



Reference No: 2016 - 7146

## THE POLICE & CRIME COMMISSIONER FOR CLEVELAND

### DECISION RECORD FORM

<b>REQUEST:</b> Appointment of Chief Constable of Cleveland Police			
<b>Title:</b> Appointment of Iain Spittal as Chief Constable of Cleveland Police			
<b>Executive Summary:</b>  Pursuant to the unanimous approval of the Police & Crime Panel at the confirmation hearing held on 7 July 2016, I appoint Iain Spittal as Chief Constable of Cleveland Police.  The Panel's statutory report to me is attached as Appendix A.  My statutory response to the Panel is attached as Appendix B.  The terms and conditions agreed with Mr Spittal are attached as Appendix C.			
<b>Decision:</b> To appoint Iain Spittal as Chief Constable of Cleveland Police.			
<b>OPCC Lead Officer:</b> Simon Dennis			
<b>Contractor Details (if applicable):</b> No applicable			
<b>Implications:</b>			
<b>Has consideration been taken of the following:</b>	<b>Yes</b>	<b>No</b>	
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)

As the Role of Chief Constable was advertised at £137,133, and the proposed terms and conditions propose to pay 10% higher at £150,846, then guidance has been sought on the proper interpretation and procedure in respect of the discretion exercisable in respect of salary on appointment, under Home Office Circular 25/2012. *This circular provides that 'A Police and Crime Commissioner may, on appointing a Chief Constable, set the Chief Constable's salary at a rate up to ten per cent above or below the rate for the post'*. The Home Office have confirmed that the provision is still applicable notwithstanding its absence from subsequent published Determinations.

The view of the Home Office is that it would be considered best practice and the most transparent approach to award a salary on appointment that is in line with what was advertised - given that the flexibility was primarily intended to help PCCs address attraction needs. However, if the PCC wishes to take a different approach it would be up to them to seek assurance and/or legal advice and justify it to the Police and Crime Panel.

The proposed appointment, based on the salary of £150,846, has now been supported by the Police and Crime Panel.

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

The selection process has been carried out by a lawful procedure and has been followed by the confirmation process required by the Police Reform & Social Responsibility Act 2011.

## Equality and Diversity Implications

None arise - the selection process has been carried out by a lawful procedure

## Human Rights Implications

None arise

## Sustainability Implications

None arise


## Risk Management Implications

None arise

**OFFICER APPROVAL**

**Chief Executive**

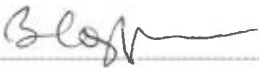
I have been consulted about the decision and confirm that financial, legal, and equalities advice has been taken into account. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signed: 

Date: 7/7/16

**Police and Crime Commissioner:**

The above request HAS my approval.

Signed: 

Date: 7/7/16

## Cleveland Police and Crime Panel

7 July 2016

Dear Barry

### Chief Constable Appointment

I am writing further to the confirmation hearing held by the Cleveland Police and Crime Panel yesterday, and I attach a copy of the Panel's report, confirming the unanimous support for the appointment of Iain Spittal.

As indicated at the meeting, in the particular circumstances of this case, the Panel considered that it was not necessary or appropriate for details of its decision to be embargoed following its communication to you and Iain Spittal. You are therefore free to publicise the details of the decision at your convenience.

Yours sincerely



Councillor Norma Stephenson  
Chair of the Cleveland Police and Crime Panel

Barry Coppinger  
Cleveland Police and Crime Commissioner

cc. Iain Spittal  
Chief Constable



INVESTOR IN PEOPLE



Customer Service Excellence  
The Government Standard

## CLEVELAND POLICE AND CRIME PANEL

### CONFIRMATION HEARING – 6 JULY 2016

#### PROPOSED APPOINTMENT OF A CHIEF CONSTABLE BY THE CLEVELAND POLICE AND CRIME COMMISSIONER

#### REPORT OF THE HEARING

A confirmation hearing was held by the Cleveland Police and Crime Panel (“the Panel”) on Wednesday 6 July 2016 to consider the proposed appointment of a Chief Constable by the Police and Crime Commissioner for Cleveland.

#### Present:

Cllr Norma Stephenson (Chairman); Cllr Alec Brown; Cllr David Coupe; Chu Chu Nwajiobi; Mrs Gwen Duncan; Cllr David Harrington (Sub Cllr Ken Dixon); Cllr Dave Hunter; Cllr Chris Jones; Cllr Jim Lindridge; Cllr Charlie Rooney (Vice Chairman); Cllr Matt Vickers; Cllr David Wilburn.

#### Officers

David Bond, Michael Henderson (Stockton-on-Tees Borough Council).

#### Also in attendance:

Iain Spittal (Temporary Chief Constable), Barry Coppinger (Police and Crime Commissioner), Simon Dennis and Joanne Hodgkinson (Police and Crime Commissioner’s Office), and a Member of the Public.

