



Joint Submission to the Home Secretary

Proposed 'Stage Two' Staff Transfer Plan

Thames Valley Police

6th September 2013

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for Thames Valley

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This submission is intended to set out the agreed preferred approach of the Police and Crime Commissioner for Thames Valley and the Chief Constable, Thames Valley Police, to the “Stage Two” transition and associated Transfer Scheme provided for under the Police Reform and Social Responsibility Act 2011.

Schedule of Documents

- The ‘Stage Two Staff Transfer Plan’ – Joint Submission of the Police and Crime Commissioner for Thames Valley and the Chief Constable for Thames Valley Police
- Annex A : Letter from the Chairman of UNISON Local Thames Valley Police and Probation Branch dated 23rd August 2013
- Annex B : Proposed ‘Transfer Scheme’



“STAGE TWO” STAFF TRANSFER PLAN

JOINT SUBMISSION OF THE POLICE AND CRIME COMMISSIONER FOR THAMES VALLEY AND THE CHIEF CONSTABLE OF THAMES VALLEY POLICE

1. The aim of this document

- 1.1 The aim of this submission document, together with Annex B, is to submit a stage 2 staff transfer plan and formal Transfer Scheme for Thames Valley that satisfies the various tests set out in the letter from the Minister of State for Policing and Criminal Justice to all police and crime commissioners and chief constables, dated 3rd July 2013, headed ‘Stage 2 staff transfers plans’. In that letter the Minister made the following statements:

“To date the Government has set clear principles that transfer plans will be considered against:

1. That all operational staff should pass to the employ of the Chief Constable;
2. That all transfer plans must adhere to the principles of the Policing Protocol; and
3. That plans must set out clear roles and responsibilities between PCCs and Chief Constables.

In addition, these plans should not jeopardise the implementation of the policing plan, or the strategic duties of the Force.”

“The statutory transfer scheme should therefore be accompanied by a separate document setting out:

- An explanation of where activities will sit;
- Confirmation that staff and union engagement has taken place;
- Confirmation that your Chief Constable has been consulted on the plans and whether you are in agreement;
- Confirmation that a scheme of governance has been developed, setting out what you are keeping, what will pass to the Chief Constable and what the financial and service delivery arrangements will be;
- An explanation of how the scheme is consistent with the principles outlined above and the Cabinet Office Statement of Practice on Staff Transfers in the Public Sector”.

2. Explanation of where activities will sit

- 2.1 Police and crime commissioners (PCCs) and their respective chief constables are now established, under the Police Reform and Social Responsibility Act 2011 (the 'PRSR Act'), as separate legal entities ('corporations sole'). Accordingly, both the PCC for Thames Valley and the Chief Constable of Thames Valley Police (TVP) are enabled by law to employ staff and hold funds.
- 2.2 The stage 2 staff transfer considerations of the PCC and the Chief Constable were informed by a TVP organisational profile using the classification applied by Her Majesty's Inspectorate of Constabulary (HMIC). On the basis of that classification, as at 31st March 2013, 70% of TVP police staff were classified as performing 'Operational Frontline', 'Police Community Support Officers' (PCSO) or 'Operational Support' roles, with the balance (30%) in 'Business Support' roles, i.e.

Police Staff Category	31st March 2013 (FTE)
Operational Frontline	1,148.95
PCSO	506.80
Operational Support	658.21
Business Support	1,013.29 ¹
Total	3,327.25

- 2.3 In the light of the statement by the Policing Minister, that approval will be given to the transfer of police staff performing operational roles (i.e. 'Operational Frontline', 'PCSO' and 'Operational Support'), the preferred transfer model for Thames Valley agreed by the PCC and the Chief Constable assumes that these operational police staff will automatically transfer to the employment of the Chief Constable. With respect to back-office, 'business support', functions and staff, the PCC and the Chief Constable considered a range of service delivery models that could apply to TVP and the Office of the PCC (OPCC) following the implementation of their proposed stage two transfer plan.
- 2.4 **Accordingly, the PCC and Chief Constable have jointly agreed that the preferred model for Thames Valley Police should be based around the transfer of all police staff to the employment of the Chief Constable, with the single exception of those staff directly engaged within the OPCC in supporting the PCC.**
- 2.5 This submission, therefore, focuses only on staff engaged in business support functions and the rationale for their transfer of employment to the Chief Constable, including implications for governance arrangements.

