

Appointment of Chief Executive & Monitoring Officer in compliance with Schedule 1 Paragraph 7 Police Reform & Social Responsibility Act 2011

I am required by Paragraph 7 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 to appoint a person to act as my Chief Executive where the post has become vacant. I am further required by Paragraph 9 of Schedule 1 to notify members of this proposed appointment, and in notifying the Panel of a proposed senior appointment I must notify you of:

- The name of the person I am proposing to appoint to the role;
- The criteria that were used to assess the suitability of the candidate.
- Why the candidate satisfies those criteria; and
- The terms and conditions upon which the candidate is to be appointed.

This report sets out the background to (and all of the statutory details required in respect of) my proposed arrangements.

Summary – The Law

Schedule 1 to the Police Reform & Social Responsibility Act 2011 governs my responsibilities in terms of the appointment of a substantive Chief Executive and Monitoring Officer. Members must review my proposal, undertake a confirmation hearing and report within three weeks of being notified of my proposal.

Summary – Background Circumstances

The current interim Chief Executive and Monitoring Officer arrangements have been in place since April 2019 and are provided for under the terms of a collaboration agreement with the Police and Crime Commissioner for Cleveland which is due to expire 30th June 2021. Simon Dennis was confirmed by Members of this Panel on 16 May 2019, as the Interim Chief Executive and Monitoring Officer who undertakes his duties over compressed hours within a working week of 45 hours split 50:50 across both North Yorkshire and Cleveland offices.

Members are aware that the Chief Executive collaboration currently includes the provision of two Interim Assistant Chief Executive and Deputy Monitoring Officers, serving full time in the North Yorkshire OPFCC. Members were provided with an update on the leadership support and financial arrangements in August 2020, which set out how these two roles fulfilled the executive leadership requirements in the OPFCC in North Yorkshire. These two successful roles are in line with the collaboration agreement and will remain in place as originally envisaged in order to ensure continuity of executive leadership for the election period and the initial period of office of the incoming PFCC.

Appointment Process

The recruitment was carried out in accordance with best practice in order to ensure that

- a strong and diverse field of interest was generated in the opportunity; and
- that the proposed appointee was chosen on merit (in accordance with s7 Local Government and Housing Act 1989); and
- that the process adhered to the three principles of merit, fairness and openness.

In order to underpin assurance in those respects, I arranged for an Independent Member to serve on the panels in respect of both shortlisting and final interview, as well as to oversee and assure the entire process.

I am grateful to Cindy Butts for serving as Independent Member.

Her report appears as Appendix A. It sets out a comprehensive account of the recruitment process and the criteria used for selection.

Proposed Appointment

Simon Dennis is the officer proposed for formal appointment as statutory Chief Executive and Monitoring Officer on a full-time basis for the North Yorkshire OPFCC.

Mr Dennis is presently the Interim Chief Executive & Monitoring Officer to the Police, Fire and Crime Commissioner for North Yorkshire and the Chief Executive and Monitoring Officer for the Police and Crime Commissioner for Cleveland.

The statutory role Mr Dennis will provide for the North Yorkshire OPFCC includes:

- i. In respect of the 'Head of Paid Service' element of the Chief Executive role, provide overall executive and team leadership resilience, ensuring that the OPFCC has stable leadership embedded within the team at a time of significant change; and
- ii. In respect of the 'Chief Executive' element of the role, substantial capacity and expertise to ensure that the Police Fire & Crime Commissioner's programmes in respect of both Policing & Crime and Fire & Rescue, are delivered; and
- iii. In respect of the 'Monitoring Officer' element of the role, the necessary professional expertise, experience, focus and independence in order to ensure that the Commissioner has the fullest advice and guidance on the performance of the powers and duties of PFCC.

Formally therefore I propose to appoint Mr Simon Dennis as Chief Executive and Monitoring Officer on the above basis.

Mr Dennis has a demonstrable track record in public service which includes:

1. The necessary professional qualifications for the role, complemented by substantial post qualification experience at a senior level within complex organisations including more than one OP(F)CC.
2. Experience of advising on and providing statutory officer functions to a PCC and PFCC, since the inception of the PCC model.
3. Experience of maintaining and developing governance systems.

