



# THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

## DECISION RECORD FORM

<b>REQUEST:</b>			
To make submission to the Home Secretary in relation to Stage 2 Transfer Scheme			
<b>Title:</b>			
Stage 2 Transfer Scheme			
<b>Executive Summary:</b>			
<p>Following the election of the Police &amp; Crime Commissioner for Cleveland in November 2012, all police staff, assets and liabilities were transferred to the Commissioner as required by the Police Reform and Social Responsibility Act 2011. This was entitled Stage 1 transfer. The Home Secretary has issued a direction to submit proposals for Stage 2 Transfers.</p> <p>The outcome of Stage 2 Transfers will be that some of the staff currently employed by the Police and Crime Commissioner will transfer to the employment of the Chief Constable, who from 1 April 2014 will be permitted, as a corporation sole, to employ staff.</p> <p>The proposals attached have been prepared in consultation with the Chief Constable and are to be submitted to the Home Office by 16 September 2013. It should be noted that the Home Secretary can approve, modify or reject the proposal after consultation with the Police and Crime Commissioner and once approved the Scheme must be in place by 1 April 2014. A response from the Home Secretary is expected late 2013 after which a detailed programme of implementation is required.</p>			
<b>Decision:</b>			
To submit Stage 2 Transfer proposals to the Home Office.			
<b>Implications:</b>			
Has consideration been taken of the following:	Yes	No	
Financial	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Legal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Equality & Diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Human Rights	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>(If yes please provide further details below)</b>			

**Decision Required – Supporting Information**

Financial Implications: (Must include comments of the PCC's CFO where the decision has financial implications)

The costs associated with the transition eg in establishing separate payroll, accounts, pension arrangements if needed must be met from within existing budgets.

Legal Implications: (Must include comments of the Monitoring Officer where the decision has legal implication)

Changes to governance arrangements will be developed prior to April 2014

**Equality and Diversity Implications**

The proposal has been prepared in consideration of the equality and diversity requirements. There are no implications to note

**Human Rights Implications**

The proposal has been prepared in consideration of the human rights implications. There are no implications to note

**Sustainability Implications**

The proposal has been prepared to ensure sustainability for all parties involved in the Stage 2 Transfer. There are no implications to note


**Risk Management Implications**

The proposal has been prepared in consideration of our risk management policy. There are no implications to note

**OFFICER APPROVAL****Chief Executive**

I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed: \_\_\_\_\_



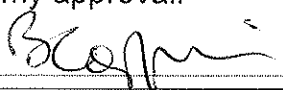
Date: \_\_\_\_\_

5 Sept 2013

**Police and Crime Commissioner:**

The above request HAS my approval.

Signed: \_\_\_\_\_



Date: \_\_\_\_\_

9/9/13



**Police & Crime Commissioner for Cleveland**  
**Cleveland Police Headquarters**  
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Chief of Staff:	Mr Ed Chicken	Fax: 01642 301495
Chief Constable:	Mrs Jacqui Cheer	Tel: 01642 301653
		Tel: 01642 301215

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The Rt Hon Theresa May MP  
Home Secretary  
House of Commons  
London  
SW1A 0AA

**COPY**

Dear Home Secretary

**POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011**  
**SCHEDULE 15**

**Transfer scheme proposed by the Police and Crime Commissioner for Cleveland**

As required by the above, please find enclosed documentation. This falls within the 'maximum transfer' category. Core staff will be retained by the PCC in order to fulfil the statutory role, plus those staff needed to manage the contractual and ancillary arrangements (with particular regard to the extensive outsourced services), and functions that may not be delegated to the Chief Constable.

The submission details only arrangements for staff, with discussions underway on the future scheme of governance, to be completed well before April. The submission is based on the three principles of setting out clarity of roles, enshrining operational independence for the Chief Constable, and conformance with the Policing Protocol. It allocates staffing to enable the PCC to fulfil the duties of S17 of the Protocol, and the S20 'wider responsibility for the enhancement of the delivery of criminal justice' in Cleveland, without duplication or excessive cost. It does not facilitate any involvement of the PCC in operational policing, with all relevant staff in the employ of the Chief Constable.

It does not detail any proposed changes to the arrangements for contracts, pensions, estates, assets and liabilities. These require further considerable detailed work which is underway. It is based on the assumption that the issue of pension arrangements, and associated liabilities, for transferred staff will be resolved by April.

I can confirm that the staff unions Unite and Unison have been consulted on the proposal. You will be aware that the pension issue is of considerable concern to both unions and staff.

I can confirm that the Chief Constable is fully supportive of the proposal.

Yours sincerely

Barry Coppinger  
Police and Crime Commissioner

**POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011  
SCHEDULE 15**

**Staff Transfer scheme proposed by the Police and Crime Commissioner  
for Cleveland**

**Submitted September 2013 in relation to transfers effective April 1<sup>st</sup> 2014**

**It is proposed that;**

1. Staff (posts) detailed in Appendix 1 to remain in the employment of the Police and Crime Commissioner, with no change to their terms and conditions of employment as a result of the transfer;
2. Staff (posts) detailed in Appendix 2 that currently work under the direction and control of the Chief Constable to transfer to the employment of the Police and Crime Commissioner within a corporate resource team. This will deal with functions including treasury management and contract management. This will result in a minor structure change but terms and conditions of employment will remain the same.
3. Staff (posts) detailed in Appendix 3 to transfer to the employment of the Chief Constable, with no change to their terms and conditions of employment as a result of the transfer

**Note**

1 Where a budgeted post is vacant at the point of transfer on 1<sup>st</sup> April 2014, the post and associated budget will still be transferred as outlined in appendices 1, 2 and 3. .

2 It is recognised that the Office of the Police and Crime Commissioner will continue to require support in areas such as:

- Human resource management
- Media
- Legal
- Estates management
- Performance and planning

These services and the staff who provide these will either transfer to the Chief Constable or are currently delivered by the Steria Strategic Partnership. Arrangements will be established with both the Chief Constable and Steria to enable the Office of the Police and Crime Commissioner to continue to receive these support services.

It is recognised that where there is potential for a conflict of interest to arise within this arrangement, then external service provision will be sought by the OPCC.

3 It is recognised that occasionally it may be appropriate for staff to be seconded into the OPCC to undertake specific work. Formal secondment arrangements will be established to facilitate this.

4 The numbers of posts and staff affected by the stage 2 transfer are low in comparison to the MSF group. This is primarily due to the outsource service provision provided through strategic partnerships with both Steria and TASCOR.

## Stage 2 transfer scheme; appendices

Under stage 1, there are 405 police staff under the direct employment of the Police and Crime Commissioner for Cleveland. These are represented as 389.74 Full-Time Equivalents (FTEs) in post on the 1 July 2013.

In summary, the Police and Crime Commissioner for Cleveland will transfer 389 staff (374.95 FTE) to the direct employment of the Chief Constable. Ten staff (9.48 FTE) will remain under the direct employment of PCC and six staff (4.31 FTE) will transfer from the direction and control of the Chief Constable to the OPCC Corporate Resource Team.

The following tables shows those police staff who will remain within the Office of the Police and Crime Commissioner for Cleveland and those who will transfer to the employment of the Chief Constable.

[Note. Where posts are vacant at the time of transfer (1 April 2014) they shall be treated as if they were not.]

Summary of FTEs	Stage 1 FTE	Stage 2 FTE
App 1 - Police and Crime Commissioner (PCC)	9.48	9.48
App 2 - PCC Corporate Team	0	4.31
App 3 – Chief Constable (CC)	379.26	374.95