¹ It should be noted that this number includes the collaborated business support staff in ICT and Information Management that provide a function for both Thames Valley Police and Hampshire Constabulary.

2.6 In considering the options in relation to the provision of business support functions, there are a range of local factors which must be recognised. The complexities of the organisation, both in terms of size and geographic features, raises significant considerations in determining how services should be provided and by whom. The Force covers three geographical counties across the Thames Valley (i.e. Berkshire, Buckinghamshire and Oxfordshire) and has over 150 police buildings distributed across both large rural and urban areas. This geographic spread, combined with the greatest number of local authority partners (18 principal councils) of all force areas outside of London, presents additional challenges in terms of the operational management and partnership infrastructure, and direction and control of both officers and police staff.

3. Arrangements for Provision of 'Business Support' Functions

3.1 The business support functions and arrangements to be addressed are as follows:

- Human Resources (HR), including learning and development
- Finance (including procurement)
- Internal Audit
- ICT and Information Management
- Property Services
- Corporate Communications
- Legal Services

3.2 The arrangements for the provision of business support functions and services to the Chief Constable and the PCC must provide for an agreed process through which the PCC can be assured that he will continue to have appropriate and adequate access to the Force's business support functions after the stage two transfer.

3.3 This objective must also be secured in a manner that does not result in the PCC being in breach of the prohibition on delegation, as set out in s.18(3)(c) taken together with s.18(6)(h) of the PRSR Act (i.e. the PCC may not arrange for a member of the staff of a person who is a constable to exercise any function of the PCC). Furthermore, it is recognised that a collaboration agreement under s.22A of the Police Act 1996 does not provide a mechanism for a chief constable to exercise the functions of their PCC.

3.4 The functions of the Chief Constable are, in broad terms, keeping the peace and enforcing the law. However, paragraph 7(1) of Schedule 2 of the PRSR Act provides that "*A chief constable may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of chief constable*". This power is subject to some limits in paragraph 7(2) (e.g. the Chief Constable must obtain the PCC's consent in order to enter into contracts and acquire or dispose of property, and the Chief Constable may not acquire or dispose of land) but it remains a very wide-ranging power.

3.5 Therefore, business support functions for the Force can be provided by staff employed by the Chief Constable on the Chief Constable's behalf, rather than

on behalf of the PCC, i.e. without any question of delegation by the PCC arising.

- 3.6 The PCC will continue to be directly supported by a discrete team of staff engaged in the OPCC that will remain under his employment (see 'Schedule 1' to the 'Transfer Scheme', attached at Annex B), and who will not therefore transfer to the employment of the Chief Constable. Consequently, the PCC will also have need of both general business support functions and services, in respect of the OPCC, and for specialist professional advice and support, as necessary and appropriate.
- 3.7 Whilst it is possible for the PCC to employ staff to deliver these services it is considered this would represent unnecessary duplication of resources. Instead, it has been agreed that the PCC will draw on the Chief Constable's staff in reliance on s.2(5) of the PRSR Act, which requires the Chief Constable's power of direction and control over her staff to be exercised "... *in such a way as is reasonable to assist the relevant police and crime commissioner to exercise the commissioner's functions.*"
- 3.8 The role of the PCC would then be to hold the Chief Constable to account for the exercise of these functions under s.1(7) of the PRSR Act, i.e. "*The police and crime commissioner for a police area must hold the relevant chief constable to account for the exercise of –*
- (a) *the functions of the chief constable, and*
 - (b) *the functions of persons under the direction and control of the chief constable.*"
- 3.9 The duties and powers as set out in the legislative framework presented above will be applied to the service delivery arrangements of all business support functions to be provided by the Chief Constable, on her behalf and on behalf of the PCC as necessary, including staff engaged in those functions to be employed by her.
- 3.10 An overview of the proposed service delivery arrangements relating to the individual business support functions, including an examination of any implications arising, is set out below:

