

From: Ann Barnes, Kent Police and Crime Commissioner
To: Kent and Medway Police and Crime Panel
Subject: Stage 2 Staff Transfers

Summary:

This paper provides an update on Stage 2 staff transfers.

Background:

1. At the 5th November Police and Crime Panel meeting, the Commissioner set out the background, process and principles concerning Stage 2 Transfers. To briefly recap, these include:
2. The Police Reform and Social Responsibility Act (the Act) created two new corporation soles, the Police and Crime Commissioner (PCC) and the Chief Constable. At the point when Police Authorities ceased to exist, all police staff (previously employed by the Police Authority) 'transferred' to the employment of the PCC.
3. The Government has directed that PCCs and Chief Constables should agree on a 'second transfer' of police staff between the PCC to the Chief Constable. The second transfer will take effect at 23.59 hours on 31 March 2014. Ahead of this date, 'Transfer Schedules' (which essentially set out who will employ which groups of police staff) need to be submitted to the Home Secretary for approval.
4. The Home Secretary will be assessing Transfer Schedules against the following policy principles:
 - That all operational staff should pass to the employ of the Chief Constable.
 - That transfer plans must adhere to the principles of the Policing Protocol.
 - That plans must set out clear roles and responsibilities between PCCs and Chief Constables.
 - Plans should not jeopardise the implementation of the policing plan, or the strategic duties of the force.
5. The Commissioner and Chief Constable have also agreed that the following principles are essential to the Stage 2 approach in Kent:
 - Ensure that the Commissioner can fulfil responsibilities to hold the Force to account in an effective way, and to ensure the operational independence of the Chief Constable.
 - Ensure that the Commissioner can fulfil her responsibility to deliver the Police & Crime Plan.
 - Ensure, as the directly elected representative, the Commissioner can fulfil her key role as the community's voice in policing and her responsibility to ensure effective engagement with the public of Kent and Medway.
 - Recognise the distinctive strategic requirements of the Commissioner's role as opposed to the operational matters for the Chief Constable.
 - Minimise the cost of change to the Council Tax payer, as far as possible.

Update / Progress:

6. At the last Police and Crime Panel it was reported that a draft schedule had been submitted to the Home Office for approval. The schedule reflected the principles set out at paragraphs 4 and 5 and had been agreed between the Commissioner and the (former) Chief Constable. It was also noted that Unison had been engaged on the Stage 2 transfer proposals.

The following update can be provided:

- A response from the Home Secretary on the transfer schedule is still not forthcoming, therefore formal engagement with the staff concerned has not yet commenced.
 - The Commissioner can confirm that she has discussed the transfer schedule with the new Chief Constable and both are in full agreement with the proposals.
7. The Commissioner can provide an oral update at the PCP on 4th February, should there be approval of the transfer schedule by that date.