plan
- Showed the highest level of integrity himself and expected the highest possible standards of his officers and staff

The Panel were satisfied that Mr. Parker met all of these criteria and unanimously agreed that he should be offered a two year extension of his current contract in line with Home Office guidance.

Mr Parker accepted that offer.

4. Terms and Conditions

Mr Parker's contract extension is on his existing terms and conditions as agreed nationally for Chief Officers. Similarly his contract extension is on his existing salary which again is in line with national agreements for the salary of a Chief Constable of a force the size of Warwickshire's.

A copy of the terms and conditions is given as **Appendix A**.

5. Summary and Recommendations

I have reviewed the performance of the Chief Constable and listened to his views about the future of policing both in Warwickshire and as part of the Alliance. I believe that the appointment of Mr Parker for a further two years will provide strong leadership to the Force and the Alliance in the short and medium term. It will allow me to review the position in two years' time and give me sufficient time to recruit a suitable replacement.

Since the proposed way forward is a simple extension of Mr Parker's existing fixed term contract - which has been approved by the Home Office - rather than a new appointment, I am advised that it is not within the Panel's remit to veto this cause of action. However, I would always want to seek the views and indeed value the advice of the Panel. My clear view is that the continuation of

Mr Parker as Chief Constable until 14 July 2015 is in the best interests of policing in Warwickshire and I would ask the Panel to endorse my decision.

Ron Ball
Police and Crime Commissioner
Warwickshire

CHIEF CONSTABLE OF WARWICKSHIRE POLICE

TERMS AND CONDITIONS OF APPOINTMENT

1. The Officer appointed will be required to carry out all the duties applicable to the post of Chief Constable of Warwickshire, and be accountable to the Police and Crime Commissioner for Warwickshire (the Commissioner)
2. The appointment will be subject to the Job Description (which will be part of the contract), and the Police Acts and Regulations (including those relating to pensions) and such other statutory provisions for the time being in force.
3. The Chief Constable will be required to devote the whole of his/her time to the duties of the office.
4. The appointment is an extension to the postholder's existing contract and will be for a fixed period from 14 July 2013 to 30 June 2015 (and may be extended by mutual agreement).
5. The appointment will include regular performance/development appraisal by the Commissioner. A programme of professional development for the Chief Constable will be agreed by the Commissioner, informed by the outcomes of development appraisal and in the light of emerging developments in the nature of policing.
6. The primary focus of the postholder is to be the delivery and development of Warwickshire Police within the Strategic Alliance with West Mercia Police. ACPO and other representational work may be undertaken with the agreement of the Chair of the Commissioner.
7. The salary, payable monthly, is £130,044 as at 1 June 2013. The salary will be increased in line with national pay settlements.
8. The post holder will be eligible for the payment of non-pensionable bonuses based upon performance in accordance with the Chief Officers' Bonus Scheme. In accordance with Home Office circular 006/2012 the Chief Constable has indicated that he will not take up these bonus payments.
9. A home office allowance of £2,150 per annum is payable to enable the Chief Constable to make suitable office arrangements at home commensurate with his responsibilities to be available for duty.
10. The Chief Constable will be provided with a role-equipped vehicle available for official and private use, and he/she will repay the costs of his private mileage. The principles underlying the Commissioner's current vehicle scheme include:
 - The selection of a suitable vehicle for dual use, maintained as a staff car but available for private purposes;

- Appropriate insurance cover for the Chief Constable, and any third parties authorised under the terms of that insurance cover, paid for and provided by the Commissioner. The Commissioner shall have the right to approve any changes to the insurance cover due to the nature of the vehicle use or identity of the driver.
- A driver will be provided for official purposes;
- Home-to-duty mileage will be regarded as an official journey.

11.1 The Chief Constable will be entitled to first class rail travel for official business journeys within the United Kingdom. Subsistence allowances may be claimed subject to the following provisions:

- (a) In the case of an absence overnight, accommodation as booked through the Force's approved agency. Meals may be claimed either from the menu of the accommodation venue or if taken elsewhere, subject to a limit of £10 for breakfast, £10 for lunch and £25 for evening meal.
- (b) In the case of no absence overnight, subsistence allowances for meals (in the terms set out above) may be claimed in appropriate circumstances, for example, when the performance of duties causes an exceptional disturbance to domestic arrangements or when entertaining visitors on behalf of the Force or the Commissioner.
- (c) No expenditure for alcohol may be claimed.

11.2 The Chief Constable will be entitled to business class air travel when undertaking international duties and the Commissioner will undertake to provide insurance cover for overseas journeys.

11.3 In the event of specific travel and/or subsistence arrangements not being sufficiently covered by paragraphs 12.1 and 12.2 above, the Chief Constable will discuss the issues involved with the Chief Executive..

12. A uniform will be provided.

13. The Commissioner shall pay all professional subscriptions and indemnity insurance reasonably required for the post (for example, ACPO membership).

14. The appointment is terminable by the Commissioner, or by the Chief Constable, giving six months' notice in writing or such shorter notice as may be agreed by the parties.

15. Where allowances and expenses are payable within the Commissioner's discretion (as opposed to those prescribed by Regulations) the Commissioner reserves the right to review vary or withdraw those allowances and expenses on reasonable notice.

Signed

Date