4. A comprehensive understanding of Police Service and Fire Service governance arrangements and of operating within a corporate governance framework.
5. Working knowledge of North Yorkshire Police and the effective collegiate decision-making and scrutiny arrangements which are in place within the organisation.
6. Working knowledge of the Police, Fire & Crime Commissioner Fire & Rescue Authority and the North Yorkshire Fire and Rescue Service and the effective decision-making and scrutiny arrangements which are in place within the organisation.

Mr Dennis was in overall charge of the joint corporate legal and compliance functions within North Yorkshire Police, the former Police Authority and the PCC from 2004 until 2014. He joined the Cleveland PCC in 2014 as Chief of Staff and latterly Chief Executive & Monitoring Officer. He was Acting Chief Executive and Monitoring Officer here in North Yorkshire from April 2016 to July 2016. Further, Mr Dennis has been the Interim Chief Executive and Monitoring Officer in North Yorkshire OPFCC from April 2019, serving on a part time 50:50 basis alongside his Cleveland responsibilities and providing the statutory functions of the North Yorkshire role in the most professional and successful manner.

I am content that Mr Dennis has the experience and skills to work efficiently and effectively with me in the role of Chief Executive and Monitoring Officer and to continue this role with a new Police, Fire and Crime Commissioner following the elections in May 2021. He has a significant record of operating successfully here in North Yorkshire and with the Police and Crime Commissioner for Cleveland. Mr Dennis has continued to work well with senior leaders within North Yorkshire Police, North Yorkshire Fire and Rescue Service and Enable North Yorkshire.

s.18 of the Police Reform and Social Responsibility Act 2011 enables a Police and Crime Commissioner to arrange for any person (other than a Deputy Commissioner) to exercise any functions of the Commissioner, with the exception that if the person is a member of staff of another policing body they may not exercise certain specific functions (listed in s.18 (7)). I confirm that Mr Dennis will be able to discharge the responsibilities set out in the role profile under the ambit of the current collaboration agreement, without contravening this provision, until a date to be agreed with the Acting PCC for Cleveland following which the relevant provisions of the current collaboration agreement will be stood down. In practical terms, I expect to be able to agree an early start date for Mr Dennis in the North Yorkshire role, but at a point which reflects the overall public interest at a time of transition for both Offices, as well as the close cooperative arrangement we have between the neighbouring P(F)CCs. I hope to be able to specify a date at the confirmation hearing.

Proposed Terms and Conditions of Service

A copy of the role profile is attached as Appendix B, setting out the responsibilities of the role and the associated remuneration range of £82,877 - £92,405. Following discussion with the appointment panel, including the Independent Member - and subsequently with the proposed appointee – I propose to appoint the candidate on Point 77 (£90,412) of the six-point scale applicable to the role. This reflects the substantial relevant experience of the proposed appointee, but also the Panel's recommendations in respect of areas for development. I have agreed to discuss development opportunities and plans with the candidate, after appointment.

I also attach at Appendix C the Home Office publication *Delivering Through Your Chief Executive & Monitoring Officer* by way of important background briefing for Members in respect of the importance of the role. The publication is refreshed with every electoral cycle; the version attached is from 2016 pending the 2021 refresh of the document by the Home Office, expected shortly.

Summary

For the reasons set out in this report I commend to the Panel the substantive arrangements proposed in respect of the statutory role of Commissioner's Chief Executive and Monitoring Officer, as well as the suitability of the Mr Simon Dennis for appointment to that role.

JULIA MULLIGAN

POLICE, FIRE AND CRIME COMMISSIONER FOR NORTH YORKSHIRE

16 March 2021

Independent Panel Member Report
Recruitment of the Chief Executive Officer - Office of
the Police, Fire and Crime Commissioner for North
Yorkshire

References in this report to ‘the applicable standards’ are references to the requirements of the s7 Local Government and Housing Act 1989 to appoint a candidate on merit; and to the relevant provisions of the rules set out in HOC 013/2018 on the appointment of Chief Police Officers, which although not directly applicable to PCC Chief Executive appointments, are indicators of best practice in respect of senior public appointments by local policing bodies. The principles adopted include - the requirement to advertise the role for 3 clear weeks; to appoint in a manner which respects the three principles of merit, fairness and openness; and to engage an Independent Member to ensure the selection and appointment process is conducted fairly and openly, and the successful candidate is selected on merit.