#### Apologies:

Cllr Billy Ayre, Cllr Ken Dixon and Cllr Linda Lewis

#### Declarations of Interest:

There were no declarations of interest.

#### Confirmation Hearing Purpose and Procedure:

The purpose of the meeting was explained, which was to hold a confirmation hearing before making a report and recommendation to the Police and Crime Commissioner (“the Commissioner”) in relation to his proposed appointment of a Chief Constable. The hearing was a meeting of the Panel, held in public, at which the Candidate, Iain Spittal, was requested to appear for the purpose of answering questions relating to the proposed appointment.

The procedure to be followed was explained, and it was indicated that when the questions asked of the Candidate by Panel members were concluded, the Panel would go into closed session, in order to agree a report and recommendations to the Commissioner. The Panel’s decision would be communicated to the Commissioner in writing by the next working day following the hearing, and a copy of the communication would be provided to the Candidate. The Panel’s decision would normally be embargoed until a period of five days had elapsed following the hearing, however it was agreed that in the particular circumstances of this case that would not be necessary or appropriate. Details of the Panel’s decision could therefore be released immediately following its communication to the Commissioner and the Candidate.

## The Hearing:

Details of a report and notification and accompanying documents from the Commissioner, regarding the proposed appointment, were considered by the Panel. These provided details of the appointment process leading to the Commissioner's proposal to appoint Iain Spittal, as Chief Constable, and comprised a copy of the advert for the position; key terms and conditions of appointment; a Chief Constable Guidance Document; Job Description; Person Specification and a report from the Independent Member of the Selection Panel.

The Independent Member's report confirmed that the process leading to the proposed appointment of the preferred candidate had been open and fair; that it had been conducted in accordance with the College of Policing guidance and all relevant legal requirements; and that the proposed Appointee fully met the agreed and published requirements of the role.

In his report to the Panel, the Commissioner indicated that he believed that Iain Spittal had demonstrated his suitability for appointment across the key personal and professional qualities of Serving the Public; Leading Strategic Change; Leading the Workforce; Managing Performance; Professionalism; Decision Making and Working with Others. He had also expressed a strong, personal motivation to devote himself to providing the best possible policing services to the communities of Cleveland, as well as ensuring that the area's interests were well served in the regional and national policing context.

Panel Members asked questions of the Candidate regarding his approach and commitment to identifying, removing and preventing racism, sexism, or any other kind of discrimination in the Force; how community cohesion could be maintained and improved bearing in mind the rise of hate related incidents following the EU Referendum result; the commitment to retaining and developing more effective neighbourhood policing; how Cleveland Police would remain active and committed to collaborative partnership working against a backdrop of cuts in budgets and increased service pressures; in view of the limits on finance and the increase in cybercrime, for instance, what the priorities for the Force were and what had to give; how would he wish his performance as Chief Constable to be measured and what would the appropriate indicators be in that respect, and what one indicator would he prefer his performance at the end of his term of office to be recognised by.

When responses had been provided to all of the Panel Members' questions, the Candidate was given an opportunity to clarify any answers given and to ask questions of the Panel. The hearing then concluded and the Panel went into closed session to consider its report and recommendations.

Panel Members indicated that they were immensely impressed by the Candidate's openness and honesty; his clarity of focus and clear recognition of what needed to be done; his exceptional confidence and belief in what could be achieved and the tremendous passion and commitment he showed for the job and the obvious dedication he demonstrated to ensuring that the communities of Cleveland had the best police service possible.

There was a unanimous view that the Commissioner's proposed appointment of Iain Spittal therefore should be supported.

This was relayed to the Commissioner and the Candidate after they had returned and the public meeting had resumed.

**RESOLVED** that the Panel unanimously confirms its full support for the appointment of Iain Spittal as Chief Constable for the Cleveland Police Force.



**Police & Crime Commissioner for Cleveland**  
**Cleveland Police Headquarters**  
**Ladgate Lane**  
**Middlesbrough**  
**TS8 9EH**

Email: [pcc@cleveland.pnn.police.uk](mailto:pcc@cleveland.pnn.police.uk)  
Website: <http://www.cleveland.pcc.police.uk>

Police and Crime Commissioner:  
Chief of Staff (Chief Executive & Monitoring Officer):  
Temporary Chief Constable:

Barry Coppinger  
Simon Dennis BA, Solicitor  
Iain Spittal

Tel: 01642 301653  
Tel: 01642 301653  
Tel: 01642 301217

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7 July 2016

Councillor Norma Stephenson  
Police & Crime Panel Chair  
Stockton Borough Council  
Municipal Buildings  
Church Road  
Stockton

Dear Norma

### **Chief Constable Appointment**

Thank you for your letter of even date.

