

POLICE, FIRE AND CRIME PANEL REPORT - Annexe



Meeting Date	12 June 2024
Report Title	Notification of Proposed Appointee – Deputy Mayor for Policing, Fire & Crime Annexe

Information should be accessible for all. If you require this information in a different language or format, please contact the Office of the Police, Fire and Crime Commissioner at info@northyorkshire-pfcc.gov.uk.

Purpose of this Annexe

The purpose of this annexe is to provide further details by way of Appendices, supporting the proposal to make an appointment to the role of Deputy Mayor for Policing, Fire & Crime.

The reason that it is tabled separately, is that certain decisions set out in this Annexe were dependent upon the meeting of the Combined Authority Board that took place on 31 May 2024.

Appendix A – Supplementary Rationale

1. This supplementary rationale has been abridged in view of the Pre-Election Period and the constraint that the period of heightened sensitivity imposes on the announcements of new commitments of political significance. However, the following can be added to the material already before Members in the main Notification Paper:
2. The Mayor has begun dialogue with the proposed appointee about the links between the devolved responsibilities for economic development on the one hand, and the scope for greater focus on prevention, protection and early intervention in relation to community safety and public protection on the other.
3. The shared vision between the Mayor and the proposed appointee in this respect, forms a key part of the expanded rationale for the choice of Jo Coles as proposed appointee.
4. Whilst it would not be appropriate to expand in detail on new strategies and initiatives during the pre-election period, it can safely be said that alignment of strategic outcomes across the devolved remits is a shared endeavour between the Mayor, the proposed Deputy Mayor for Policing, Fire & Crime and the Combined Authority and its partner organisations.
5. Jo Coles has offered Members her perspective on these matters within her personal statement.
6. The Mayor will amplify this shared vision verbally at the meeting, within the constraints applicable during the pre-election period.

Appendix B – Role Profile

7. The precise granular delegations from the Mayor to the Deputy Mayor for Policing, Fire and Crime will be reported to the Combined Authority as part of the refinement and development of the Combined Authority’s Constitution. However, as stated in the main Notification Paper, the Mayor’s intention is to delegate extensively to the Deputy Mayor for Policing, Fire and Crime including in respect of the functions of Fire & Rescue Authority.
8. The role profile for the role of Deputy Mayor for Policing & Crime, which was supplied to the Independent Remuneration Panel, is as follows:

Role Profile – Deputy Mayor for Policing and Crime

Overview

This role profile sets out information regarding the roles of Deputy Mayor and Deputy Mayor for Policing and Crime, including who is eligible for each role, what their responsibilities may be and any allowances that will be paid.

Information

Deputy Mayor for Policing and Crime (DMPC)

Eligibility

For the exercise of Police and Crime Commissioner Functions, the Mayor may nominate a Deputy Mayor for Policing and Crime. This appointment cannot be the person appointed as Deputy Mayor, a Police Constable, or other person specified in legislation (see appendix 1 for full details of restrictions).

The Deputy Mayor for Policing and Crime is a member of staff of the Combined Authority, unless they are a Member of the Combined Authority.

It should be noted that the Mayor must notify the Police, Fire and Crime Panel (PFCP) of any proposed appointment to the role of DMPC. The PFCP will then review and report on the recommendation, and the report must include a recommendation as to whether or not the candidate should be appointed. The Mayor may accept or reject the recommendation of the PFCP as to whether or not the candidate should be appointed.

Responsibilities

The Mayor may delegate PCC Functions to a DMPC with the exception of:

- Issuing a police and crime plan
- Calculating the level of the PCC component council tax requirement
- Appointing, suspending or requiring a Chief Constable to retire or resign

This means that the Mayor could delegate the following PCC Functions and day to day operations:

- Determining police and crime objectives;
- Attending the Police, Fire and Crime Panel;
- Preparing an annual report to the Police Fire and Crime Panel;
- Holding the Chief Constable to account and monitoring performance;
- Consulting the public to ensure that their views and priorities on community safety issues informs the police and crime plan;
- Commissioning of services which includes supporting victims and tackling reoffending;
- Convening of wider community safety and criminal justice partners;
- Strengthening links such as between inclusive growth and community safety and cohesion;
- Engagement and representations in national policing matters.