Background

This report is prepared in accordance with the guidelines set out by the applicable standards. It contains my independent assessment of the process followed to appoint the Chief Executive Officer (CEO) to the Office of the Police, Fire and Crime Commissioner (OPFCC) and comments on whether I have assessed the process to have complied with the four key principles of merit, fairness, openness and transparency and inspiring public confidence.

I have set out below each stage of the appointments process providing commentary where appropriate.

Owing to the current Covid- 19 lockdown restrictions all stages of the recruitment process were carried out remotely.

Advertising and Search

The advert for the role was publicly advertised on the 03 February 2021 with a closing date of 28 February 2021. Advertisements were placed on the North Yorkshire OPFCC, North Yorkshire Police, North Yorkshire Fire & Rescue Service and The Association of Police and Crime Commissioners (APCC). In addition, the advert was circulated across the social media platform LinkedIn.

The table below outlines the activity generated by each of the platforms that were utilised.

Advertising Platform	Activity	Date
OPFCC website	230 page views 159 unique visitors	4 th Feb to 28 th Feb 2021
NYFRS Website	6 page views 1 unique page view	4 th Feb to 28 th Feb 2021
OPFCC Twitter	2671 Impressions 128 Interactions	4 th Feb
OPFCC LinkedIn	109 Impressions	12 th Feb
OPFCC shared NYP LinkedIn post	40 Impressions	18 th Feb
NYP LinkedIn	1830 impressions 21 Reactions 4.64% click through rate 5 shares 85 clicks 6.07 engagement	4 th Feb
NYP Website	Unable to track	3 rd Feb to 28 th Feb 2021
APCC	Unable to track	4 th Feb to 28 th Feb 2021

The table below identifies the number of applicants that each source generated.

Declared Marketing Source	Number of applications
Word of Mouth	4 *
North Yorkshire OPFCC Website	1
North Yorkshire Police Website	1
Other	1
Not declared	1

*Word of mouth from OPFCC employees and NYP employees

Familiarisation Event

A familiarisation event was held on the 22 February 2021. The purpose of the event was to provide potential applicants with more information about the role and the respective organisations the incoming CEO will work closely with. In addition, prospective candidates were given an opportunity to participate in a Q&A with the panel.

The familiarisation panel comprised of the following individuals:

- Phil Cain – Deputy Chief Constable, NYP
- Ray Ward – Managing Director, Enable
- Jonathon Foster - Deputy Chief Fire Officer, NYFRS

- Caroline Blackburn - Assistant Chief Ex Officer, OPFCC
- Thomas Thorp - Assistant Chief Ex Officer, OPFCC

9 individuals registered for the event, of these, a total of 6 individuals attended.

I am satisfied that the vacancies were openly and proportionately publicised and I commend the introduction of the familiarisation event which represents good recruitment practice.

Shortlisting Process

A total of 8 applicants applied for the CEO role. Each applicant was asked to provide their CV and covering letter stating how they meet the essential criteria of the role.

Julia Mulligan held informal 1-2-1 conversations with candidates – which was offered in the candidate pack.

The shortlisting meeting took place on the 03 March 2021. The shortlisting panel comprised of Julia Mulligan and Cindy Butts.

The shortlisting panel members independently reviewed each of the 8 applications assessing each candidate against the published essential criteria for the role.

Having discussed their individual scores and assessments of the candidates the panel agreed a composite score for each applicant. Of the 8 candidates reviewed 3 candidates were invited to final interview.

Prior to interview competency based interview questions were drafted and the panel approved these as well as a presentation topic which all candidates invited to interview were to be asked to present in 5 minutes without aids.

I am satisfied that the shortlist process adhered to the principles as set out within the applicable standards and that sufficient focus was paid to verifying and quality assuring the initial scores.

Interview Process

Interviews took place via Microsoft Teams on Monday 15th March 2021.

Stakeholder Panel

Prior to final interview each candidate attended a Stakeholder Panel.

