



## **Report to Police and Crime Panel (confirmation hearing) – Appointment of a Deputy Police and Crime Commissioner**

**19<sup>th</sup> July 2024**

### **Purpose of Report**

1. To provide background information to the Police and Crime Panel on the appointment of Mr Mark Kingscote as the Deputy Police and Crime Commissioner (DPCC).

### **Recommendation**

2. That the Panel endorses the appointment of Mr Mark Kingscote as the Deputy Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly for a one-year appointment with the option to extend to the end of the current electoral term.

### **Background**

3. The Police Reform and Social Responsibility Act 2011 (the Act) provides, under section 18(1), that the Police and Crime Commissioner for a police area, may appoint a person as the Deputy Police and Crime Commissioner (DPCC) for that area.
4. The Police and Crime Commissioner can arrange for them to exercise any of their functions save for
  - the issuing of a Police and Crime Plan,
  - appointing the Chief Constable,
  - suspending the Chief Constable,
  - calling upon the Chief Constable to retire or resign,
  - calculating a budget requirement under section 43 of the Local Government Finance Act 1992.
5. During part 1 of the Police and Crime Commissioner Review conducted in recent years by the Home Office it was concluded that to enhance resilience and capacity of Police and Crime Commissioners, legislation will come forward to mandate the appointment of a Deputy Police and Crime Commissioner. The introduction of a statutory requirement for a Deputy Police and Crime Commissioner has still yet to be introduced, however, the majority of Commissioners now have a Deputy to provide capacity and resilience and address the recommendations of the PCC Review Part 1.

6. The Police and Crime Commissioner has therefore notified the panel of her intention, in accordance with the Act.
7. Mr Kingscote has declared that he is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. He has declared that to the best of his knowledge and belief he is eligible for appointment and is not subject to a relevant disqualification.
8. Attached at Appendix A are the relevant extracts from the Act which have been provided to Mr Mark Kingscote.

## **Process**

9. A Deputy Police and Crime Commissioner is required by the legislation to be a member of staff within the Office of Police and Crime Commissioner (OPCC). The Deputy Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly will be subject to a contract of employment which will generally reflect the terms and conditions which apply to the Commissioners staff, with the exception of the need to be politically restricted. The Commissioner informed the Panel of her decision to appoint a Deputy on 22nd July 2024. A copy of the decision notification sent on 1<sup>st</sup> July 2024 is attached at Appendix B.

Due to the nature of this role, Parliament has granted Commissioners exemption to Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) for this appointment. This means that the Commissioner can appoint a Deputy Police and Crime Commissioner of their personal choosing, without a competitive appointment process or interview.

10. A formal job description and person specification for a Deputy Police and Crime Commissioner has been developed and is attached at Appendix C.
11. The Commissioner has considered the priority areas she wishes her Deputy Commissioner to focus on.

## **Proposed Candidate**

12. The Commissioner has selected Mr Mark Kingscote as her preferred candidate based on his skills, aspirations, and experience. Extensive discussions have taken place between the Commissioner and Mr Kingscote.
13. The Commissioner is confident that Mark Kingscote has a skill set that fulfils the criteria outlined above but also compliments her own skills and experience. She is confident that Mr Kingscote will fulfil the role of Deputy Police and Crime Commissioner with passion, professionalism and integrity. Mr Kingscote has a valid vetting in place and the Commissioner has received two excellent references.

16. Key considerations for the Commissioner in making his selection is that Mr Mark Kingscote has the following experience and competence:

Mark Kingscote is an experienced politician with extensive experience in local government. He has also had a successful career with the NHS and in the community and voluntary sector. He has a strong understanding of governance and has worked with senior leaders in a variety of capacities. He possesses a unique blend of skills that I value, and I believe will benefit the people of Devon, Cornwall and the Isles of Scilly. As the Police and Crime Commissioner I require the support of a Deputy PCC and regard the role as being vital to improve performance in policing, as well as reducing crime and making sure that residents feel safe in their communities.

Mark has a track record in being able to work with communities, apply himself to complex community and legislative matters as well as working with and understanding those in the community with complex issues.

Mark Kingscote has had a varied career across health and local government, as well as being a champion for young people through the Prince's Trust and as a charity fund raiser. Mark has experience of working with a wide range of people with enduring and severe mental health issues through a variety of roles so understands complex issues and vulnerability. Of particular relevance is Marks experience as a local councillor and the range of offices he has held in this capacity. Mark is an experienced scrutineer and has worked within complex local government arrangements including a directly elected Mayoral model holding key roles such as Chairman of Planning Committee and Chairman of the Civic Committee over extensive periods of time. He has a detailed knowledge of the challenges in the Torbay area and importantly has worked with key members of the community in this area over many years.

Mark can demonstrate a wealth of experience in dealing with planning and estates management, and political and professional decision making. He is a resilient leader and able to work with a wide range of partners and communities.

