

Office of the Police, Fire & Crime Commissioner – Resilience and Succession Planning – Outline Update

Executive Summary

1. This report sets out
 - a. the requirements of HM Government in respect of resilience and succession planning in respect of the single elected individual police/fire governance model;
 - b. progress towards a Business Development Strategy to underpin the resilience model and plan in the Office of the Police, Fire and Crime Commissioner ('the OPFCC'); and
 - c. the proposed next steps.

Background

2. Members will be aware that HM Government are undertaking a two-part review of the Police and Crime Commissioner model. The results of Part One were announced in March and included announcements of the development of measures to strengthen PCC accountability, improvements to transparency, clarification of the PCC/Chief Constable relationship, bringing consistency across PCC roles, raising professional standards and improving the current suite of checks and balances.
3. One specific proposal in the Home Secretary's Statement was a proposal to legislate to mandate the appointment of a Deputy Commissioner. The Home Secretary stated that *"...to enhance resilience and capacity of PCCs, given our intention to expand the role into fire, the Home Office will bring forward legislation to mandate that each PCC must appoint a Deputy (of the same political party where the PCC represents a political party). In the interim, we will issue guidance to PCCs' offices requesting that a formal succession plan is put into place to deal with vacancy and incapacitation, involving the Police and Crime Panel in those discussions as necessary. This will not apply to mayors with PCC functions, where legislation already mandates that a Deputy Mayor must be in place..."*
4. It is our understanding that such legislation will take some considerable time to be brought forward – potentially not until the latter end of the current PFCC term.
5. On 9 July 2021, the Minister of State for Crime and Policing wrote to all Commissioners setting out the Government's intention to legislate *"when Parliamentary time allows"* and that *"Ahead of this requirement coming into force, we will engage with the APCC and APACE on how this will work in practice."* The Minister set out the requirement upon OP(F)CCs to produce resilience plans thus: *"In the meantime, I expect all PCCs to work with their office to put in place a formal succession plan to be followed in case of vacancy or incapacitation, where one does not already exist. I would*

also ask that you involve your police and crime panel in those discussions as necessary, given their statutory role in this process. My officials will liaise with the APCC in six months' time, to review progress and offer any assistance, where necessary."

Progress – OPFCC Business Development Strategy

6. As Head of Paid Service, my assessment upon taking up the role of Chief Executive on an established basis, was that North Yorkshire's OPFCC lacked resilience in several respects. These included reliance upon a range of short term, temporary leadership arrangements; underdevelopment of a 'whole team' ethos across the component parts of the team; no clear statement of purpose, mission or agreed values; and a lack of inherent resilience in both the single elected individual element of the structure but also across the statutory and senior officer roles and structures.
7. My assessment also noted a significant degree of strength and best practice within the North Yorkshire OPFCC – including but not limited to a highly accomplished commissioning function; in-house victim support service; and several unique and innovative services which have been recognised as pathfinders nationally (such as the Independent Victim Adviser service and the 'Model 3' complaints function). Overall, the spirit and ethos of the OPFCC is one of commitment to public service, appreciative scrutiny of police and fire services and to assisting the most vulnerable in our communities.
8. Members will know that as Head of Paid Service I have a statutory responsibility to advise the Commissioner of the staff and resources they require to perform their functions.
9. Members will also know that as Monitoring Officer, the law provides that the organisation must put sufficient resources in place to allow for that role to be performed effectively. An example by way of illustration might be ensuring that there are suitable deputy Monitoring Officer arrangements.
10. I began the process of identifying and addressing those issues and other business development priorities, prior to and during the PFCC term which commenced in May 2021. I made recommendations to the Commissioner to ameliorate those issues by
 - a. adopting a Business Development Strategy, to include a clear Statement of Purpose and Values; moving to a permanent leadership structure, basing the leadership model upon a set of portfolios covering each area of the Commissioner's powers and duties, as well as responsibility for driving forward further development of the OPFCC;
 - b. the Commissioner himself keeping under review the question of whether to appoint a Deputy PCC or PFCC ahead of it becoming mandatory to do so;
 - c. preparing formal Change Proposals to give effect to the measures set out at 10(a) above (and to other complementary measures, such as rationalising administrative roles and structures, strengthening the customer service model and improving the capability of the OPFCC in respect of public communications and engagement);
 - d. Subject to consultation with staff and stakeholders, moving to implementation of the necessary changes.