The Stakeholder Panel included the following individuals:

- Phil Cain - DCC, NYP

- Jon Foster - DCFO, NYFRS
- Ray Ward - MD, Enable
- Sharon Stoltz - Director of Public Health for City of York
- Stuart Carlton - Corporate Director Children and Young People Service, NYCC
- Odette Robson - Head of Safer Communities, North Yorkshire County Council

The Stakeholder Panel asked all candidates the following 4 questions:

1. The PFCC model is complex and nuanced. What are the key relationships for the CEO to nurture? how would you set about this task and what would you be seeking to achieve? (Relationship Management)
2. What would you do to create/ influence the right environment to attract and retain diverse talent? (Inclusion and diversity)
3. What do you see as being the top 3 challenges / opportunities in the role for you personally and why? (Personal and professional development)
4. How do your personal strengths and values align to the role of Chief Executive Officer? (Motivational alignment)

After the Stakeholder panel applicants were provided with a presentation with 45 minutes to prepare. Candidates were asked to present for 5 minutes followed by 5 minutes Q&A within the final interview stage.

Final Interview

Prior to the interviews all panel members were sent a short written briefing on fair recruitment selection.

The interview panel comprised of the following individuals:

- Julia Mulligan – Police, Fire & Crime Commissioner (PFCC) – Panel Chair
- Lisa Winward – Chief Constable, NYP
- Andrew Brodie – Chief Fire Officer, North Yorkshire Fire and Rescue Service
- Cindy Butts – Independent Panel Member

The panel met in advance of the first interview to finalise the approach and agree which panel members would ask what questions. All panel members declared whether they had any prior knowledge of candidates.

Prior to the commencement of each interview the Chair of the interview panel, Julia Mulligan, provided a brief overview of the Stakeholder Panel's views, which included an overall assessment of each candidate, any gaps identified and issues the interview panel may care to probe further at final interview.

All candidates presented for five minutes on the following subject:

“On May 7th there will be a new PFCC. How will you support them during their first critical months in office, and what would success look like?”

Following the presentation all candidates were asked the same 5 core questions however panel members were at liberty to ask follow-up questions or specific questions that arose out of the application/CV.

The questions asked of all candidates were:

1. During this period of change and transition, leadership of the OPFCC will be particularly important. What do you think will be the key issues, and how have you managed a similar situation before? (Inspirational leader/senior management experience)
2. In the coming months, a key task will be to support the PFCC in drawing up new strategic plans for policing and fire. How will you ensure these plans are robust, and can you explain by way of example, how you would go about evidencing their successful delivery? (Strategic planning/performance objectives)
3. It will take time for the new PFCC to understand the challenges of the role. How will you support them in this, and what would you do if they were intent on overstepping the 'operational' line? (Ethics / integrity)
4. In Enable North Yorkshire, we have a unique collaboration between the police, fire and OPFCC. What do you understand to be the key challenges, and how will you help ensure success? (Change/collaboration)
5. One of the first tasks of the new PFCC will be to lead the public consultation for NYFRS Risk and Resource Model (or Integrated Risk Management Profile - IRMP - as it is formally known). As CEO, what would your role be in this process and what outcomes would you like to see? (Communications / change)

All panel members individually scored candidates following each interview using a pre-prepared individual assessment form. The panel then discussed their individual assessments and agreed on a composite score.

As a result of the interview process one candidate has been recommended for appointment.

I am satisfied that the Panel was properly constituted to assess candidates impartially against the full breadth and depth of the requirements of the role.

I am satisfied that the Panel effectively managed any prior knowledge of candidates and as such effectively and fairly addressed any perceived conflicts of interest.

I am satisfied that the interviews were conducted in a fair, transparent and consistent manner. All applications were assessed against the published criteria and all decisions were fully documented. Fundamentally all decisions were made solely on merit.

Conclusion

I am satisfied that this recruitment process met the requirements of the applicable standards.

I am grateful to the Panel for their commitment and contribution throughout the entire process and I am particularly grateful for the guidance provided by Julia Mulligan and the effective administrative support provided by North Yorkshire Police's Talent Advisor, Nikki Wilson.

