

Minutes

Minutes of the Thames Valley Police and Crime Panel held on Friday, 20 April 2018, in Olympic Room Aylesbury Vale District Council Gatehouse Road Aylesbury Bucks HP19 8FF, commencing at 1.10 pm and concluding at 2.30 pm.

Members Present

Councillor Julia Adey (Wycombe District Council), Bill Bendyshe-Brown (Buckinghamshire County Council), Councillor Trevor Egleton (South Bucks District Council), Julia Girling (Independent Member), Cllr Tom Hayes (Oxford City Council), Councillor Kieron Mallon (Oxfordshire County Council), Councillor Pavitar Mann (Slough Borough Council), Curtis-James Marshall (Independent Member), Councillor Chris McCarthy (Vale of White Horse District Council), Councillor Tony Page (Reading Borough Council), Councillor Barrie Patman (Wokingham Borough Council) and Cllr Emma Webster (West Berkshire Council)

Officers Present

Clare Gray

Others Present

Matthew Barber (Deputy PCC), Paul Hammond (Office of the PCC) and Anthony Stansfeld (PCC)

Apologies

Councillor Margaret Burke (Milton Keynes Council), Councillor Derek Sharp (Royal Borough of Windsor and Maidenhead), Councillor Emily Culverhouse (Chiltern District Council), Councillor Angela Macpherson (Aylesbury Vale District Council), Councillor Iain McCracken (Bracknell Forest Council), Councillor Carol Reynolds (West Oxfordshire District Council), Councillor Ian White (South Oxfordshire District Council) and Cllr Barry Wood (Cherwell District Council)

166 DECLARATIONS OF INTEREST

Cllr McCarthy declared a personal interest as a Member of Vale of White Horse District Council. Cllr Webster declared an interest as a Member of the Royal Berkshire Fire Authority.

167 CONFIRMATION HEARING FOR THE DEPUTY POLICE AND CRIME COMMISSIONER

Following notification from the Thames Valley Police and Crime Commissioner of his intention to vary the responsibilities of the Deputy PCC and the original terms and conditions of his appointment (to increase the hours of work from a part time post to a full time post (37 hours) with effect from 21 May 2018, the Panel held a confirmation hearing, in accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011.

The PCC informed the Panel that he proposed to vary the responsibilities of the Deputy PCC and to increase his hours of work to undertake the following functions:-

- Support the PCC in the function of his duties
- Attend meetings and events to represent the PCC
- To establish liaison with local authorities in the Thames Valley (the formal meetings and informal contacts) such as attendance at Health and Wellbeing Boards
- To act as liaison with other external partners
- To represent and lead, on behalf of the PCC, on collaborative initiatives with emergency services in general and fire services in particular in the Thames Valley
- To lead on the commissioning of victims and witness services
- To oversee the allocation and monitoring of the community safety fund grants
- To oversee complaints handling arrangements and performance of Thames Valley Police and the Office of the PCC.
- Other specific projects as required by the PCC.

The PCC reported that he had a very efficient office but in order to cover all his duties effectively because of the size of the Thames Valley, he required a full time Deputy PCC. Other Force areas of a similar size had full time deputies. He had considered the proposal to have three Associate PCC's but there was an issue with this because of having to employ them on contracts. The remuneration he was proposing was £65,000 even though the Deputy PCC part-time salary equates to a full time salary of £75,000.

The Panel questioned the PCC and Deputy PCC as follows:-

Do you intend remaining a Leader of your Council and do you have any other public roles which will impact on you being a full time Deputy? If you remain a Councillor how will you deal with any conflicts of interest ? (Cllr Webster)

The Deputy PCC reported that he had been a Leader for seven years and when he was part-time he believed that he could balance the two roles efficiently and effectively. However, as the role was now expanding he would step down as Leader if he took on the full time role and he has informed his Group. He will still stand as a Councillor and he did not expect any conflicts in this role, however if he did he would follow the code of conduct. He believed that he had managed any conflicts of interest in the past 15 months in the right manner.

Why did you change your thoughts about how you would staff your Office and move away from the idea of having three Associates, which other areas have, to appoint a full time Deputy ? (Cllr Mallon)

The PCC commented that this would have worked well but he had concerns about the contracting issue and associated employment rules. He thought that his proposal may attract some public criticism. He was aware that other areas had gone down this route in Birmingham and Manchester without a great deal of local opposition but the Hampshire PCC was attracting opposition on proposals for increasing his Office. The role of the PCC has changed significantly since 2012 with partnership working and the collaboration with Fire Authorities and he gave the example of the new Combined Fire and Police Stations in Milton Keynes. The OPCC have also recently set up a new Victims First Service Hub. He also expressed concern that he had not been able to attend Health and Wellbeing Boards in the Thames Valley because of the number of meetings being held (in support of nine separate Boards).

Supplementary question

Cllr Mallon commented that he understood the need for extra resources bearing in mind the PCC had 9 Health and Wellbeing Boards, 18 Local Authorities and 21 MP's and felt that three Assistants would be more geographically representative. The PCC commented that he understood Cllr Mallon's point but there were issues around having political assistants on a contractual basis.

Supplementary Question

Curtis James Marshall asked what his overriding justification was for having a full time deputy and not political assistants. The PCC reported that he needed a full time Deputy to support his role and was following the Police Reform and Social Responsibility Act 2011.

