

# Public Document Pack



## Devon and Cornwall Police and Crime Panel

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## DEVON AND CORNWALL POLICE AND CRIME PANEL SUPPLEMENTARY INFORMATION

Friday 20 December 2013  
10.30 am  
Council House (Next to the Civic Centre), Plymouth

### Members:

Councillor Croad, Chair.

Councillor Rule, Vice-Chair.

Councillors Barker (Teignbridge District Council), Batters (Cornwall Council), Boyd (Torridge District Council), Geoff Brown (Cornwall Council), Duncan (Isles of Scilly), Eddowes (Cornwall Council), Excell (Torbay Council), Hare-Scott (Mid Devon District Council), Haywood (North Devon District Council), James (Cornwall Council), Penberthy (Plymouth City Council), Saltern (South Hams District Council), Sanders (West Devon District Council), Sutton (Exeter City Council), Williams (Plymouth City Council) and Wright (East Devon District Council).

### Independent Members:

Yvonne Atkinson (Devon) and Mike Firbank (Cornwall and Isles of Scilly).

THE ATTACHED INFORMATION HAS BEEN PROVIDED BY THE OFFICE OF THE POLICE AND CRIME COMMISSIONER IN RESPONSE TO QUESTIONS RAISED BY PANEL MEMBERS AT THE MEETING.

## **DEVON AND CORNWALL POLICE AND CRIME PANEL**

### **5.     SCRUTINY OF THE POLICE AND CRIME           COMMISSIONER'S STAFF AND CONSULTANCY           APPOINTMENTS, AND EXPENSES AND ALLOWANCES**

**(Pages 1 - 28)**

The panel will be asked to scrutinise the Police and Crime Commissioner's staff and consultancy appointments, along with his expenses and allowances.



Police and Crime Commissioner:  
Chief Executive:

Councillor Roger Croad  
Chair, Devon and Cornwall Police and Crime Panel  
c/o Plymouth City Council  
Civic Centre  
Plymouth  
PL1 2AA

Our ref: PCP\_COR\_CROAD-J\_120\_140206

6 February 2014

Dear Cllr Croad

During the Police and Crime Panel meeting on 20 December, the OPCC took a number of actions relating to questions that we were unable to answer fully at the time or required additional detail to be provided

I am pleased to enclose the responses to those queries and provide accompanying information as necessary.

#### **ACTION 1**

*The OPCC to provide the following details for the PCP concerning the Boards that sit under the auspices of the Police and Crime Commissioner –*

- a) How many Boards are there? (Commissioning, Audit and Remuneration)*
- b) Who sits on the Boards?*
- c) How members are appointed*
- d) Copy of Terms of Reference(s)*
- e) A copy of the recruitment and selection process*
- f) Details of any allowance entitlement to Board members*
- g) How long the Boards 'sit'*
- h) A breakdown of how the board members are made up in terms of Protected Characteristics*
- i) A forecast of where the Boards are going, in terms of scrutiny*

#### **OPCC RESPONSE**

A comprehensive dossier of information is provided at Annex A to this letter.

#### **ACTION 2**

*OPCC to provide panel with clarification / breakdown of expenditure on use of consultants, particularly explanation of discrepancy between figures quoted in the report and that provided in response to FOI request.*

#### **OPCC RESPONSE**

The reconciliation is provided at Annex B.

**ACTION 3**

*OPCC to look into concern raised by Cllr Batters relating to the classification applied to calls made to the 101 service. Cllr Batters used the service to arrange a meeting with officers at his local station but could only progress the call once it had been classified as a complaint*

**OPCC RESPONSE**

This issue has been raised with colleagues in the Force. Cllr Batters, who raised the query, has been kept informed of progress and will be updated once the Force response is received.

**ACTION 4**

*OPCC to amend complaints reporting table Appendix A to show that the 'Outcome' is recorded e.g. that 'the complaint should not be upheld'. Also to ensure that the Outcome is duly recorded on any future reports.*

**OPCC RESPONSE**

This response was sent under separate cover to Sarah Hopkins earlier this month; however I copy it again here at Annex C.

I hope the responses provided here will meet the Panel's satisfaction however if you should have further questions, please be in touch.

I look forward to meeting you again on 7 February.

Yours sincerely



**Andrew White**  
**Chief Executive**

**Attachments:**

**Annex A** - Details of Boards and Committees of the OPCC

**Annex B** - Reconciliation of Information supplied in response to FOI request with consultancy cost Information supplied in report to Police and Crime Panel 20 December 2013

**Annex C** - email to Sarah Hopkins dated 17 January 2014 regarding amended complaints paper

**Annex D** - Timeline and Process for Recruitment of Members to Joint Audit Committee



## DETAILS OF BOARDS AND COMMITTEES OF THE OPCC

- Joint Audit Committee
- Appointments and Remuneration Committee
- Commissioning Scrutiny Board

1. **For each of the boards/committees the following information is attached:**
  - Terms of Reference
  - Recruitment/Selection process
  - Details of Allowances paid
  - Details of meetings held
  - Workplans where these are in place

2. **Membership of the boards, including protected characteristics**
  - Eligibility requirements for each board have been included with the terms of reference.
  - Monitoring forms are issued to all applicants. The information received from these is held by the OPCC. As the information is provided anonymously, it is not possible to identify detail specific to Board/ Committee members

3. **Reviews of Boards, including terms of reference**

The role and future direction of the boards, including the boards listed below is currently the subject of a review in each case, including their terms of reference, future direction in terms of scrutiny of performance, and their advisory role.

4. **Appointment processes**

The Timeline and Process for Recruitment of Members to the Joint Audit Committee is shown at **Annex D**. A similar process has been adopted for each Board.