**Cindy Butts
Independent Panel Member**

16 March 2021

JOB DESCRIPTION

Job Title:	Chief Executive and Monitoring Officer
Responsible to:	Police, Fire and Crime Commissioner
Direct reports:	Head of Partnerships and Commissioning Interim Assistant Chief Executive Officer
Salary:	LS Level 4 (£82,877- £92,405)

Context

The role is required by Government statute and therefore occupies a critical position as the PFCC's senior advisor. The post holder will support and advise the Commissioner in ensuring the effective implementation of their programme of work, as expressed through the Police and Crime Plan and Fire and Rescue Plan, statutory duties and responsibilities. This role will provide strong leadership and management to the office of the PFCC (OPFCC) to make the service as effective and efficient as possible. They will develop a positive culture across the wider team by instilling in their leadership team a sense of teamwork, drive and responsibility. The post holder will work collaboratively with Senior Leadership Teams and with members.

Job summary

- Supports the Commissioner in setting and communicating the delivery of the Police and Crime Plan and Fire and Rescue Plan, organisational strategies and priorities.
- The post fulfils the statutory function of the PFCC's Head of Paid Service, ensuring effective operational and strategic leadership of the OPFCC through ongoing engagement and management.
- The post acts as Monitoring Officer and facilitates the accurate and appropriate scrutiny of the Police Force's activities in support of the PFCC's statutory duty, drawing to the Commissioner's attention any actual or possible contravention of law, maladministration or injustice.
- The post is a politically restricted role and must be appointed on merit.

Key Working Relationships

- The Police, Fire and Crime Commissioner
- All senior leaders of the Police and Fire Commission across North Yorkshire Police (NYP), North Yorkshire Fire and Rescue Services (NYFRS) and the Office of the Police, Fire and Crime Commissioner (OPFCC)
- The Police, Fire and Crime Panel
- The communities of North Yorkshire
- The wider policing network of the Yorkshire and the Humber region
- Relevant government institutions, associations and public sector strategic partners

Key Functional, Management and Leadership Responsibilities

- To provide advice and recommendations to the Commissioner relating to their functions, duties, powers and procedures, monitoring the strategic outlook and keeping abreast of changing legislation.
- To carry out the specific statutory duties of the Chief Executive of the OPFCC, as set out by the Police Reform and Social Responsibility Act 2011.
- To ensure that the Commissioner has effective systems in place to hold the Chief Constable and Chief Fire Officer to account for strategic delivery of their organisational plans.
- Provide strategic direction to the OPFCC in order that they develop effective service plans for their areas and lead the continued development and delivery of the OPFCC activities and operations.
- To lead, manage and develop the OPFCC staff to maintain a high performing, cohesive, skilled and responsive team, equipped and capable of meeting the requirements of the Commissioner and to assist the Chief Executive in delivering the OPFCC's responsibilities and objectives.
- Instil in direct reports the imperative for accountability, responsibility and co-operation with other business areas across Police and Fire, maximising any opportunities for collaboration, synergies and efficiencies where possible.
- To ensure that the OPFCC and its staff are aware of and comply with duties and responsibilities for equality and diversity according to relevant legislation, and to promote the commitment to equality and diversity in all that the OPFCC does.
- Be responsible to create, foster and manage effective relationships with Leaders, stakeholders and partners.
- In conjunction with the Chief Financial Officer, to ensure propriety in the conduct of the OPFCC's business including making proper arrangements for tendering procedures and the letting of contracts.
- To advise the Commissioner on their personnel responsibilities in respect of the Chief Constable and, in particular, on their appointment, terms and conditions of service, and matters relating to complaints and discipline.
- Support the Commissioner in driving significant cultural change through both organisations and key partners.

Key Strategy and Resource Planning responsibilities

- Contribute actively to the efficient and effective delivery of the Commissioner's programme of work, priorities and responsibilities across both organisations.
- Ensure that the strategic outlook, advice and guidance given considers not only internal factors but the impact of legal obligations and external forces.
- Oversee the allocation of resources across the Commissioner's programme and budget, against priority outcomes.

- Monitor services and track progress to ensure delivery of set plans. Take immediate and well thought out remedial action to resolve serious delivery issues.
- Advise the Commissioner and Leadership Team members on the state of delivery of corporate plans.
- In conjunction with the OPFCC's statutory s151 officer, ensure that all planning and budgetary processes meet statutory requirements and are of a standard that enables the OPCVC to operate efficiently, effectively, and transparently.
- To drive implementation of the OPFCC corporate strategies, and of its day-to-day business, ensuring that effective governance arrangements are in place to enable the OPFCC to monitor, review and improve its own performance.