Human Resources (HR), including learning and development

- 3.11 The modernisation of terms and conditions of both police staff and police officers over the past decade has served to bring about a closer alignment in management terms. Consequently all staff and officers working under the direction and control of the Chief Constable form part of one organisation integrated under one clearly articulated business plan with a single staff appraisal system. Given the geographic spread of the organisation, and the inter-dependent roles of police officers and police staff, there are clear advantages to a 'single employer' model in terms of corporate effectiveness and efficiency.
- 3.12 The HR function delivers a full range of HR services including recruitment and training, staff development, employment relations, policy and procedures and welfare. Whilst the HR function incorporates an element of 'transactional

processing' tasks, the most significant role relates to proactive managerial support, including consultation with the various staff organisations. This represents a critical management support role to the Chief Constable.

- 3.13 It should also be recognised that whilst the PCC determines the Police and Crime Plan and the budget, issues relating to the mix and deployment of the police workforce necessary to deliver an efficient and effective service are an operational matter for the Chief Constable, insofar as the mix properly reflects any agreed strategic direction, priorities and objectives set out in the PCC's Police and Crime Plan (e.g. maintaining or increasing the numbers of PCSOs and visible front-line police officers). The successful management of such workforce mix and deployment issues is supported by the HR function.
- 3.14 Within the context of Force resources that are largely manpower related, the HR function is a key driver and enabler for all strategic organisational change management and modernisation initiatives. Therefore it is clearly essential for this function to be under the direction and control of the Chief Constable. Furthermore, it is considered sensible that all HR staff be employed by the Chief Constable to align operational management and employer responsibilities. This will help clarify the distinction in roles and responsibilities between the PCC and Chief Constable, facilitating improved accountability.

Finance

- 3.15 There is a clear separation of finance roles and responsibilities between the PCC and the Chief Constable in accordance with relevant legislation and other documents such as the 'Financial Management Code of Practice for the Police Service of England and Wales' (FMCoP).
- 3.16 The roles and functional responsibilities of the two respective chief finance officers are split largely in accordance with the guidelines and recommendations contained within the FMCoP. The Force chief finance officer (the 'Director of Finance') is a member of the Chief Constable's Management Team and works closely with the PCC's Chief Finance Officer to ensure that the budget and overall policing resource envelope determined by the PCC is effectively managed within the governance framework provided under the Financial Regulations agreed with the PCC.
- 3.17 This separation of roles, which was a successful feature of the former Police Authority governance model, continues to provide adequate safeguards in terms of probity and governance. Under the current governance framework agreed by the PCC, there is a clear structure which provides for close co-operation between the office of the PCC (OPCC) and the Force, both in the development of the budget and its monitoring and control.
- 3.18 The transfer of the employment of the Force Director of Finance from the PCC to the Chief Constable is logical in terms of achieving clearer clarity of the separate responsibilities and accountability for this post, without any loss of oversight or impinging upon the broader professional responsibilities of the post-holder. It also follows that those staff working within the Force finance and procurement functions (the latter function is also part of the operational management portfolio of the Force Director of Finance) should be similarly

employed by the Chief Constable to align management and employment responsibilities, and thereby facilitate improved accountability.

Internal Audit Arrangements

- 3.19 With regard to internal audit arrangements, and in accordance with the recommendation contained within the FMCoP, the PCC and Chief Constable have sought to minimise duplication and bureaucracy by agreeing a shared internal audit service that covers both bodies. The service is managed and delivered, under contract, by Oxfordshire County Council (OCC). The service is provided by a mixture of OCC staff, one member of staff employed locally by the PCC, and additional capacity and expertise engaged from private sector audit firms, all managed by OCC. The service is jointly commissioned by, and reports jointly to, the PCC and Chief Constable. These arrangements are already established and this stage 2 transfer submission proposes no changes to these existing arrangements.
- 3.20 In terms of oversight and scrutiny of these joint arrangements, the PCC and Chief Constable share the same external auditor, Ernst and Young, appointed by the Audit Commission.
- 3.21 Similarly, the PCC and Chief Constable have opted to appoint a combined Joint Independent Audit Committee, in accordance with the recommendations contained in the FMCoP, which reports its findings and recommendations jointly to both the PCC and Chief Constable.