11. I had agreed with the former Commissioner that to address long-term lack of resilience in the OPFCC, I would bring forward those recommendations in time to commence changes to the team in November 2021.
12. An initial set of changes is already underway, including enhancing the public communication and engagement capability.
13. A self-assessment of OPFCC Strengths, Challenges, Opportunities, Aims and Results has been conducted.
14. Staff have been briefed upon and contributed to the emerging draft Business Development Strategy which sets out a Mission Statement, Statement of Purpose and Values.
15. Subsequent changes will include – establishing redesigned permanent roles at executive management team to replace the current temporary arrangements due to expire at the end of the current financial year; including amongst those roles, permanent deputy Monitoring Officer arrangements; bringing statutory Data Protection Officer functionality in house; enhancing the Complaints and Recognition structure to make the structure more resilient and to expand the service to encompass all public, partnership and stakeholder correspondence and issues resolution; making some other key roles which are filled on a temporary basis, permanent; and refreshing other role profiles and role titles to make ready for the new Commissioner's term of office.
16. In my judgement, these changes will address the inherent lack of resilience in the current and foregoing design and structure of the OPFCC.
17. Completion of the changes will also allow for the establishment of a formal Resilience and Succession Plan in time for accounting as necessary to HM Government in line with the indication given by the Minister in his letter.
18. In the meantime, the OPFCC relies on temporary executive leadership structures in several respects. This inherently lacks the very resilience required by public policy as set out in this paper.
19. In the event, as Members will see, the unexpected vacancy in the role of Commissioner is being addressed in line with a procedure which draws upon established convention and precedent. Elsewhere on their Agenda for this meeting, Members will have the opportunity to consider the resulting proposals for stewardship through the period of vacancy and the appointment of an Acting Commissioner.
20. Quite apart from the requirement to put in place sufficient resilience upon which to build a formal Resilience and Succession Plan to satisfy the Minister's requirement, it is my assessment as Head of Paid Service that the Commissioner elected in a few weeks will have a pressing need for the very professional support and resilience provided for by the proposals currently underway. In particular, the portfolio leadership structure will provide senior executive advisory and delivery support for the Commissioner in respect of
 - a. *Governance and Constitutional Matters*
 - b. *Finance*
 - c. *Ethics Standards & Risk*
 - d. *Crime*

- e. *Victims & Vulnerability*
- f. *Criminal Justice & Reoffending*
- g. *Safer Communities*
- h. *Fire & Rescue*
- i. *Police & Crime Planning & Fire and Rescue Planning*
- j. *Environment & Sustainability*
- k. *People, Health & Wellbeing, Covid Risk Management and Service Planning*
- l. *Equality Diversity and Inclusion.*

21. Progressing to a formal Change Proposal and commencing consultation will allow for discussion with the incoming Commissioner, completing the building of the budget and progressing with recruitment in a timely manner. It will also allow a Resilience and Succession Plan to be brought for Members' consideration in early course, in line with the ministerial requirement for the active involvement of the Panel in the process.

Recommendation

22. Members are asked to
- a. note the progress made in respect of OPFCC Business Development, forming the basis of the necessary Resilience and Succession Plan and the next steps set out above.
 - b. note that the Resilience and Succession Plan will be brought to a future meeting of the Panel.
23. I will work with the Panel's officers to ensure that the learning from the procedure brought to bear to address the current vacancy, is built upon so that the resulting Resilience and Succession Plan is robust and future-proof – and has the Panel's full involvement as expected by the Minister.

Simon Dennis
Chief Executive & Monitoring Officer
24 October 2021