

## **Surrey Police & Crime Commissioner Stage 2 Transfer Scheme September 2013**

### **Principles for the Stage 2 Transfer**

The Home Secretary has advised that the statutory Policing Protocol will be the benchmark against which a transfer scheme will be assessed and approved and has defined three key principles which should underpin local arrangements for Stage 2. These are:

- Maintaining the operational independence of the Chief Constable
- Upholding the Policing Protocol (which gives Police & Crime Commissioners 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).

We have drawn up our scheme on this basis.

### **Principles agreed by the Surrey PCC and Chief Constable**

In addition to the principles set by the Home Secretary, the Police & Crime Commissioner (PCC) and Chief Constable have worked on the basis of the following principles for Surrey's proposed Stage 2 arrangements:

- Despite the different roles and responsibilities, future working arrangements between the Force and PCC must be a joint endeavour, focused upon improving outcomes for local people as set out in the Police and Crime Plan
- In times of diminishing resource, implementation of the transfer arrangements should be as cost effective as possible and the resulting structures must represent the best value for the Surrey public
- Stage 2 transfer arrangements must, as far as is possible, minimise unnecessary change and upheaval for staff
- The Chief Constable must remain operationally independent, be seen as a provider of services and have responsibility for those support services that assist with operational delivery
- The PCC must ensure he has sufficient capacity and capability to undertake his statutory responsibilities (e.g. ensuring the efficiency and effectiveness of the Force and driving value for money improvements)
- Collaborative opportunities, particularly those with Sussex, should not be impeded by the arrangements we implement for Stage 2.

## Proposals for Transfer of Staff

### Staffing: Stage 2 Proposal

The majority of police staff should transfer to the employment of the Chief Constable, with the PCC retaining a small team to support his office.

The Chief Constable is responsible for the delivery of policing and the PCC will hold the Chief Constable to account for the *totality* of that delivery. The PCC's focus should remain on his strategic and representative role, whilst the Chief Constable should focus on the delivery of operational policing with responsibility for the back office services that support this delivery.

Related rights and liabilities would transfer with the staff in question.

In Surrey, over 2,200 police staff work alongside warranted officers carrying out a diverse range of roles: those who work on the frontline, those who support the delivery of operational policing and those working in business support roles. All these staff are currently employed by the PCC but are under the 'direction and control' (i.e. management) of the Chief Constable. Police officers, as servants of the Crown, are not affected by the stage 2 transfer.

A small team of staff currently work directly for the PCC and help him deliver his statutory responsibilities and to run an effective office. This team supports the PCC's governance arrangements, provides independent policy advice, runs a custody visiting scheme, liaises with partners, arranges consultation, deals with quasi-judicial functions, administers grants, commissions community safety services, handles complaints, correspondence and media. Staff in this team are not under the direction and control of the Chief Constable.

### Staff Under the Employment of the PCC

A total of 8.6 full time equivalent (FTE) staff will be retained by the PCC under the Stage 2 transfer plan to work directly for the PCC as part of his team. These staff carry out the following functions:

- Chief Executive and Monitoring Officer (statutory post)
- Chief Finance Officer (statutory post)
- Strategic Planning (e.g. developing the Police and Crime Plan)
- Preparation for budget and precept setting
- Scrutiny/independent analysis of Surrey Police performance (including performance against the 6 people's priorities, crime data, complaints etc)
- Press, media and communication functions
- Community engagement and consultation
- Commissioning and award of grants
- Partnership working and engagement with local partners
- Handling of correspondence, queries and complaints
- Running the Surrey Independent Custody Visitors Scheme and managing the c60 volunteers
- Office management, secretarial and diary support
- Support and administration for governance arrangements (e.g. management meetings, Audit Committee)

- Financial processing and budget monitoring for the PCC
- Administering quasi-judicial functions (e.g. Police Appeals Tribunals, pensions appeals etc)

In addition, the PCC's team also comprises a full-time Deputy Police and Crime Commissioner and two part-time Assistant Commissioners (with responsibility for Victims and Equality & Diversity) who will also be retained by the PCC at Stage 2.

We also expect that two members of finance staff charged with treasury management and banking functions will remain under the employment of the PCC (to allow them to undertake their responsibilities under delegated authority from the PCC) but for day-to-day purposes will remain under the management of existing force personnel.

Given that the PCC is retaining only a small team of staff, the proposed model will rely on the continued cooperative working relationship between the Office of the PCC and the Chief Constable and her staff, particularly on issues such as strategic planning, performance, communications and finance. Service Level Agreements will, where appropriate, be drawn up to define expectations.