ICT and Information Management

- 3.22 ICT services, incorporating computing and radio communications and telephony, are essential to operational policing. However, the critical need to review the design and effectiveness of those services, and for there to be accountability for their delivery, was recognised by the previous Police Authority and Chief Constable.
- 3.23 Thames Valley Police and Hampshire Constabulary have long-established formal collaboration agreements in respect of ICT and information management services. Under these agreements, single joint ICT and information management departments were created which serve both Forces, with staff transferred to the employment of the Thames Valley Police Authority and subsequently to the Thames Valley PCC.
- 3.24 The governance of these joint services is effected through discrete collaboration boards established for each joint service. These boards will continue to have a formal oversight role in the delivery of ICT and information management services to both forces following the transfer of staff from the Thames Valley PCC to the Chief Constable of TVP.
- 3.25 The existence of joint collaboration boards maintain due governance, scrutiny and oversight, whilst the proposed transfer of police staff from the PCC to the Chief Constable will reinforce clarity of responsibility and accountability for day-to-day operational decision-making.

Property Services

- 3.26 The PRSR Act provides a platform for the transfer of assets, including property (but not land), from the ownership of the PCC to the Chief Constable. The opportunities or implications of this provision have yet to be fully examined by the PCC and the Chief Constable. Such possible asset transfers, therefore, do not form part of this submission.
- 3.27 The property services function exists to:
- Support the development and maintenance of the asset management strategy and plan, and
 - Manage, safeguard and maintain the police estate, in accordance with the asset management strategy agreed by the PCC.
- 3.28 The overall asset management strategy approved by the PCC represents a significant lever of governance influence and control over strategic and operational asset management decision-making by the Chief Constable. The Property Services Department is a key enabler in the delivery of the asset management strategy.
- 3.29 Although the Chief Constable is prohibited from owning the police estate without the consent of the PCC (excluding land), there is no reason why managing, safeguarding and maintaining the estate cannot be a function of the Chief Constable.
- 3.30 With responsibility for day-to-day direction and control of the property services function, the Chief Constable is able to ensure a responsive service. Furthermore, given the co-ordinating role of the department in terms of external contractors and its impact in terms of budget commitments, it is also critical for the staff within this function to work closely with finance and procurement staff as well as operational officers. It is therefore sensible for staff engaged within the Property Services Department to be similarly employed by the Chief Constable.
- 3.31 The governance framework of Financial Regulations, Standing Orders as to contracts, regular revenue and capital expenditure monitoring reports and the agreed Asset Management Strategy will continue to ensure that the PCC has adequate and effective strategic oversight of this function.

Corporate Communications

- 3.32 Both the Force and the PCC have identified a need for a professional corporate communications support service. Whilst there are overlaps in areas of interest there are also areas where there are clearly distinct separate interests, particularly in relation to operational matters on the one hand and the PCC's duty to hold the Chief Constable to account on behalf of the public on the other.
- 3.33 These respective requirements have been the subject of discussion between the PCC and the Chief Constable. Given that there are separate and distinct responsibilities where the public would expect clarity in terms of accountability, it is considered essential that both the Force and the PCC each have discrete, dedicated, support. Consequently it is felt appropriate that the Chief Constable

should be the employer of those staff engaged within the Force Corporate Communications Department.

- 3.34 The PCC currently has limited capacity in the form of one dedicated media / communications officer working within his office. Whilst the PCC intends to invest in additional staff capacity for this function, a protocol has been agreed with the Chief Constable which sets out information flows and support arrangements between the respective offices. Accordingly, additional professional and technical support might be provided to the PCC through those specialist members of staff working in the Force Corporate Communications Department, where necessary and appropriate. The purpose of this is to avoid unnecessary duplication of resources in both organisations.