## BOARDS OF THE OPCC AND THE CONSTABULARY

1. **Performance and Accountability Board**

There are no externally appointed members and, therefore, there has been no recruitment process and no allowances are paid. The membership of the board consists of senior officers of the OPCC and the constabulary. PAB meets monthly to scrutinise Force performance, with every second meeting held in public and webcast.

2. **Joint Management Board**

There are no externally appointed members and, therefore, there has been no recruitment process and no allowances are paid. The membership of the board consists of senior officers of the OPCC and the constabulary. The membership of the board consists of senior officers of the OPCC and the constabulary and acts as the main joint governance body for the OPCC and the Force.

## **JOINT AUDIT COMMITTEE**

The Financial Code of Practice advises that the PCC should establish a joint audit committee

### **Independent Members of the Joint Audit Committee:**

Steven Haworth (Chair), Jo Norton, Helen Donnellan, Mark Seymour.

### **OPCC Members**

Police and Crime Commissioner, Chief Executive, Treasurer.

### **Constabulary Members**

Chief Constable, Director of Finance and Resources.

### **The Joint Audit Committee met on the following occasions during 2013, for 2-3 hours on each occasion:**

30 January	31 July
26 April	25 Sept
10 June	27 Nov
24 June	

The requested information on recruitment and allowances is included in the terms of reference. The Joint Audit Committee workplan is attached following the terms of reference.

## **Terms of Reference**

### **1. Purpose**

The purpose of the Joint Audit Committee is:

- To provide independent assurance to the Police and Crime Commissioner and the Chief Constable regarding the adequacy of the risk management framework and the associated control environment.
- To provide independent scrutiny of the Force's and Office of the Police and Crime Commissioner's financial and non-financial performance (to the extent that it affects their exposure to risk and weakens the control environment).
- To oversee the financial reporting process (adapted from CIPFA Audit Committees Practical Guidance for Local Authorities p9).

### **2. Scope**

The Joint Audit Committee generally provides comments, advice and assurance on matters relating to the internal control environment of the Force and the Office of the Police and Crime Commissioner (OPCC). It has oversight of general governance matters and will provide comments on any new or proposed PCC policies and strategies or changes to existing relevant policies and strategies which in the opinion of the Chief Financial Officers are significant with regards to financial risk and probity.

If the Joint Audit Committee has concerns about a specific governance or audit matter it may request the relevant policy or strategy to be presented to the



Committee in order that assurance may be obtained and constructive comment provided where appropriate.

The Joint Audit Committee has three approval powers:

- *To Approve the Annual Governance Statement for inclusion in the Statement of Accounts.*
- *To Approve any Code of Corporate Governance for the Force or the Office of the Police and Crime Commissioner.*
- *To Approve (but not direct) the Internal Audit Strategy and Plan.*

The following do **NOT** fall within the scope of the Joint Audit Committee:

- Force performance and Force Operational risks.
- HMIC reports with an operational theme / basis e.g. "A Review of the August Disorders" "Intelligence on Criminality Associated With Protest."
- The management of the internal audit function.
- Any reviews carried out by the Police and Crime Panel.

### 3. Methods of Working

The Joint Audit Committee will:

- Advise the Chief Constable and the PCC according to good governance principles.
- Adopt appropriate risk management arrangements.
- Provide robust and constructive challenge.
- Take account of the principles of Corporate Social Responsibility (CSR) (which includes financial and economic stewardship (including VFM); people and communities (including Diversity, Equality and Human Rights) and environmental sustainability and health & safety).

### 4. Specific Responsibilities

#### Financial Management

- Provide assurance regarding the Statement of Accounts and that the appropriate accounting policies have been applied.
- Monitor the integrity of any published financial statements and any formal announcements relating to financial performance.
- Consider and comment upon any policy or strategy regarding reserves.
- Consider and comment upon the budget planning process.
- Consider and comment upon the Medium Term Financial Strategy.
- Consider and comment upon any policy or strategy regarding loans, investments or borrowing.
- Consider and comment upon any policy or strategy regarding asset management.

#### Internal Control and Governance Environment

- *Approve the Annual Governance Statement for inclusion in the Statement of Accounts.*
- *Approve any Code of Corporate Governance for the Force or the Office of the Police and Crime Commissioner.*
- Consider and comment upon the Scheme of Consent.
- Consider and comment upon financial regulations (including powers to enter into contracts and acquire or dispose of property).
- Consider and comment upon any policy or strategy relating to sponsorship.



- Consider and comment upon anti fraud and anti corruption arrangements including “whistle blowing.”
- Consider and comment upon any policy or strategy regarding commissioning.
- Consider and comment upon any proposals regarding the giving of grants.
- Review the effectiveness of internal control systems and provide assurance regarding such systems.
- Commission assurance work e.g. specialist advice or audit.
- Ensure an annual review of the effectiveness of the Joint Governance Forum takes place
- Consider and comment upon the assurance framework.
- Consider and comment upon compliance with the statutory duties regarding the Police and Crime Commissioner.
- Consider and comment upon the transition arrangements for staff and assets.
- Review compliance with policies relating to declarations of interest, gifts and hospitality.

### **Corporate Risk Management**

- Consider and comment upon the strategic risk processes.
- Provide assurance that organisational risks are being managed effectively and that published goals and objectives will be achieved efficiently and economically.

### **Internal Audit**

- ***Approve (but not direct) the Internal Audit Strategy and Plan.***
- Review the effectiveness (including resourcing) of internal audit.
- Receive and review internal audit reports and monitor progress of implementing recommendations.
- Consider and comment upon the annual report of the Head of Internal Audit.
- Involvement with the recruitment or termination of employment of the Head of Internal Audit.
- Consider and comment upon any proposals affecting the provision of the internal audit service.

### **External Audit**

- Receive and review reports from the external auditors including the annual audit letter, audit opinion etc.
- Review the effectiveness of external audit.
- Consider and comment upon any proposals affecting the provision of the external audit service.
- Consider the level of fees charged.

