

Decision Paper for PCC

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Timing:	Standard.
Purpose:	To: 1. Formally implement change of employer for selected Legal Services staff
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SUBJECT OF ADVICE Stage 2 implementation

Summary: The Stage 2 submission to the HO on 3/3/14 identified four 'white space' functions for further consideration before finalisation. These considerations have now been completed for Legal Services, along with a draft MOU to support access to relevant shared resources. The considerations for the two remaining 'white space' functions of Corporate Communications and Estates are on-going.

Recommendation: That:

1. Transfer of employees for selected Legal Services staff is approved for implementation.

Relevant commitment statement/Contribution that the subject makes to the

Police and Crime Plan: Stage 2 Staff Transfer is a national requirement and its implementation within West Yorkshire is aims to support the delivery of an effective and efficient police service within the force area.

Consideration: The West Yorkshire Stage 2 submission made to the Home Secretary on 3/3/14 identified four functions where further consideration was required before implementation of any change to employment and direction and control arrangements. These included:

1. National Viper Bureau

The COM on 14 April 2014 approved the change in direction and control of the National Viper Bureau to the PCC and this is now fully implemented.

2. Corporate Communications

The CC commissioned a review of service provision to ensure the requirements of the PCC and CC are accommodated. A review led by the Head of Corporate

Communications from Northumbria Police has been undertaken and a report on the findings of this work is in preparation.

3. Estates

The PCC initiated an internal review of service provision to ensure the requirements of the PCC and CC are accommodated and a report on the findings of the work undertaken by the LPPPU is in draft form and was considered by the final meeting of the Stage 2 Board on 15 October 2014.

4. Legal Services

The CC initiated an internal review to assess the implications of alternative arrangements for Legal Services. Following consideration of the review findings, the CC, having consulted with the Chief Executive and Solicitor, recommended to the PCC that all Legal Services staff, other than the two members of staff dedicated to supporting commercial/ contractual/ property work, should have their employment transferred to the CC and for all Legal Services staff (irrespective of their employer) to remain co-located with integrated line management arrangements. The PCC informally agreed (on 1 October 2014) to this on the basis that the role for General Counsel as set out in his Scheme of Delegation and Consent remains in place. The two solicitors dedicated to supporting commercial/ contractual/ property work will remain employees of the PCC and will be under his direction and control, with the Head of Legal Services providing first line management functions.

A draft MOU has been prepared to clarify how both the PCC and CC will continue to access appropriate support from each other's resources. Although there are two 'white space' functions still under consideration, the MOU is drafted with flexibility to accommodate alternative arrangements for these functions. As a 'living' document, the MOU can be amended as required from time to time. The draft MOU has been widely consulted upon and is being circulated separately.

The proposals for Legal Services arrangements and the draft MOU were considered at the Stage 2 Board on 15 October 2014 where it was agreed that implementation of these should now be progressed.

Affordability: Stage 2 Staff Transfer is a national requirement with associated implementation costs. However, the proposal here aims to minimise financial and service costs while exploiting the potential for greater efficiency in services, income generation and will improve alignment with legislative requirements.

Handling: The requirement for a formal media launch is not anticipated but internal communications to affected staff is a feature of the implementation plan.

Risks/Legal Opinion: A comprehensive risk register is overseen by the Stage 2 Implementation Project Board.

Supporting and dissenting Views: The staff associations have been and continue to be engaged through their participation on the Implementation Project Board and through established HR consultation processes.

Equality, diversity and human rights considerations: There are no specific EDHR issues arising within the paper.