Legal Services

- 3.35 The primary function of the legal services department is to provide advice and support to the Force in respect of the discharge of its various responsibilities.
- 3.36 Whilst this Department acts as a commissioning body for the OPCC in relation to specialist advice, such as conveyancing and tribunals, it does not have responsibility for supporting those statutory “monitoring officer” functions and responsibilities of the PCC’s Chief Executive relating to the effective and legally compliant discharge of the PCC’s functions. To this end, the PCC already has access to independent legal advice via a discrete contract with an external legal firm.
- 3.37 Given that direction and control is clearly exercised by the Chief Constable, for consistency, staff engaged within this function will transfer to the employment of the Chief Constable.
- 3.38 Where specialist ad hoc legal support and advice is required by the PCC, and can be provided appropriately by the Force legal services team, the PCC may seek to draw on the Chief Constable’s staff within this function for relevant support and advice.

4. Staff and Union Engagement and Consultation

- 4.1 In the light of the provisions set out in the Act and subsequent correspondence from the Home Secretary and Home Office Ministers, preliminary discussions between the PCC and the Chief Constable in April 2013 led to the establishment of an OPCC/TVP Joint Working Group to identify the key issues to inform their considerations and ultimately enable them to agree a submission to the Home Secretary.
- 4.2 The deliberations of that Joint Working Group were informed by various guidance documents issued by representative bodies, such as the Association of Chief Police Officers (ACPO) and the Association of Police and Crime Commissioners (APCC), together with appropriate professional guidance from staff within the respective offices of the PCC and the Chief Constable.

- 4.3 Sitting underneath the Joint Working Group was a consultative forum chaired by the Director of Human Resources which ensured that UNISON and affected staff in general were fully consulted and engaged in the process. This submission and proposed transfer scheme has been shared with and endorsed by the local branch of UNISON (see letter at Annex A).
- 4.4 The Head of the Force Corporate Communications Department is a core member of the Joint Working Group. A communication strategy was adopted by the Group under which the key issues and the reports considered by the PCC and the Chief Constable were publicised to staff, partners and the public alike, through the internal Force intranet and external PCC internet sites.
- 4.5 The PCC considered a full report summarising the relevant issues and options relating to Stage Two at a formal, public, decision-making meeting with the Chief Constable on 10th July 2013. That report, titled 'Stage Two Transfer Options and Outline Submission' (copy available on the PCC's website at '<http://www.thamesvalley-pcc.gov.uk/Document-Library/2013-026-Stage-two-transfer-options.pdf>'), was also considered in the light of the letter dated 3rd July 2013 from the Minister of State for Policing and Criminal Justice, which was received after the report had been prepared. At that meeting on 10th July, the PCC, together with the Chief Constable, reviewed the various options in the light of the Minister's letter and the report prepared by the Joint Working Group.
- 4.6 The decisions of the PCC made at that public meeting on the 10th July, in consultation with the Chief Constable, were as follows:
- i. *"That the submission to the Home Secretary in respect of Stage Two transfer should address staff transfers only.*
 - ii. *That all police staff should transfer to the employment of the Chief Constable other than those currently employed within the Office of the Police and Crime Commissioner, under the direction and control of the PCC, to directly support the exercise of his functions.*
 - iii. *That the Director of Human Resources carry out formal consultation with UNISON on behalf of the Police and Crime Commissioner and Chief Constable."*
- 4.7 The above decisions and preferred approach agreed by the PCC and Chief Constable in July form the basis of this submission document, which was finalised and jointly agreed by the PCC and the Chief Constable at a subsequent public decision-making meeting held on 6th September 2013.
- 4.8 The OPCC and the Force have worked closely together at all stages of the development of this submission, building on the structures and processes which successfully managed the transition from the Police Authority to the PCC. The PCC and the Chief Constable have jointly considered the various options and approved both the preferred approach and this final submission.