#### **Staff Moving to the Employment of the Chief Constable**

Under the Stage 2 Transfer Plan, all staff other than those detailed above will move to the employment of the Chief Constable. The table below provides an indication of numbers and functions of those police staff who will transfer to the employment of the Chief Constable\*:

Chief Officers and Directors	1	Hate crime	1
Buildings and estates	38	Information technology/audio	56
Child/sex/domestic abuse	32	Intelligence	81
CID and CID specialist crime unit	332	Local Commanders	1
Community Safety and relations	56	Neighbourhoods	263
Complaints and discipline	20	Operational Planning	20
Control room – call handlers	318	Other admin/staff officers	83
Coroner's Office	14	Personnel and human resources	46
Corporate Development	85	Press and public relations	24
Crime & Incident Management	16	Scenes of crime	27
Criminal Justice units	96	Special Branch/protection	20
Criminal Records office	41	Staff Associations	5
Custody	96	Stores and supplies	4
Departmental Heads	13	Surveillance	11
Dogs	9	Technical support unit	9
Enquiries/police stations	50	Traffic	34
Finance	29	Training	37
Fingerprints and photographic	23	Vehicle workshop/fleet	24
Firearms	20	Welfare and occupational health	12
Response	69	Other	84
Fraud	23	TOTAL	2,223

*\*These figures are based on the HMIC annual data return for 2012/13 and are indicative only.*

### **Staff and Union Engagement**

The PCC established a Stage 2 transfer board in May 2013 to discuss the development of the transfer proposals for Surrey. This board will ultimately oversee the implementation of a more detailed transfer plan once approval of this scheme has been received from the Home Secretary.

Membership of the transfer board includes Unison (who have confirmed their agreement to this scheme) and a representative from the Force's HR department. Additionally, senior colleagues, including the PCC's Chief Executive and Treasurer, the Deputy Chief Constable, the Head of Finance for Surrey Police and Head of Communications at Surrey Police have attended and ensured that relevant staff have been kept briefed at appropriate stages.

Other communication and engagement with staff to date has been:

- Chief Constable's blog (2<sup>nd</sup> July 2013) – explaining the principle of Stage 2 transfer to staff and setting out the likely direction of travel and implications
- Discussion at the PCC's management meeting (10<sup>th</sup> July 2013) at which the Chief Constable and PCC agreed their plans in principle for stage 2 transfer. The meeting was also publicised on the Surrey Police intranet site (Connect). The papers are also publicly available on the PCC website for staff to view
- Consideration in public by the Police & Crime Panel (on 10<sup>th</sup> September 2013) of the PCC's proposals
- Direct communication by leaders with potentially affected groups
- Intranet article (September 2013) updating the proposals that will be put forward to the Home Office – reassuring staff regarding what this does/doesn't mean for them.

A full communication and engagement plan with staff will take place once the transfer scheme has been approved by the Home Secretary. This will include:

- Directly affected staff will be informed personally by senior leaders of whether the Home Office has approved the plan
- Letters to the majority of staff providing information on their change of employment status, but confirming that they will remain on the same terms and conditions
- Intranet update for all staff
- Unison members will receive communication from Surrey Unison in relation to Stage Two transfer.

### **Additional Information: Estate, Assets, Procurement, Contracts, Rights and Liabilities**

The PCC recognises that the Home Secretary has not requested information relating to the transfer of estate, assets, procurement or contracts. However, we have taken the opportunity to outline our proposals in these areas given they are inextricably linked to the transfer of staff.

At Stage 1 transfer in November 2012, all assets, land, property and contracts transferred automatically from Surrey Police Authority to the PCC. At Stage 2 transfer, Chief Constables can enter into contracts and acquire or dispose of property (except land) with the consent of the PCC.

#### **Estate: Stage 2 Proposal**

That the PCC retains ownership of all estate and allocates sufficient budget to the Chief Constable to allow her to continue with day-to-day management and running of the estate.

This avoids the need for a potentially complex and expensive transfer of estate, allows the PCC to maintain strategic control and gives the Chief Constable the ability to ensure the estate meets operational requirements.

#### **Assets: Stage 2 Proposal**

The PCC will retain ownership of all assets (e.g. ICT, fleet, uniform and supplies), with the Chief Constable retaining responsibility for day to day management and ensuring that assets are fit for purpose, safe, cost effective and properly insured.

This will ensure the Chief Constable is able to provide the Force with those assets which allow effective operational delivery. It also avoids a costly transfer of ownership or licenses.

#### **Procurement and Contracts: Stage 2 Proposal**

Contracts will continue to be issued in the name of the PCC and Contract Standing Orders will be retained to define the parameters within which the PCC and Chief Constable operate. The PCC will not give consent to the Chief Constable to enter into contracts, but the Force's procurement function will continue to be responsible for the legal tendering, negotiation and contract management for all services to the Force/PCC.

This will avoid a potentially complex arrangement where the Surrey/Sussex Joint Procurement team are procuring and issuing contracts for multiple parties and operating to different rules for the two force areas.

## **Governance**

The PCC and Chief Constable are clear that to ensure 'good governance' within the new structure, robust and comprehensive Schemes of Governance will need to be in place prior to the implementation of Stage 2 arrangements.

The Schemes will comprise a number of elements that collectively set out the governance arrangements for the PCC and Chief Constable, including:

- **Code of Corporate Governance**
  - how the PCC and Chief Constable will achieve the core principles of 'good governance'
- **Framework of Decision-Making and Accountability**
  - how the PCC will make/publish key decisions and hold the Chief Constable to account
  - the role of the Audit Committee
- **Scheme of Consent/Delegation**
  - the key roles of the PCC and CC and those functions he/she has delegated to others
- **Financial Regulations**
  - the framework for managing the PCC's financial affairs
- **Contract Standing Orders**
  - rules for the procurement of goods, works and services

The PCC and Chief Constable will also be working to develop a number of 'service level agreements' to ensure that expectations around service delivery in areas such as estate, HR and legal services are properly defined and understood.

13<sup>th</sup> September 2013