### **5. Reporting Line:**

The Joint Audit Committee will report direct to the Police and Crime Commissioner and the Chief Constable.

### **6. Links:**

In the course of its work the Committee may forge links (direct or indirect) with the following:

- Chief Financial Officers / section 151 Officers.
- Monitoring Officers.
- Equality & Human Rights Commission.
- Government Equalities Office.



- Head of Internal Audit.
- External Auditors.
- Her Majesty's Inspector of Constabulary.
- The Police and Crime Panel for Devon and Cornwall.
- Regional Committees.
- Community Safety Partnerships.

**7. Composition of the Committee:**

The Committee will have 5 members, independent of both Devon and Cornwall Constabulary and the Office of the Police and Crime Commissioner.

**8. Quorum:**

The quorum of the Committee will be 3 members.

**9. Election of Chair & Vice-Chair**

- The Chair and Vice-Chair are to be elected annually by the Committee.
- The Chair may be re-elected but to serve no more than 2 consecutive years as Chair.
- If the Chair serves 2 consecutive 1 year terms there must be a break of at least 2 years before the person can be nominated as a Chair again.

**10. Number of meetings:**

There will be a minimum of 4 formal Committee meetings scheduled per year (additional formal meetings may be required).

**11. Information publically available:**

The agenda, reports and minutes of formal meetings will be made available on the OPCC and Force websites. Agendas and reports will be published 5 working days before each meeting, not including Bank Holidays. The meetings will be webcast via the OPCC website.

**12. Attendance at Audit Committee Meetings**

The Police and Crime Commissioner and the Chief Constable should attend or be appropriately represented at formal meetings of the Joint Audit Committee.

**Appendix 1 Information Relating to Members of the Joint Audit Committee**

**Appendix 2 Recruitment Practice**

**Appendix 3 Workplan**

**Appendix 1**  
**Information Relating to Members of the Joint Audit Committee**

**1. Eligibility to be a member of the Joint Audit Committee**

- Joint Audit Committee Members must be independent of both the Force and the PCC. Serving police officers, police staff or staff employed in an OPCC (or Met equivalent) are not eligible for appointment. A person who has been so employed must have a minimum 1 year break before being appointed to serve on the Joint Audit Committee.
- Political activity in itself is no bar to appointment. Candidates will be asked to declare any significant political activity (which includes holding office, public speaking, making a recordable donation or candidature for election) which they have undertaken in the last five years. This information will only be provided to the recruitment panel for those applicants selected for interview. Details of the successful candidates declared political activity will be published.
- Before an appointment to the Committee is confirmed candidates will need to be successfully vetted to non police personnel basic level. (Candidates should note that all arrests, convictions and cautions must be declared on the vetting form whether or not they are “spent” under the terms of the Rehabilitation of Offenders Act)
- A person who is an undischarged bankrupt is not eligible for appointment to the Joint Audit Committee.
- A person who is on the Police and Crime Panel or is a councillor or an employee of a council which is represented on the Panel is not eligible for appointment to the Joint Audit Committee.
- All appointees must sign a declaration that they agree to uphold the Committee on Standards in Public Life’s seven principles of Public Life.
- All appointees must agree to their name, photo and declarations of interests being made publically available – including on the Force and OPCC websites.
- To assist with individual effectiveness, all appointees must agree to be the subject of an appraisal process with the Chair of the Committee.

**2. Person Specification**

Role purpose: to provide assurance, advice and comment upon governance issues.

In order to fulfil its objectives the Joint Audit Committee should corporately possess:

- Financial awareness.
- Awareness of current accounting issues.
- Understanding of relevant statutory duties and legislative requirements.
- Understanding of the principles of risk management.
- Knowledge of modern principles relating to audit, scrutiny and assurance.
- At least 1 person to have a professional qualification from one of the professional accounting bodies (FRC).
- Knowledge and experience of the principles of Corporate Social Responsibility which includes:
  - Financial and Economic Stewardship
  - Value For Money,
  - People and Communities (including Diversity, Equality and Human Rights)
  - Environmental Sustainability
  - Health & safety



Individuals should have and be able to demonstrate:

- Integrity
- A balanced and proportionate approach in preparing and giving advice
- Independent thought
- A constructive but challenging approach
- Ability to be analytical
- Ability to scrutinise
- Self confidence
- Respect for others

Individuals should have or acquire as soon as possible after appointment:

- Understanding of the objectives and current significant issues for the police service at both a national and local level.
- Understanding of the objectives, responsibilities and current significant issues for the Office of the Police and Crime Commissioner.
- Understanding of the Devon and Cornwall Constabulary structure.
- Understanding of the various inspection regimes which impact upon the work of the Police Service and the Office of the Police and Crime Commissioner.

### **3. Tenure**

- The 3 members will be recruited initially to serve for a 5 year period and the 2 co-opted members for a 3 year period. Thereafter all positions to be for a 5 year period.
- Any Committee member missing more than 3 consecutive meetings will automatically cease to be a member of the Audit Committee.
- No individual will serve on the Audit Committee for more than 10 years in total.

### **4. Remuneration Rate**

The remuneration will be paid at the fees rate set by the Home Office for Police Appeals Tribunal Members. At the time of preparing this report the amounts (unchanged since April 2007) are:

- Full day i.e. sittings of more than 4 hours (excluding meal breaks) £211.50.
- Half day i.e. sittings of 4 hours or less (excluding meal breaks) £104.50.
- Preparatory work, where it is necessary for the work to be undertaken on a day other than the day of the joint committee meeting, will be remunerated at £15 per hour.
- Other rates/expenses to be agreed as necessary, e.g. childcare costs.