5. Scheme of Governance

- 5.1 The Minister of State for Policing and Criminal Justice has requested details of the scheme of governance and details of the financial and service delivery arrangements under the proposed stage two transfer arrangements. These are addressed below.
- 5.2 The proposals setting out what TVP functions will be under the direction and control of the Chief Constable, and which corresponding police staff will transfer from the employ of the PCC to that of the Chief Constable, are set out in sections 2 and 3, above.
- 5.3 With regard to governance, public accountability for the delivery and performance of the police service is placed in the hands of the PCC on behalf of his electorate. The PCC draws on his mandate to set and shape the strategic direction and objectives of his force area on behalf of the communities within that area, in consultation with the Chief Constable. The PCC has various legal powers and duties to enable him to effectively discharge his statutory responsibilities but he must not fetter the operational independence of the Chief Constable.
- 5.4 Chief constables are responsible for the impartial direction and control of all constables and staff within the police force that they lead. The PCC must hold the Chief Constable to account for the delivery and performance of the police service, including the efficient and effective management of the Force. The PCC is accountable to the electorate; the Chief Constable is accountable to the PCC.
- 5.5 Notwithstanding the above legal constraints, the governance framework is provided through the strategic direction, policing priorities, objectives and target outcomes set out in the PCC's Police and Crime Plan, and various joint PCC/CC governance documents such as:
 - the Scheme of Corporate Governance
 - the Annual Governance Statement, and
 - Financial Regulations.
- 5.6 The Police and Crime Plan is inextricably linked with the budget development and monitoring process and the framework for all TVP finance issues is set out in the Joint Scheme of Corporate Governance which incorporates Financial Regulations.
- 5.7 The PCC initially adopted a scheme of corporate governance relating to the discharge of his functions and the business of the Force on 29th November 2012.
- 5.8 In developing that governance framework, officers were mindful of the clear separation of responsibilities between the PCC and Chief Constable, as set out in the PRSR Act and subsequent documents, such as the Policing Protocol. In addition, officers were also mindful of the stated intentions regarding the Stage Two transition.

- 5.9 Consequently, the governance framework adopted by the PCC in November 2012 reflected strategic oversight through the Police and Crime Plan and a scheme of delegated authorities as part of a decision-making framework. This enables the Chief Constable to manage the policing resources allocated by the PCC, with clear accountability to the PCC who is responsible for the totality of policing within their force area. This existing framework will be simplified under the recommendations made through this submission.
- 5.10 This governance framework is augmented by the broader governance structure including the framework of formal decision-making meetings, joint governance boards and the consideration of external reports from bodies including HMIC, the Joint Independent Audit Committee and the External Auditor.
- 5.11 The proposed transfer of all police staff to the Chief Constable, excluding those directly and wholly engaged in supporting the PCC, is consistent with the governance framework already in place and which will continue to have sufficient safeguards, as detailed in section 3 above, to ensure adequate scrutiny and accountability. The governance framework will be adjusted as necessary to reflect the change in employer status.
- 5.12 The effectiveness of the governance framework is subject to periodic review and will doubtless evolve as the new respective roles of the PCC and Chief Constable are embedded. The review mechanisms incorporated within the framework will ensure that opportunities to strengthen the effectiveness of the governance arrangements will be identified to enhance and support service delivery arrangements.
- 5.13 A new governance framework will be developed for introduction on 1st April 2014, to reflect the changes arising from the stage two staff transfer proposals, as summarised in this submission document.
- 5.14 Finally, irrespective of how business support functions and services are configured and provided to the PCC and Chief Constable, and which staff are transferred to the employ of the Chief Constable, the PCC will retain an overriding statutory duty, under s.1(7) of the PRSR Act, to hold the Chief Constable to account for the exercise of her functions and the functions of persons under her direction and control.

6. The 'Stage Two Transfer Scheme'

- 6.1 The proposed Transfer Scheme (attached at Annex B) is the formal legal instrument giving effect to the transfer of police staff to the employment of the Chief Constable. In accordance with Part 3 of Schedule 15 to the PRSR Act, it makes provision for employees to transfer on existing terms and conditions (paragraph 3 of the Scheme), for all employment-related rights, powers, duties and liabilities of the PCC to transfer to the PCC (paragraph 4) and for continuity of service to be protected (paragraph 5).
- 6.2 The Scheme is intended to help ensure that all transfers take place in accordance with the 'Cabinet Office Statement of Practice on Staff Transfers in the Public Sector' (COSOP) and both the PCC and the Chief Constable are

committed to ensuring that COSOP is fully followed in implementing the scheme.