I am grateful for the Panel's unanimous support for Iain Spittal's candidacy further to which I confirm that I have appointed Mr Spittal as Chief Constable with immediate effect.

Yours sincerely

Barry Coppinger  
Police & Crime Commissioner



*The Police & Crime Commissioner for Cleveland is an accredited Living Wage Employer with the Living Wage Foundation.*



## SUMMARY OF KEY TERMS AND CONDITIONS

### CLEVELAND POLICE CHIEF CONSTABLE

#### **Nature of appointment**

The appointment is subject to the provisions of the Police Act, 1996 and the Police Regulations 2003 as amended, and any further amendment to the Act and Regulations.

#### **Duties and Responsibilities**

The appointed person will be required to carry out all the duties applicable to the post of Chief Constable of Cleveland Police (see job description).

The appointed person will be required to devote the whole of their normal working times to the duties set out in the job description.

#### **Salary and Hours of Work**

The salary will be £150,846 per annum.

*The Police and Crime Commissioner, on appointing the Chief Constable, has set the salary at a rate of 10% above the Police Pay Award (£137,133) in line with Home Office Circular 025/2012.*

The appointed person will be paid by credit transfer on the 15<sup>th</sup> day of each month.

The appointed person will work such hours as are needed to fulfil the requirements of the role.

#### **Length of appointment**

This will be a four year fixed term appointment. This may be extended, by agreement, for a further period of a maximum of three years after initial appointment, and for subsequent terms each of a maximum of one year.

#### **Notice period**

Termination of this contract by the appointed person will require a three month notice period to be provided to the Police and Crime Commissioner.



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**Annual leave**

Annual leave entitlement will be as per Police Regulations, in line with the provisions of any prevailing policy adopted on annual leave for officers above the rank of Chief Superintendent.

**Location**

The post holder will be based at Police HQ, Ladgate Lane, Middlesbrough, TS8 9EH initially.

**Relocation and removal expenses**

The post holder's residence should be within a reasonable travelling distance of the Police Headquarters to enable them to fulfil the responsibilities of the post; the Commissioner does not, in this instance, require the postholder to maintain a residence within Cleveland unless by agreement with the Commissioner, the postholder considers it operationally expedient to have such a residence at his disposal.

Where the post holder, upon appointment, moves 'home' (the post holder's principal place of residence), and it is in the interests of the efficiency and effectiveness of the Force, the Police and Crime Commissioner will pay all reasonable costs arising from the sale and purchase of property, and all tax liabilities from any relocation package, so that there is no personal financial disadvantage.

Upon moving 'home' the Police and Crime Commissioner will reimburse all reasonable removal expenses.

Where the post holder, upon appointment, does not move 'home' to within a reasonable travelling distance of Police Headquarters, the Police and Crime Commissioner may offer additional financial support to enable him / her to reside during the working week within the Cleveland Police area.

A Replacement Allowance will only be paid in accordance with the post holder's existing arrangements.

**Professional Subscriptions**

The Police and Crime Commissioner will meet the cost of the NPCC Professional Subscription and CPOSA Legal Expenses Insurance; save that for the avoidance of doubt, the Police & Crime Commissioner will not meet the cost of insurance which provides for the bringing of proceedings as claimant against the Police and Crime Commissioner.

The post holder will be responsible for paying any CPOSA Subscription.

### **Motor Vehicle Provision**

The post holder will be provided a car, serviced, insured, taxed and maintained by the Police and Crime Commissioner.

### **Uniform**

The Police and Crime Commissioner will provide full uniform and personal protective equipment.

### **Other Allowances and Expenses**

The Police and Crime Commissioner will provide reimbursement to the post holder of:

- Reasonable expenditure for refreshments, food and accommodation incurred in connection with duty away from the usual place of duty;
- The reasonable cost of rail travel for any rail journey required to travel in the execution of duty;
- Medical charges that are incurred by reason of an injury received in the execution of duty as a constable;
- All reasonable expenses incurred in the execution of duty.

Allowances and expenses appropriate to the post will be paid in accordance with Police Regulations, determinations, and Cleveland Police policies and procedures.

### **Contact with the Media**

On the occasions where it is deemed appropriate that the Chief Constable speaks with the Media, the Police and Crime Commissioner requires the content of these discussions to be made public on the Cleveland Police website.

This section is to fulfil the requirements of Recommendation 76 from the Leveson Report (Part 1).

### **Post Service Employment for a Chief Constable**

These terms and conditions may be amended by consent to make provision for the fulfilment of the requirements of Recommendation 80 from the Leveson Report (Part 1).

### **General**

Where reference is made to allowances and remuneration, any liability for income tax is to be discharged by the Chief Constable.

All references to Regulations and Cleveland Police policies and procedures means those applicable at the relevant time.

June 2016

I accept this offer of appointment based upon the terms and conditions outlined in this document.

Signed.....

Print Name.....

Date.....