### **5. Reimbursement of Travel Costs**

The most practical, economic and sustainable method of travel should be used. The Police & Crime Commissioner's office will book public transport when requested to do so.

- Rail – the cost of rail travel will be reimbursed at the amount paid, provided that evidence is available to show that this was the most economic option for the date and time of travel.
- Cars, vans and motor cycles – reimbursement will be at the relevant HM Revenue and Customs approved rate (the car mileage rate is 45p per mile up to 10,000 miles at the time of preparing this report).

**Appendix 2**

**Recruitment Practice**

Recruitment practice will be based upon the Commissioner for Public Appointments Code of Practice for Ministerial Appointments to Public Bodies (April 2012).

Equality & diversity monitoring will be given full due regard at every stage of the recruitment process:

- The overriding principle is selection on merit. Those appointed will be the candidates whose skills, experience and qualities have been judged to best meet the needs of the Joint Audit Committee.
- The selection process will be objective, impartial and applied consistently to all candidates. Each candidate will be assessed against the same published criteria.
- Information about the role of Joint Audit Committee members and the selection process will be publically available.
- The recruitment panel will comprise 3 people - a representative from the Force, a representative from the OPCC and a person who is independent of the other two bodies but is agreed by their representatives on the recruitment panel.
- Advertisements will be published in a way that is designed to attract a strong and diverse field of suitable candidates. The specific places where advertisements will be published will be agreed by the Force and OPCC recruitment Panel representatives.
- Application will be by application form and interview.
- A panel report, signed by the chair of the recruitment panel, will be produced and published at the conclusion of every appointment process. The report should describe the stages and outcomes of the recruitment process including demographic information.



## **JOINT AUDIT COMMITTEE WORKPLAN ITEMS**

JAC is currently in the process of reviewing its terms of reference and is developing a workplan based on the work areas identified below

### **Stage 2 issues**

- Arrange special meeting of JAC to consider the 2 governance sets
- Project management
- Common purpose of the 2 entities – importance of relationships
- Separation of Governance
- Assurance Frameworks
- Importance of Levers
- How decisions are to be taken
- Reversal of Scheme of Consent
- 2 sets of regulations – justification needed if inconsistent
- Checks and balances
- Reassurance between both corporations sole that it is working
- Reassurance to JMB

### **Joint Risk Register**

- Joint risk review group needs to agree progress and to ensure recording of progress on mitigating actions is up to date"
- Importance of agreeing dates to take forward work
- Chief Officers need to know what is expected of them as part of process
- JAC to receive report to November meeting on progress

### **Other Issues**

- Equality, Diversity, Human Rights
- JAC needs evidence that this in place
- JAC agendas should be based on risk register

## **APPOINTMENTS AND REMUNERATION COMMITTEE**

### **Independent Members of the Appointments and Remuneration Committee**

John Rom, Michael O'Brien, Rachel Young

### **OPCC Members**

Police and Crime Commissioner, Chief Executive, Treasurer.

### **Constabulary Members**

Chief Constable, Director of People and Leadership

The Appointments and Remuneration Committee met on the following occasions during 2013, for 2-3 hours on each occasion:

**17 April**

**30 September**

**3 December**

The requested information on recruitment and allowances is included in the terms of reference. The Appointments and Remuneration Committee is currently developing an employment framework which will form the basis of its future workplan.

## **Terms of Reference**

### **1. Purpose**

The Remuneration Committee shall consider and advise the Police and Crime Commissioner (PCC) and the Chief Constable (CC) on remuneration policies and practices for both the Office of the Police and Crime Commissioner (OPCC) and with regard to senior posts within the Force. The committee will sit on behalf of the PCC or force dependent upon the posts being discussed

The Committee will, on behalf of the PCC and CC, determine appropriate remuneration and schemes of allowances for new appointments for the following defined posts :

- The PCC (any elements not prescribed by central bodies or The Home Office). \*
- The Deputy Police and Crime Commissioner (DPCC)\*
- Any advisors appointed by the PCC\*
- The Chief Executive\*
- The Treasurer\*
- The Chief Constable\*
- The Deputy Chief Constable
- All other members of the Force COG Team
- Any other specialist advisers appointed by the Force at COG equivalent level.

*\* = Those roles that will be subject of consideration by the Remuneration Committee on behalf of the PCC.*

The Committee does not seek to encroach on any recognition arrangements for collective bargaining within the OPCC or Force



All other roles will be considered on behalf of the Force. The PCC or CC retain the right to refer any post they determine as appropriate to this committee

## **2. Responsibilities**

Subject to the need to seek the approval of the Secretary of State on any matters, the PCC has ultimate statutory responsibility for police staffing matters. The CC has responsibility for all police officer staffing matters. Both the PCC and CC have delegated to the Committee responsibility for advising them as to the determination of the remuneration and other conditions of service for each of the defined posts or groups detailed in the list above.

Unless any necessary approval of the Secretary of State is not forthcoming or other exceptional circumstances apply, the PCC and CC will normally accept and implement the advice of the Committee.

In carrying out its responsibilities the Committee shall pursue the primary objective that the PCC and CC should be able to recruit, retain and motivate suitably able and qualified people to exercise their respective personal and corporate responsibilities.

The Committee shall also have regard to:

- specific and general legal requirements;
- relevant guidance from HM Treasury and the Home Office;
- relevant labour markets and their effect on recruitment and retention; and
- the financial resources available to the PCC and CC.