- 6.3 The Scheme also provides (paragraph 6) that any existing secondments to the PCC will take and have effect as secondments to the Chief Constable.

7. Consistency with the Principles set out in the Minister's Letter

- 7.1 In his letter dated 3rd July 2013, the Minister indicates that he will be seeking confirmation as to how the proposed transfer scheme is consistent with the following principles and the 'Cabinet Office Statement of Practice on Staff Transfers in the Public Sector':
1. That all operational staff should pass to the employ of the Chief Constable;
 2. That all transfer plans must adhere to the principles of the Policing Protocol; and
 3. That plans must set out clear roles and responsibilities between PCCs and Chief Constables.
- 7.2 The Policing Protocol sets out "*the ways in which relevant persons should exercise or refrain from exercising functions so as to encourage, maintain or improve working relationships or limit or prevent the overlapping or conflicting exercise of functions*"².
- 7.3 The Protocol sets out expectations as to the way the respective partners under the PRSR Act 2011 will exercise and discharge their various functions, reflecting a clear separation of responsibilities but with a requirement for the PCC and Chief Constable to work in support of one another.
- 7.4 The current TVP Scheme of Governance, developed jointly with the Chief Constable and agreed by the PCC, sets out how their respective responsibilities will be discharged in the Thames Valley. The scheme sets out parameters for the discharge of their various individual and collective responsibilities and provides a framework for the conduct of business and accountability for performance. It thereby provides clarity in terms of roles and responsibilities, and presents a clear statement of the joint working arrangements to ensure appropriate scrutiny and accountability.
- 7.5 The proposal to leave the direction and control of all policing functions under the Chief Constable obviates the need to develop separate processes in relation to the management of different categories of staff; simplifies direction and control considerations and, it is believed, better facilitates collaborative initiatives between Forces.
- 7.6 The proposed transfer of the employment of all police staff to the Chief Constable (excluding those directly and wholly engaged in supporting the PCC) is consistent with the principles of the Protocol. Furthermore, by establishing the Chief Constable as the employer of all police staff, this proposal provides for greater clarity within the governance framework regarding the responsibility

² Explanatory note to The Policing Protocol Order 2011

and accountability for the efficient and effective management and deployment of the single biggest element of policing resources – people.

- 7.7 By virtue of the proposed transfer of all police staff, taken together with:
- the proposed finance and service delivery arrangements;
 - scheme of governance,
 - draft Scheme of Transfer,

as outlined in this document, this submission is entirely compliant with all the criteria and requirements as set out in the Minister’s letter.

8. The Proposed Stage Two Transfer Scheme for Home Secretary Approval

- 8.1 **The Home Secretary is invited to endorse the proposed Transfer Scheme for Thames Valley included with this submission (Annex B), which provides for the transfer of all police staff from the employment of the PCC to the Chief Constable, with the exception of those staff currently employed within the Office of the PCC, under the direction and control of the PCC, to directly support the exercise of his functions.**



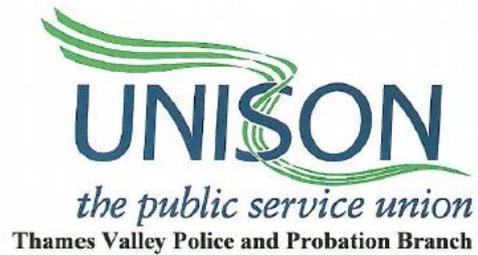
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23rd August 2013

Sara Thornton
Chief Constable
Thames Valley Police

Anthony Stansfeld
Police & Crime Commissioner for Thames Valley

Dear Sara and Anthony,

I would like to thank you for the opportunity to be involved in the discussions over the Stage 2 Transfer as required under the Police Reform and Social Responsibility Act 2011.

As chair of the Thames Valley Police and Probation branch of UNISON I can confirm that the branch fully supports the proposals laid out in the transfer scheme.