Key Commissioning & Service Delivery responsibilities

- Contribute actively to the efficient and effective delivery of the Commissioner's programme of work, priorities and responsibilities across both Police and Fire.
- Provide strategic leadership to the functions of Partnerships and Commissioning to ensure effective systems for commissioning of local services, based on local needs and harnessing the resources of partners.
- Be accountable to the Commissioner for the overall the performance of the OPFCC.
- Develop and ensure effective systems of engagement, involvement, consultation and partnership working with Senior Leaders in Police and Fire to achieve business plans and ensure OPFCC services meet the Commissioner's priorities.
- Provide recommendations to the Commissioner on significant policy decisions.
- Ensure all corporate policies and processes meet statutory requirements and are of a standard that enables the OPFCC to operate efficiently, effectively, and transparently.
- Ensure that the OPFCC significantly contributes to national considerations concerning policing, fire and public safety.
- To represent the OPFCC at high level meetings within and beyond the County, fostering high-level relationships as required at regional and national level.

Key Engagement and Information responsibilities

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- Contribute actively to the efficient and effective delivery of the Commissioner's programme of work, priorities and responsibilities across both Police and Fire
- To provide the Commissioner with effective engagement and information functions to seek out opportunities to promote, produce and drive the plans and objectives of the PFCC and influence national policy-making based upon key findings and community feedback.
- To represent and promote the interests of the OPFCC in raising its profile and communicating its values, strategies, achievements and views.
- To represent and promote the interests of the OPFCC by developing and maintaining effective strategic partnerships with relevant public and private sector/voluntary organisations in the local community and at national and regional associations.

Key Scrutiny & Performance responsibilities

- Contribute actively to the efficient and effective delivery of the Commissioner's programme of work, priorities and responsibilities across both Police and Fire
- Develop and maintain a constructive working relationship with the Police, Fire and Crime Panel for the area.
- Ensure that the PFCC has effective systems in place to hold the Chief Constable and Fire Officer to account for the delivery of their Plans, and other strategic matters.

- Oversee the preparation of the OPFCC for inspection by relevant audit bodies.
- Nurture a culture of high performance and continuous improvement amongst the Complaints and Recognition Service Team to achieve the best possible service delivery options for customers
- Work closely with the Independent Adjudicator to build a trusting relationship, proactively understanding their context whilst, ensuring policy and practice drives long term continuous improvement and service excellence
- To ensure the PFCC meets their statutory responsibilities in respect of publication of information and transparency.

Knowledge and Experience Requirements

Essential

1. Substantial experience operating at a senior management level within a complex public sector environment.
2. A strong inspirational and democratic leader.
3. Experience of managing complex changing environments that are aligned to meeting business requirements.
4. Demonstrable and effective strategic planning expertise.
5. Exceptional communication and negotiations skills with the ability to build relationships across different organisations and cultures.
6. Successful track record of high level achievement against challenging performance targets.
7. Confident in promoting and upholding ethics, integrity and diversity in both employment and service delivery settings.

Desirable

1. Sound knowledge and understanding of the police complaints system and legislation.
2. An understanding of the local public sector landscape across North Yorkshire, and a high degree of political awareness and sensitivity.

Other job requirements:

- Based from the PFCC's office in Harrogate with some agile working from the majority of NYP and NYFRS locations.
- The post holder is required to successfully pass Security Check Vetting.
- The post holder will be expected to work extended hours on occasion and be flexible in how the contracted hours shall be worked across the week, often at short notice, to meet the needs of the PFCC and their office.
- The postholder will also undertake the responsibilities of the [Information Asset Owner \(IAO\)](#) as outlined within the linked job description.

This document was archived on 31 March 2016

Have you got what it takes?

Delivering through your chief executive and monitoring officer

archived

Have you got what it takes?

This document was archived on 31 March 2016

Delivering through your chief executive and monitoring officer

Important facts

Every police and crime commissioner (PCC) must have a chief executive, who will also act as the monitoring officer.

The chief executive will work with the PCC to deliver the PCC's vision, strategy and identified priorities.

They will make sure the office of the PCC is led effectively through ongoing management and public involvement.

They will help make sure that the police force's activities are checked accurately and appropriately.

