

Police and Crime Commissioner for Surrey – Decision Making Record

Report Title: Stage 2 Transfer Plan
Decision number: 033/2013
Author and Job Role: Alison Bolton, Chief Executive
Protective Marking: Part One

Executive Summary:

The Police Reform and Social Responsibility Act 2011 requires Police & Crime Commissioners to make a transfer plan setting out their proposals for a 'Stage 2' transfer. 'Stage 2' will see a movement of certain staff, property, rights and liabilities from the PCC to the Chief Constable. The Home Secretary has instructed that this Stage 2 transfer must take place by 1st April 2014 and that all PCCs must submit their plans by 16th September 2013. The Government's policy intent behind Stage 2 transfers is to ensure that there is a clear division between those charged with the governance of policing (i.e. the PCC) and those responsible for operational delivery (the Chief Constable).

The attached plan outlines how the PCC and Chief Constable see policing and support services being structured in a way that allows both parties to discharge their responsibilities effectively. It sets out arrangements for who will employ which staff, who will own property and other assets, and who holds associated rights and liabilities. The scheme gives details of any transfers needed to implement the new arrangements. It has the full support of both the Chief Constable and Unison.

Government has not issued detailed guidance to PCCs or Chief Constables about how staff and assets should be divided as this is a matter for local determination. It has however defined three key principles that should underpin local arrangements for Stage 2. These are:

- Maintaining the operational independence of the Chief Constable
- Upholding the Policing Protocol (which gives PCCs responsibility for the 'totality of policing' within their force area)
- Ensuring clearly defined roles and responsibilities (i.e. 'governance' rests with the PCC whilst operational delivery sits with the Chief Constable).

The Surrey scheme abides by these principles. In addition, Surrey is also keen to ensure that Stage 2 arrangements are not costly, minimise upheaval for staff and do not impede future collaborative arrangements between forces, especially with Sussex.

Once submitted, the Home Secretary is expected to consider the PCC's proposals and advise the PCC by January 2014 whether she approves or rejects his plans. We then have until April 2014 to implement the transfer of staff from the PCC to the Chief Constable. The PCC and Chief Constable have already engaged with staff and Unison and will ensure that proper consultation takes place with staff prior to transfer.

Recommendation

That the PCC agrees the Stage 2 scheme for submission to the Home Secretary.

Police and Crime Commissioner Approval

I approve the recommendation(s):

Signature: 

Date: 11/09/2013

All decisions must be added to the decision register.

Areas of consideration

Consultation

Senior leadership of the force has been fully engaged at a Stage 2 transfer board set up in May 2012. The Chief Constable has given her approval for the proposals. Unison has agreed the plan. We have also been liaising closely with Sussex to ensure our plans are aligned.

Financial implications

There will be costs associated with implementing the transfer and for associated legal advice. However, we have sought to keep these to a minimum.

Legal

The scheme has been reviewed and we are seeking legal advice on a specific point relating to the provision of services from the Chief Constable to the PCC prior to implementation. We are sharing the cost of this advice with Sussex.

Risks

None arising.

Equality and diversity

None arising.

Risks to human rights

None arising.