### **Commissioners Statement**

17. I am now in my third consecutive term of office as Police and Crime Commissioner having been returned with a significant majority. Throughout my terms of office Devon and Cornwall Police has been subject to significant and unprecedented challenges including hosting the G7 summit in Cornwall, the mass shooting in Plymouth and most recently my suspension of the Chief Constable. However, I have also supported more police officers than ever before.

However, my small team is now holding to account a multi-million-pound organisation (£420 Million) that has well documented improvements required. Whilst I have managed without a Deputy Commissioner thus far, now is the time when I need to drive further improvements through additional political support.

Now, more than ever, policing needs strong leadership. The Police and Crime Plan that I am about to share gives a renewed focus to tackling the long-standing issues across the two counties, starting in Torquay, and I need support to achieve this.

I am proposing to the Police and Crime Panel that Mark Kingscote is appointed Deputy Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly for a one-year appointment with an option to extend until the end of the current term of my office.

I have every confidence that Mark is the right person for this role. He is a strong individual who will represent me well, is committed to building safe, resilient and connected communities where everyone has a part to play.

He has a demonstrable track record in the areas that I wish to enhance my efforts and a knowledge of the way in which partnerships work across our complex local government arrangements which I highly value. Mark was part of my election preparation team and heard the feedback on policing directly from the communities I serve and therefore has a unique insight into the issues affecting our communities.

You will recall that I asked you to consider Mark Kingscote's appointment to Deputy Police and Crime Commissioner some years ago. At that time this panel was not supportive. I am now asking you to again to consider this appointment, as I need strong support through a Deputy Police and Crime Commissioner that I can personally trust to help deliver for our communities. The relationship between a Police and Crime Commissioner and their Deputy is similar to that of a Mayor and Deputy Mayor, or Leader and Deputy Leader of a Council, which are also political appointments. My Deputy needs to support my views on policing, crime and disorder and criminal justice and carry out the delivery of my Police and Crime Panel. The Deputy needs to forge links with communities and partners on my behalf and represent me and my views at strategic meetings, including those with the Chief Constable. Over the years since I last asked you to consider this appointment Mark and I have remained in close contact. He understands the pressures and challenges of the Police and Crime Commissioner role and the scope and scale of my office in a way that I cannot replicate with any other individual.

### **Terms and Conditions of Appointment**

18. The Deputy Police and Crime Commissioner is a member of the Commissioner's staff team and therefore this requires the postholder to receive terms and conditions aligned with those colleagues within the Office of the Police and Crime Commissioner.
19. A summary of the terms and conditions are attached at Appendix C.
20. Mark Kingscote will take up the role of Deputy Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly with effect from 22nd July 2024. The employment status is subject to this confirmation hearing. The intervening period prior to the Confirmation Hearing will be utilised as an induction and familiarisation process for Mr Kingscote.

21. The Police and Crime Commissioner has discussed with Mr Kingscote the portfolio of responsibilities she wishes to delegate to him. Although not an exhaustive list, the following is the current identified portfolio which may be subject to change going forward:

- Governance - supporting the Commissioner with the internal/external governance and partnership arrangements.
- Partnership - to support and harness a collaborative approach to community safety, reducing antisocial behaviour and hot spot policing specifically, starting in Torquay.
- Scrutiny - to take an active oversight in the governance of the police estates and protection of policing heritage.
- To have a focus on policing and crime in rural communities.
- To champion allocated police and crime plan priorities including the OPCC response to theft, including business crime.

## **Conclusion**

21. The appointment of the Deputy Police and Crime Commissioner has been identified as a critical role for the Police and Crime Commissioner. The ongoing challenges of the HMICFRS inspection outcomes and the absence of a substantive Chief Constable make this current period extremely challenging. The Commissioner has carefully considered the skills and abilities she requires to complement her own approach and balanced those against the community and organisational needs. Mr Kingscote is someone in whom the Police and Crime Commissioner has confidence and can work with her closely to deliver the new Police and Crime Plan.

22. The Commissioner has selected Mark Kingscote as her Deputy Police and Crime Commissioner. This report identifies the legislative requirements for appointing a Deputy, together with the criteria used to assist in assessing the suitability of the selected candidate and the reasons why the Commissioner has selected Mark Kingscote. In addition, this report also informs the Panel on the terms and conditions on which he will be appointed.

## **Report Author:**

**Fran Hughes, Chief Executive and Monitoring Officer**

**1<sup>st</sup> July 2024**

## **Appendices**

**Appendix A** – the relevant extracts from the Act which have been provided to Mr Mark Kingscote.

**Appendix B** – A copy of the decision notification sent to the Police and Crime Panel on 1st July 2024

**Appendix C** - formal role profile and person specification for the Deputy Commissioner