The Committee shall:

- Advise the PCC and CC on the determination of the remuneration for newly appointed posts together with provisions for any other benefits including pensions, cars/car allowances, expenses and other contractual terms and service agreements, subject to necessary consents or approvals of the Secretary of State.
- Advise the PCC and CC on determination of terms of service for the defined posts (normally on an annual basis). This will include any performance related elements together with the provisions for any other benefits including pensions, cars/car allowances, expenses and other contractual terms and service agreements, subject to necessary consents or approvals of the Secretary of State.
- Advise upon and review the strategic approach and broad policy relating to pay for the posts identified above ensuring legal obligations and matters of equality and fairness are taken into account.
- Retain an overview of remuneration issues across other PCC offices and forces to assist in the determination of pay and terms.
- Endorse taking advice where necessary, policies relating to termination payments and compensation commitments, and approve, subject to any necessary external approval, any such payments or commitments relating to any designated post.



- Ensure that a report is prepared each year for inclusion in the Commissioner's Annual Report and
- Ensure that the remuneration is published in the annual Statement of Accounts report.
- Report the activity of the Committee to the PCC and CC following each Committee meeting.
- Where appropriate having taken the necessary advice, consider employment policies and their revision from time to time. This shall not circumvent normal consultation arrangements with recognised trade unions. Matters upon which the Committee may deliberate include, but are not limited to, human resources issues of magnitude and issues of equality and fairness in relation to pay and reward.

In meeting its responsibilities Remuneration Committee will approach its work in a way which reflects and champions the Nolan Principles of good governance.

### **3. Composition**

The Committee shall be appointed by the PCC and CC and shall comprise a Chairman and at least two other members who are independently recruited and should be free from any business or other relationships which could interfere with the exercise of their independent judgement. Members of the Joint Audit Committee (JAC) should not be appointed to the Remuneration Committee.

The PCC will determine the period for which each member of the Committee shall hold office however this is expected to be for a 4 year period.

Care shall be taken to minimise the risk of any conflict of interest that might be seen to give rise to an unacceptable influence. Any potential conflict of interest should be raised at the start of each meeting of the Committee.

### **4. Budget**

In connection with its duties the Committee is authorised to select, set the terms of reference and appoint remuneration consultants and expert advisors, at the PCC's and CC's expense following consultation with the Treasurer and The Force Director of Finance and Resources.

### **5. Quorum**

The committee will be quorate with the chair and two other members present.

### **6. Secretariat**

The OPCC will provide secretariat support to the Committee.

### **7. Frequency of meetings**

The Committee shall meet at least twice a year and at such other times as the Chairman of the Committee shall require.



## 8. Evaluation

The Committees effectiveness and terms of reference will be reviewed at least annually as part of the Financial Management Code of Practice, including a review of membership and relevant skills. Changes to the terms of reference must be agreed by the PCC and CC

The Committee will review its handling of any significant project it manages within three months of the end of the project and will report back to the JAC on any lessons learnt.

### Information relating to Members of the Appointments & Remuneration Committee

#### Eligibility to be a member of the Appointments & Remuneration Committee

- Appointments & Remuneration Committee Members must be independent of both the Force and the PCC. Serving police officers, police staff or staff employed in an Office of the PCC (or Met equivalent) are not eligible for appointment. A person who has been so employed must have a minimum 1 year break before being appointed to serve on the committee.
- Members of the Joint Audit Committee (OPCC and Devon & Cornwall Police) are not eligible to sit on the Appointments and Remuneration Committee.
- Political activity in itself is no bar to appointment. Candidates will be asked to declare any significant political activity (which includes holding office, public speaking, making a recordable donation or candidature for election) which they have undertaken in the last five years. This information will only be provided to the recruitment panel for those applicants selected for interview. Details of the successful candidates declared political activity will be published.
- Before an appointment to the committee is confirmed candidates will need to be successfully vetted. (Candidates should note that all arrests, convictions and cautions must be declared on the vetting form whether or not they are "spent" under the terms of the Rehabilitation of Offenders Act)
- A person who is an undischarged bankrupt is not eligible for appointment to the Appointments & Remuneration Committee.
- A person who is on the Police and Crime Panel or is a councillor or an employee of a council which is represented on the Panel is not eligible for appointment to the Appointments & Remuneration Committee
- All appointees must sign a declaration that they agree to uphold the Committee on Standards in Public Life's seven principles of Public Life
- All appointees must agree to their name, photo and declarations of interests being made publically available - including on the Force and OPCC
- To assist with individual effectiveness, all appointees must agree to be the subject of an appraisal process with the chair of the committee

#### Person Specification

Role purpose: to provide advice to the OPCC and Devon & Cornwall Police on remuneration policies and practices

In order to fulfil its objectives the Appointments and Remuneration Committee should corporately possess:

- Financial awareness



- An understanding of senior management remuneration strategies including pension arrangements and benefits and taxation considerations
- Ability to keep abreast of developments in remuneration strategy
- Ability to understand Human Resources implications
- Awareness of current accounting issues
- Understanding of relevant statutory duties and legislative requirements
- Understanding of how pay & rewards fit into the delivery of corporate objectives
- Understanding of the principles of risk management
- Knowledge of modern principles relating to audit, scrutiny and assurance
- At least 1 person to have a professional qualification from one of the professional accounting bodies (FRC)
- Knowledge and experience of the principles of Corporate Social Responsibility (which includes financial and economic stewardship (including VFM); people and communities (including Diversity, Equality and Human Rights) and environmental sustainability and health & safety)

Individuals should have and be able to demonstrate:

- Integrity and sense of fairness
- Inquiring and Independent mind
- Analytical approach
- Able to be articulate reason for decisions if challenged
- Sensitivity and understanding in handling confidential and personal data
- Commitment to equality and diversity

Individuals should have or acquire as soon as possible after appointment:

- Understanding of the objectives and current significant issues for the police service at both a national and local level
- Understanding of the objectives, responsibilities and current significant issues for the Office of the Police and Crime Commissioner
- Understanding of the Devon and Cornwall Constabulary structure

### **Tenure**

- The 3 members recruited initially to serve for up to four years
- Any committee member missing more than 3 consecutive meetings will automatically cease to be a member of the Appointments and Remuneration Committee.
- No individual will serve on the Appointments and Remuneration Committee for more than 8 years in total.