Do you feel you have made a success of the role as part time Deputy PCC and what more do you think you can offer as a full time Deputy ? (Cllr Mann)

The Deputy PCC reported that in the last 15 months he had made a success of the role and had managed his other roles efficiently and effectively. He had visited all areas of the Thames Valley and had recently been to Slough Borough Council and Buckinghamshire County Council Cabinet. He commented that victims services was a growing area particularly with the new Victims First hub, which he would monitor to ensure there is a smooth service transition. He was also developing good partnership working across the Thames Valley and particularly mentioned Community Safety Partnerships and detailed work on fire collaboration. Another area was the new Police Complaints regime.

What process did the PCC use to choose his full time appointment ? (Cllr Hayes)

The PCC commented that he appointed the Deputy PCC in December 2016 and before that time he had undertaken some research on who to personally appoint. He had decided not to go out to advert. Cllr Hayes asked what additional work the PCC undertook to appoint the Deputy to a full time role? The PCC commented that he had decided that he needed a full time Deputy and had discussed this with Mr Barber, with whom he had an excellent working relationship.

Supplementary Question

Cllr Page expressed concern about the politicisation of the PCC role, appointing a Deputy from the same political group and that the role had not been advertised. The PCC commented that it was appropriate for him to appoint a deputy who shared his own beliefs and values and stated that this appointment was politically unrestricted and he had acted within the legislation. Cllr Egleton reported that some PCC's appoint their agents who run their campaign.

Do you have capacity to undertake these additional functions ? (Cllr Bendyshe Brown)

The Deputy PCC reported that this was the same job but different terms and conditions moving from 22 to 37 hours a week. As he was giving up his role as Leader he would be able to fully focus on the role of Deputy PCC and also undertake his councillor role.

Do you think that further down the line you will need more staff, particularly when you were previously looking at three Assistants ? (Cllr McCarthy)

The PCC reported that if he required extra staff in the future he would take that decision and recruit accordingly.

Cllr Hayes asked whether the Panel should be looking at the debate in two parts; looking at the variation of the role and then the suitability of the candidate ? He also commented that if an organisation was looking to appoint a senior member of staff they would advertise this post and look for a specific set of skills.

Cllr Egleton commented that under the legislation the Deputy PCC was appointed by the PCC. The PCC commented that some PCCs had appointed ex-policemen but the PCC undertook a varied and strategic role and the candidate needed to have the skills to carry out this broad role, which was why he had appointed Mr Barber. Cllr Mallon commented that the Panel had already looked at the suitability of the candidate at the confirmation hearing in December 2016 when Mr Barber was originally appointed and the recommendation in the report related to a variation in the terms and conditions.

Do you think the public is aware of the role of the Deputy PCC ?

The Deputy PCC reported that some but not all residents would be aware of his role and as shown in the low turnout for the PCC elections public engagement was a key issue and one that he wished to improve. Cllr Mann asked how he would take this forward in the future. The Deputy PCC reported that he had and would engage further with representative groups in all areas of the Thames Valley.

168 EXCLUSION OF THE PRESS AND PUBLIC

Resolved that the press and public be excluded from the meeting during the next item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information within Paragraph 3 of Part 1 Schedule 12A to the Local Government Act 1972, being information relating to the financial or business affairs of any particular person (including the authority holding the information).

While there may be a public interest in disclosing this information, namely openness in the deliberations of the Panel in determining its recommendation regarding the proposed appointment, it is felt that, on balance, this is outweighed by other factors in favour of maintaining the exemption, namely enabling a full discussion regarding the merit of the proposed appointment.

169 CLOSED SESSION TO AGREE THE RECOMMENDATIONS

Cllr Egleton then asked the Panel for their views on the recommendation and commented that generally the Panel had supported the need for a full time Deputy because of the size of the Thames Valley and the additional responsibilities for the PCC. Curtis James Marshall referred to the original proposal of having three political assistants. Cllr Egleton commented that the Panel would have supported three political assistants but that the OPCC had decided not to pursue this option because of contractual issues and therefore the best option was a full time Deputy. Cllr Mallon commented that he would have supported having three political assistants and felt that this was more suitable geographically for the size of the Thames Valley. Cllr Hayes commented that he thought that the suitability of the candidate should also be discussed because of the change in terms and conditions. Cllr Patman stated that the OPCC were just following legislation and this is how the process had been set up by Government. The PCC had decided to personally appoint Mr Barber and the Panel were in support of a full time Deputy. Cllr McCarthy reported that Mr Barber had excellent experience as a Leader of a District Council and had grown into the role over the past 15 months but still expressed concern that the three political assistants would be a better option.

Cllr Webster proposed the recommendation which was seconded by Cllr Mallon. Cllr Hayes asked that the recommendation be split into three parts and requested that a recorded vote be taken. Members agreed to this request.

170 OPEN SESSION TO INFORM THE PUBLIC OF THE RESOLUTION

RESOLVED that:-

The Panel endorsed the PCC's proposed variation to Mr Matthew Barber's role, responsibilities and terms and conditions, and thereby:

- a) Increase the contracted hours of work of the post from 22.2 to 37 hours per week (i.e. to make the DPCC post a full time appointment)**
- b) Increase the annual salary of the post from £45,000 to £65,000 p.a.**
- c) Increase the holiday entitlement of the post from 133.2 hrs p.a. (18 days p.a. equivalent) to 222 hrs p.a. (30 days p.a. equivalent)**

With effect from 21 May 2018.

For each part of the resolution 8 Members voted in favour and 4 against the resolution as follows :-

For the resolution

Cllr Adey, Cllr Bendyshe-Brown, Cllr Egleton, Julia Girling, Cllr Mallon, Cllr McCarthy, Cllr Barrie Patman, Cllr Webster

Against the resolution

Cllr Hayes, Mr Marshall, Cllr Page and Cllr Mann

CHAIRMAN