The Mayor and the DMPC can also authorise arrangements for another person, such as an Officer of the Combined Authority, to exercise Functions (subject to statutory restrictions).

The Mayor will remain accountable for all PCC Functions, whether or not they are delegated to a DMPC or other person.

Allowances – The Mayor must notify the Police, Fire and Crime Panel of any such DMPC proposed appointment, including the terms and conditions of the DMPC.

In accordance with the York and North Yorkshire Combined Authority Order 2023, the Combined Authority may establish an independent remuneration panel to recommend a scheme to the Combined Authority regarding the allowances payable to the DMPC provided they are not a leader of either of the constituent councils.

Eligibility Criteria Deputy Mayor Policing and Crime (DMPC)

The eligibility criteria for the DMPC is as follows:

None of the following may be appointed as the DMPC¹:

- a person who has not attained the age of 18 on the day of the appointment;
- a person who is subject to a relevant disqualification (see below);
- a Member of the House of Commons;
- a member of the European Parliament;
- a member of the National Assembly for Wales;
- a member of the Scottish Parliament;

¹ Para 8(2), Schedule 1 of the Police Reform and Social Responsibility Act 2011

- a member of the Northern Ireland Assembly.

A relevant disqualification², is one of the following:

- is disqualified from being a member of the House of Commons
- is a member of—
 - the British Transport Police Force;
 - the Civil Nuclear Constabulary;
- is a special constable appointed under section 27 of the Police Act 1996 for a police area or the City of London police area, or under section 25 of the Railways and Transport Safety Act 2003 (British Transport Police Force);
- is a member of staff of the chief officer of police of any police force maintained for a police area;
- is a member of staff of:
 - a police and crime commissioner
 - the Mayor's Office for Policing and Crime;
- is the Mayor of London;
- is a member of the Common Council of the City of London or a member of staff of that Council in its capacity as a police authority;
- is a member (including a member who is chairperson or chief executive), or member of staff of:
 - the British Transport Police Authority;
 - the Civil Nuclear Police Authority;
 - the Independent Office for Police Conduct;
 - the Serious Organised Crime Agency;
- holds any employment in an entity which is under the control of:
 - a local policing body;
 - the British Transport Police Authority;
 - the Civil Nuclear Police Authority;
 - the Independent Office for Police Conduct;
 - the Serious Organised Crime Agency;
 - the chief officer of police for any police force including the British Transport Police Force or the Civil Nuclear Constabulary.
- The person does not satisfy the citizenship condition in accordance with section 68 of the Police Reform and Social Responsibility Act 2011.
- The person is the subject of a debt relief restrictions order under paragraph 1 of schedule 4ZB of the Insolvency Act 1986, or a bankruptcy restrictions interim order under paragraph 5 of that schedule.
- The person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or
- The person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).

² Para 8(6), Schedule 1 of the Police Reform and Social Responsibility Act 2011

NB: this doesn't prevent the DMPC being elected as Mayor if a vacancy arises.

Appendix C – Terms & Conditions

9. The Deputy Mayor for Policing, Fire and Crime will serve as a member of staff of the Combined Authority deployed wholly or partly for the performance of the Mayoral policing, fire and crime functions.
10. The remuneration for the role has been determined by the Combined Authority following recommendations from the Independent Remuneration Panel.
11. A copy of the report of the Independent Remuneration Panel can be found at <https://yorknorthyorks-ca.gov.uk/wp-content/uploads/2024/05/240531-Item-11-Report-of-the-Remuneration-Panel.pdf>
12. The Combined Authority Board approved the recommendation to set the remuneration for the Deputy Mayor for Policing, Fire and Crime at £65,670 per annum; with an additional allowance of £3000 per annum to reflect the delegated responsibility for fire and rescue functions. This additional allowance aligns with the supplementary allowance approved by Government (following recommendations from the Senior Salary Review Board) to be paid to Police & Crime Commissioners who have responsibility for fire and rescue governance. It follows that the total remuneration for the role will be £68,670 per annum.
13. The remuneration will be pensionable in line with the law applicable to a member of staff of the Combined Authority.
14. The salary will be kept under review by the Combined Authority in the light of recommendations of the Independent Review Panel.

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3 June 2024