### **Remuneration Rate**

The remuneration will be paid at the fees rate set by the Home Office for Police Appeals Tribunal Members.

- Full day i.e. sittings of more than 4 hours (excluding meal breaks) £211.50
- Half day .e. sittings of 4 hours or less (excluding meal breaks) £104.50
- Preparatory work, where it is necessary for the work to be undertaken on a day other than the day of the joint committee meeting £15 per hour
- Other rates/expenses to be agreed as necessary e.g. childcare costs

### **Reimbursement of Travel Costs**

The most practical, economic and sustainable method of travel should be used. The OPCC will book public transport when requested to do so.

- Rail – the cost of rail travel will be reimbursed at the amount paid, provided that evidence is available to show that this was the most economic option for the date and time of travel.
- Cars, vans and motor cycles – reimbursement will be at the relevant HM Revenue and Customs approved rate (the car mileage rate is 45p per mile up to 10,000 miles at the time of preparing this report)



## **The Commissioning Scrutiny Board**

### **Independent Members of the Commissioning Scrutiny Board**

Robert Crossland, Richard Tamlyn, Diana Crump, Rhea Brookes, Charles Green, Mark Richardson.

### **OPCC Members**

Police and Crime Commissioner, Chief Executive, Treasurer, Commissioning Manager, Commissioning Policy Officer.

### **Constabulary Members**

ACC (Local Policing and Partnerships)

The Commissioning Scrutiny Board has met on one occasion (11 December 2013). The meeting lasted 2.5 hours

The requested information on recruitment and allowances is included in the terms of reference. The board will be developing a workplan over the next two meetings, including a review of its' own terms of reference.

## **Terms of Reference**

### **1. Purpose**

- 1.1 The purpose of The PCC Commissioning Scrutiny Board is to advise the Police and Crime Commissioner (PCC) that the resources available to the PCC for commissioning are achieving best outcomes as measured against the Police and Crime Plan aims. It will govern the use of those resources to ensure value for money is achieved where they are deployed and the reporting mechanisms that will be used to measure overall success.

## **2. Responsibilities**

### **2.1**

The PCC Commissioning Scrutiny Board will be the executive body of the OPCC and is accountable to the PCC in relation to all decisions relating to commissioning and partnership activity. It will:

- Develop and agree annually the Commissioning Strategy of the PCC to ensure that it delivers the requirements of the Police and Crime Plan and the strategic requirements of Central Government agencies where funding is given for specific purposes.
- Set out for consultation the commissioning intentions of the PCC for the following year and two successive years.
- Agree all plans that deliver the commissioning strategy and ensure that they are in line with the funding available and deliver value for money.
- Develop any commissioning policies as required.
- Commission any research required to inform policy decisions.
- Ensure that there is a system of performance measurement and reporting in place and that information is shared with the OPCC Performance and Accountability Board.
- Monitor progress against the commissioning strategy and commissioning plan during the financial year to ensure achievement of objectives within timescales.



- Take investment decisions for 2014/15 and beyond.
  - Provide Governance of the Victim Commissioning Programme and Small Grant scheme.
  - Produce an annual workplan of activity.
  - Maintain a register of key risks to inform decision making.
12. Ensure co-ordination with the development of strategic direction contained within the Police and Crime Plan.
- Receive and consider any internal audit or relevant inspection reports.
1. Consider new and innovative ways of funding and receive appraisals on these.
  2. Ensure that the Equality and Diversity impacts of all decisions are considered.

### **3. Composition**

- 3.1 The Board shall be appointed by the PCC and shall comprise of two independently recruited members, representatives of the OPCC and Force, and representatives of the community and voluntary sector, the student community and the equality and diversity strands.

- 3.2 It is important that the Board provides an independent forum to advise the Commissioner. Board members will therefore need to demonstrate that they do not represent any organisation with which the PCC may wish to partner or commission.

- 3.3 Members of the Joint Audit Committee should not be appointed to the PCC Commissioning Board.

- 3.4 The PCC will determine the period for which each member will hold office however this is expected to be for a four year period.

- 3.5 The Board will comprise of:

- Police and Crime Commissioner (Chair)
- Chief Executive of the Office of the Police and Crime Commissioner
- Treasurer to the Police and Crime Commissioner (as required)
- Senior Police representative (Chief Officer Group member)
- 2 independently recruited members
- OPCC Commissioning Manager
- OPCC Commissioning Policy Officer
- Representatives of the community/voluntary sector in Cornwall and Devon
- One student representative

### **4. Quorum**

- 4.1 The Board will be quorate with the Chair and two of the independent members present

### **5. Meeting Frequency**

- 5.1 It is expected that the Board will meet six to eight times per year.

## 6. Evaluation

The Board's effectiveness and terms of reference will be reviewed at least annually, including a review of membership and relevant skills. Changes to these terms of reference must be agreed by the PCC.