Yours sincerely

Mike Underwood
Branch Chair

POLICE AND SOCIAL RESPONSIBILITY ACT 2011, SCHEDULE 15, PART 3

TRANSFER SCHEME

THAMES VALLEY

Whereas:

- (i) The Secretary of State may, under Part 3 of Schedule 15 to the Police Reform and Social Responsibility Act 2011, direct a police and crime commissioner to make and submit a transfer scheme for approval.
- (ii) The Secretary of State on 27th March 2013 directed all police and crime commissioners to make and submit such a transfer scheme for approval

The Police and Crime Commissioner (PCC) for Thames Valley now MAKES this TRANSFER SCHEME under the 2011 Act as follows:

1. All persons employed by the PCC for Thames Valley will, with the exception of those described at Schedule 1 to this transfer scheme, at 23:59 hours on 31st March 2014 transfer to and become members of the civilian staff of the police force known as Thames Valley Police (TVP). Those persons becoming members of the civilian staff of the police force shall be known for the purposes of this transfer scheme as the “transferring employees”.
2. All those persons described at Schedule 1 to this transfer scheme will remain in the employment of the PCC for Thames Valley. Those persons shall be known for the purposes of this transfer scheme as the “non-transferring employees”.
3. The contracts of employment which a transferring employee had before transferring by operation of paragraph 1 above will have effect as if originally made between the transferring employee and the Chief Constable of TVP.
4. The rights, powers, duties and liabilities of the PCC for Thames Valley under or in connection with the contract of employment of a transferring employee will transfer to the Chief Constable of TVP at 23:59 hours on 31st March 2014.
5. The periods of employment with the PCC for Thames Valley of a transferring employee will count as periods of employment with the Chief Constable. The period for which a transferring employee was employed with the PCC immediately prior to the transfer, and the period for which a transferring employee is employed with the Chief Constable after the transfer, will count as a period of continuous employment with the Chief Constable.
6. Should there be any persons who at 23:59 hours on 31st March 2014 are seconded to the PCC for Thames Valley then such secondment will have effect as a secondment to the civilian staff of the police force known as TVP. The terms and conditions of any such secondment shall otherwise remain unchanged.

A handwritten signature in black ink, appearing to read 'Anthony Stansfeld', with a horizontal line drawn through the middle of the letters.

Anthony Stansfeld
Police and Crime Commissioner for Thames Valley

Date: 6th September 2013

Schedule 1

1. This schedule describes those staff who will not transfer from the employment of the Police and Crime Commissioner (PCC) for Thames Valley to become members of the civilian staff of the Thames Valley Police (TVP). They will remain employees of the PCC for Thames Valley. This schedule applies to those staff occupying roles within the Office of the PCC (OPCC) for Thames Valley. For indicative purposes, the roles within the OPCC for Thames Valley at the date of submission of the transfer scheme to the Secretary of State were:

OPCC POSTS	F.T.E.
Deputy PCC	0.6
Chief Executive	1.0
Chief Finance Officer (and Deputy Chief Executive)	1.0
Principal Accountant	0.7
Finance Officers	1.5
Principal Auditor	0.7
Policy & Commissioning Manager	1.0
Development Officer (Policing Performance)	1.0
Development Officer (Planning & Partnerships)	1.0
Support Officer (Partnerships – Commissioning & Performance)	0.5
PR & Communications Officer	1.0
Support Officer (Engagement, PR & Media)	1.0
Governance & Business Support Manager (and Deputy Monitoring Officer)	1.0
Complaints & Casework Officer	1.0
Support Officer (OPCC Business Management & Support)	0.5
Support Officer (Independent Custody Visiting Scheme)	0.5
PA / Office Manager	1.0
Support Officer (PCC)	0.6
TOTAL	15.6

2. The roles listed at paragraph 1 may change before 31st March 2014. Any person who at the date of transfer occupies any new or amended role within the OPCC will be deemed to be a person described in this schedule.
3. Any dispute as to whether or not any individual is a person described in this Schedule shall be determined by agreement between the PCC for Thames Valley and the Chief Constable of TVP, in consultation with the person concerned. In default of such agreement, the Secretary of State shall determine the dispute.