The chief executive's role is to support and advise the PCC in delivering their manifesto, through the Police and Crime Plan and legal duties and responsibilities. This includes:

- **planning how resources will be used;**
- **commissioning (contracting) services and overseeing how they are delivered;**
- **providing information, gathering the views of the public and carrying out research and strategic needs assessments;**
- **checking on and evaluating performance; and**
- **making sure the PCC's office is efficient and effective**

They must fulfil the legal functions of monitoring officer.

The role of monitoring officer is to tell the PCC about any actual or possible law breaking, or any other action that could be seen as causing an injustice.

Background

The Police Reform and Social Responsibility Act 2011 transfers the chief executive role from the existing police authority to the office of PCC. It is one of the two roles that a PCC must appoint. The other role that a PCC must appoint is that of the chief finance officer (CFO). Please see the separate briefing on [balancing the books](#) for more information on this role. Both roles are politically restricted (see below) and must be appointed on merit.

Politically restricted post holders are not allowed to be involved in certain political activities, all set out in law. These activities include standing as or canvassing on behalf of a candidate for an election, and speaking or publishing material which supports a political party.

The role of chief executive and the role of chief finance officer cannot be combined.

Duties of the chief executive as monitoring officer

The role of the monitoring officer is to report to the PCC if it appears that any proposal, decision or failure within their organisation constitutes, has given rise to, or is likely to break the law or a code of practice.

The monitoring officer must send a copy of that report to the [police and crime panel](#) (PCP).

The chief executive and monitoring officer role exists in addition to the scrutiny provided by the PCP. It offers protection for the PCC by making sure they comply with the law and improving the transparency of their actions and decisions.

The PCC has a legal duty to give the monitoring officer the staff, accommodation and other resources which are needed so they can carry out their duties.

The PCC's chief finance officer has similar legal duties and responsibilities in connection with any unlawful, or potentially unlawful, spending by the PCC or those acting on the PCC's behalf.

Role of the chief executive

This document was archived on 31 March 2016

The main responsibilities of the chief executive include:

- **making sure they give the PCC appropriate advice;**
 - **leading the continued development and delivery of the PCC's activities and operations;**
 - **providing clear and visible leadership to the PCC's staff;**
 - **helping to deliver the Police and Crime Plan effectively and efficiently, together with any associated delivery plans;**
 - **delivering, reviewing and improving performance against the PCC's information strategy;**
 - **making sure that strategic needs assessments allow the PCC to prioritise their budget effectively;**
 - **helping the PCC to challenge the force's strategic and financial planning as appropriate;**
 - **developing and maintaining a constructive working relationship with the police and crime panel;**
 - **making sure audits are carried out efficiently and effectively, and that any other aspects of control**
- (from within the police or the PCC's office) or inspection (from outside the police) are carried out in the same way;**
- **overseeing the way complaints are managed so this is efficient and effective;**
 - **involving those with an interest (from within and outside the organisation) in efficient commissioning of services at local, regional and national level;**
 - **overseeing how the finances, budgets, resources and assets are managed for the PCC;**
 - **making sure that the PCC carries out their duties and responsibilities in terms of equal opportunities and diversity according to relevant laws as well as promoting the commitment to equality and diversity in all that the PCC does; and**
 - **alongside the chief finance officer, making sure that the PCC's business is carried out appropriately, fairly and honestly, including making proper arrangements for tendering procedures and letting contracts.**

Doing the right thing

The chief executive and chief constable should agree how they can make sure that they, their officers and staff keep to all laws and regulations by using effective structures, arrangements and instruments approved by the PCC.

In particular, they need to make sure that:

- **decisions taken by the PCC or chief constable are taken after receiving legal advice where necessary;**
- **the chief constable's legal advisor has full access to the chief executive;**
- **the main regulatory instruments of both the PCC and the chief constable clearly outline roles for the legal staff and the chief executive so that they can effectively oversee the legal effect of all decisions;**
- **the chief executive has access to any documents which the PCC or chief constable is relying on when making non-operational decisions;**
- **the chief finance officers, the chief executive and the chief constable develop effective relationships and share information effectively;**
- **the chief executive is able to advise on any decision that binds the PCC before it is taken; and**
- **the chief executive has direct access to the PCC's audit committee.**