## INFORMATION RELATING TO MEMBERS OF THE PCC'S COMMISSIONING SCRUTINY BOARD

### 1. Person Specification

Role purpose:

The purpose of The PCC Commissioning Scrutiny Board is to advise the Police and Crime Commissioner (PCC) that the resources available to the PCC for commissioning are achieving best outcomes as measured against the Police and Crime Plan aims

In order to fulfil these objectives Commissioning Scrutiny Board members will be expected to:

- attend and contribute to Board meetings and sub groups when necessary
- support meetings to be conducted in a way that allows all members to express views and ensure appropriate standards
- represent the Police and Crime Commissioner at meetings and events, and develop constructive relationships with partners and stakeholders
- to have prepared for meetings, i.e. reading reports in advance
- to uphold and promote with others the members code of conduct, adhere to the Nolan principles and be positive in their approach with others when representing the PCC.
- value diversity and equal opportunities
- have the ability to develop and maintain constructive working relationships with people from a wide range of backgrounds and experiences
- undertake training as identified by PCC
- ability to exercise judgement when presented with complex problems, considering all implications
- have relevant experience of working in a collective decision-making group, board or committee
- have knowledge and experience of the principles of Corporate Social Responsibility which includes:
  - Financial and Economic Stewardship
  - Value For Money,
  - People and Communities (including Diversity, Equality and Human Rights)
  - Environmental Sustainability
  - Health & safety

Individuals should have and be able to demonstrate:

- Integrity
- A balanced and proportionate approach in preparing and giving advice
- Independent thought
- A constructive but challenging approach
- Ability to be analytical
- Ability to scrutinise
- Self confidence



- Respect for others
- Experience of dealing with sensitive information

Applicants will be expected to have a background in commissioning, and an understanding of partnership working in one or more of the following areas - the public sector, the private sector and/or the third sector.

Applicants must also be able to contribute to the delivery of the Police and Crime Plan objectives:

- Reducing re-offending and bringing offenders to justice
- Focusing on alcohol related violence
- Protecting the most vulnerable with a focus on domestic, family and sexual abuse and better awareness of crimes that go unseen
- Working to better understand and respond to crimes motivated by prejudice against someone's beliefs or circumstances
- Keeping our roads safe
- Reducing anti social behaviour
- Increasing the safety of the vulnerable , young and victims by protection from those posing the most serious harm
- Supporting early intervention programmes that address drug and alcohol misuse, mental health issues and young offenders

## **2. Eligibility to be a member of the Commissioning Scrutiny Board**

- Commissioning Scrutiny Board members must be independent of both the Force and the PCC. Serving police officers, police staff or staff employed in an OPCC (or Met equivalent) are not eligible for appointment. A person who has been so employed must have a minimum 1 year break before being appointed to serve on the Commissioning Board.
- The person appointed must also be independent of any current partnerships and commissioning arrangements relating to the OPCC.
- Councillors and employees of Cornwall County Council, Devon County Council, Devon District Councils, and members of the Police and Crime Panel, are not eligible for appointment. A person who has been so employed must have a minimum 1 year break before being appointed to serve on the Commissioning Board.
- Political activity in itself is no bar to appointment. Candidates will be asked to declare any significant political activity (which includes holding office, public speaking, making a recordable donation or candidature for election) which they have undertaken in the last five years. This information will only be provided to the recruitment panel for those applicants selected for interview. Details of the successful candidates declared political activity will be published.
- Before an appointment to the Board is confirmed candidates will need to be successfully vetted to non police personnel level. (Candidates should note that all arrests, convictions and cautions must be declared on the vetting form whether or not they are "spent" under the terms of the Rehabilitation of Offenders Act)
- A person who is an undischarged bankrupt is not eligible for appointment to the Commissioning Scrutiny Board
- All appointees must sign a declaration that they agree to uphold the Committee on Standards in Public Life's Seven Principles of Public Life.



- All appointees must agree to their name, photo and declarations of interests being made publically available – including on the Force and OPCC websites.
- To assist with individual effectiveness, all appointees must agree to be the subject of an appraisal process with the Chair of the Committee.
- Candidates must be resident in Devon, Cornwall, or the Isles of Scilly.

### **3. Tenure**

- The 3 members will be recruited to serve for a 4 year period.
- Any Committee member missing more than 3 consecutive meetings will automatically cease to be a member of the Commissioning Board..
- No individual will serve on the Commissioning Scrutiny Board for more than 10 years in total.

### **4. Remuneration Rate**

The remuneration will be paid at the fees rate set by the Home Office for Police Appeals Tribunal Members. At the time of preparing this report the amounts (unchanged since April 2007) are:

- Full day i.e. sittings of more than 4 hours (excluding meal breaks) £211.50.
- Half day i.e. sittings of 4 hours or less (excluding meal breaks) £104.50.
- Preparatory work, where it is necessary for the work to be undertaken on a day other than the day of the joint committee meeting, will be remunerated at £15 per hour.
- Other rates/expenses to be agreed as necessary, e.g. childcare costs.

### **5. Reimbursement of Travel Costs**

The most practical, economic and sustainable method of travel should be used. The Police & Crime Commissioner's office will book public transport when requested to do so.

- Rail – the cost of rail travel will be reimbursed at the amount paid, provided that evidence is available to show that this was the most economic option for the date and time of travel.
- Cars, vans and motor cycles – reimbursement will be at the relevant HM Revenue and Customs approved rate (the car mileage rate is 45p per mile up to 10,000 miles at the time of preparing this report).



## Annex B

**Reconciliation of Information supplied in response to FOI request with consultancy cost Information supplied in report to Police and Crime Panel 20 December 2013**

	As Estimated for FOI Disclosure* £	As reported to Panel		Total £
		Charged to OPCC Budget £	Charged to Commissioning Budget £	
<b>Costs for Period 1.4.2013 to 31.3 2014</b>				
Consultancy Costs				
Andrew White	42,582	73,000		73,000
Hall Williams Associates	88,989	63,000		63,000
Jane Harwood Consulting	58,267	47,893		47,893
Karen Vincent May	2,275	2,275		2,275
MMP Consulting	36,833	37,000		37,000
Schofield Associates	1,350	1,350		1,350
Spragg Consulting			47,500	47,500
Steenberg Consulting		1,702		1,702
Other consultancy costs	21,922			
<b>Sub Total</b>	<b>252,218</b>	<b>226,220</b>	<b>47,500</b>	<b>273,720</b>
Other Costs included in FOI disclosure *				
3rd party contractors (Devon Audit Partnership providing internal audit services)	70,292			
Agency staff (covering vacancies)	96,476			
Advisors to the PCC	30,000			
Payments to Joint Audit Committee and other members of Committee and Boards	11,250			
<b>Total Costs 2013-14</b>	<b>460,236</b>			
<b>Costs for Period 22.11.2012 to 31.3 2013</b>				
Consultancy Costs	150,110			
3rd party contractors (Devon Audit Partnership providing internal audit services)	25,814			
Agency staff (covering vacancies)	29,361			
Payments to Advisor to PCC and Joint Audit Committee and other members of Committees and Boards	8,683			
<b>Total Costs 22.11.2012 to 31.3 2013</b>	<b>213,968</b>			
<b>Overall Total</b>	<b>674,204</b>	<b>226,220</b>	<b>47,500</b>	<b>273,720</b>

PCP actions arising from meeting 20 December 2013 (action 14) and update RESTRICTED - Message (Rich Text)

Message

From: ROWDEN Wendy 94922  
To: "Hookins, Sarah"  
Cc: EATON David 94937, MARTIN Richard 91650  
Subject: PCP actions arising from meeting 20 December 2013 (action 14) and update RESTRICTED

Sent: Fri 17/01/2014 14:45

Dear Sarah,

A belated Happy New Year – I do hope you are well.

Please find attached amended version of Appendix A to the Complaints report dated 04 December as required under Action 14 arising from last PCP on 20 Dec 2013.

I will keep a record here of "outcomes" for complaints 4, 5 & 6. This will simply record that they were handled as agreed by the PCP chair and vice-chair and are now closed. I am aware that you have already advised that it is unnecessary for the Panel to "revisit" complaints they have already considered so I am not intending to provide this piece of "updating" for the Panel on 7 Feb unless you suggest otherwise.

We have not received any new complaints against the PCC in the period 25 November to date and therefore my report will just be a cover sheet to that effect, unless there are any changes between now and next Wednesday.

Kind regards,

Wendy

PCP REP amended  
-as-per-meeting...

Wendy Rowden  
Policy Officer  
Office of Police & Crime Commissioner for Devon and Cornwall  
wendyrowden@devonandcornwall.pnn.police.uk

Tel: 01300 235566

4 Microsoft O... 91690\$ on hof's... PCP Boards, Co... Panel letter 28.0... Actions Arising fr... Reconciliation of ... PCP REP amen... 12:06



## Timeline and Process for Recruitment of Members to Joint Audit Committee

Date	Activity	Action by:	Update
<b>04 April</b> (Thurs)	Placement for advertisements agreed.	Treasurer, Assistant Chief Executive, Policy Officer	<p>Agreed as follows:</p> <p>Paid advertisements:  Western Morning News  DCC – Choice magazine &amp; website  CCC – website  Somerset CC – website</p> <p>No charge:  DCPA website  Requests also to be sent to Avon &amp; Somerset &amp; Dorset PAs</p> <p>Ads to be distributed to internal list of organisations – to assist E&amp;D compliance with request that ad displayed</p>
<b>19 April</b> (Thurs)	Selection of 3 <sup>rd</sup> member of interview panel (the independent member) e.g.s DCC treasurer, DCC head of HR, Met Office HR director, DCC Head of Audit?	Chief Executive, Director of Finance & Resources	Completed 23 April.

<b>20 April (Fri)</b> (By close of business)	Independent member invited to join panel	Chief Executive, Director of Finance & Resources	Completed 23 April, Richard Bates, treasurer Dorset PA agrees to be third independent panel member.
<b>24 April (Tues)</b>	<ul style="list-style-type: none"> <li>Recruitment pack completed in draft</li> <li>Advertisement completed in draft</li> <li>Schedule of publication deadlines collated</li> </ul>	Policy Officer (Advice to be sought PA HR Adviser as required)	Completed
<b>25 April</b>	<ul style="list-style-type: none"> <li>Recruitment pack to be finalised &amp; approved/signed off</li> <li>Advertisement to be finalised &amp; approved/signed off</li> </ul>	Finalised – Policy Officer Approved/Signed off by Asst Chief Executive.	24 April agreed/approved by Asst Chief Executive.
<b>27 April (Fri)</b>	Interview panel to agree: <ul style="list-style-type: none"> <li>Preferred recruitment method – marking scheme?</li> <li>Who will undertake paper sift (Panel or PA admin team/staff member(s) )</li> </ul>	Interview Panel	
<b>30 April</b>	Final date for forwarding advertising copy	PA admin team	30 April 01 May – ads being displayed with DCC, Cornwall CC, Somerset CC WMN jobs online Print advert deadline still awaited
<b>04 May (Fri)</b>	Posts advertised	WR	Completed
<b>28 May (Mon)</b>	Application closing date		18 applications received and provided to panel for paper sift scoring



<b>01 June</b> (Fri)	Paper sift of applications:	Interview Panel OR PA Admin team/staff member(s)  (Advice to be sought PA HR Adviser as required)	Panel meet, assistant CE also in attendance.
<b>06 June</b> (Wed)	Last day for Panel to select candidates for invitation to interview	Interview Panel  (Advice to be sought PA HR Adviser as required)	
<b>07 June</b> (Thurs)	Last day for contacting candidates selected for interview	PA Admin team	
<b>29 June</b> (Fri)	Interviews to be held	Interview Panel  (Advice to be sought PA HR Adviser as required)	Agreed 24 April.  Interview date 29 June
<b>06 July</b> (Fri)	Last day for informing successful candidates that they are invited to form shadow committee	Panel member or PA admin team	
W/c 16 July  Date tbc according to availability	Familiarisation day  (Introduction to the work of pending office of the PCC)	External Auditor Director of F&R Office Manager Treasurer Head of Audit Devon Audit Partnership Devon Audit Partnership	

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