

West Midlands Police and Crime Panel AGM

Monday 9 December 2024 at 14:00 hours

Committee Room 3, City of Wolverhampton Civic Centre, St Peter's Square, Wolverhampton, WV1 1SH

This meeting will be livestreamed at [West Midlands Police and Crime Panel - Monday 9 December 2024, 2:00pm - City of Wolverhampton Council Webcasting](#)

More information about the Panel, including meeting papers and reports, can be found at www.westmidlandspcp.org.uk

Contact Officer: Sam Yarnall, Scrutiny Officer Email: wmpcp@birmingham.gov.uk Tel: 0121 303 2288

AGENDA

Supporting Document	Item	Topic	Approximate time
	1	NOTICE OF RECORDING This meeting will be webcast for live or subsequent broadcast and members of the press/public may record the meeting. The whole meeting will be filmed except where there are confidential or exempt items.	14:00
	2	APOLOGIES	
	3	DECLARATIONS OF INTEREST (IF ANY) Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest. Information on the Local Government Association's Model Councillor Code of Conduct is set out via http://bit.ly/3WtGQnN .	

Attached	4	POLICE AND CRIME PANEL MEMBERSHIP 2024/2025 AND INDEPENDENT PANEL MEMBER RECRUITMENT	14:05
		The Panel is asked:	
		<ul style="list-style-type: none"> a) Note changes to Panel Membership: <ul style="list-style-type: none"> - the appointment of Councillor Mushtaq Hussain (Dudley Metropolitan Borough Council) for the remainder of the 2024/2025 Municipal Year. - the resignation of Derek French Independent Member b) Appoint an interview panel to oversee the appointment of a new independent panel member. 	
Attached	5	MINUTES	14:10
		To confirm the Minutes of the meeting held on 7 October 2024.	
Attached	6	ACTION TRACKER	14:15
		To note the latest Action Tracker and any updates.	
	7	PUBLIC QUESTION TIME	14:20
		To receive questions from members of the public notified to the Panel in advance of the meeting.	
		Any member of the public who lives, works or studies in the West Midlands (other than police officers and police staff) can ask a question at the meeting about the Panel's role and responsibilities. Questions must be submitted in writing 4 days before the meeting to wmpcp@birmingham.gov.uk	
Attached	8	USE OF INFORMATION SUBGROUP	14:35
		Report back by the Panel's Use of Information sub-group on findings and recommendations pertaining to the Draft Police and Crime Plan metrics.	
Attached	9	POLICE AND CRIME COMMISSIONER UPDATE ON ACTIVITIES AND RECENT KEY DECISIONS	14:50
		Report of the Police and Crime Commissioner on activities undertaken since the last meeting.	
		Key decisions published by the Police and Crime Commissioner since the last Panel meeting are also attached for consideration. Decisions can be viewed on the Commissioners webpage: https://www.westmidlands-pcc.gov.uk/decisions/	

Attached	10	POLICE AND CRIME COMMISSIONER – MEDIUM-TERM FINANCIAL PLAN AND RESERVES STRATEGY	15:30
		Report of the Police and Crime Commissioner.	
		The Panel to examine the Police and Crime Commissioner’s Medium Term Financial Plan. This session will provide the Panel with useful information and context to inform its scrutiny of policing precept in February.	
Attached	11	PANEL WORK PROGRAMME	16:10
		The Panel to identify issues for consideration for a work programme for 2024/2025 and arrangements to take it forward.	
	12	NEXT MEETING DATE	16:15
		20 January 2025 at 2pm – Sandwell Council Chamber	
	13	URGENT BUSINESS	
		To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.	
Attached	14	CONFIRMATION HEARING – CHIEF CONSTABLE	16:20
		Following notification from the West Midlands Police and Crime Commissioner of his proposed appointment of Chief Constable for West Midlands Police the Police and Crime Panel must hold a Confirmation Hearing, in accordance with Schedule 8 of the Police Reform and Social Responsibility Act 2011.	
		The Confirmation Hearing will be undertaken in two parts:	
		Part 1 - To receive the following report of the Lead Panel Officer: West Midlands Police and Crime Panel Confirmation Hearing Procedure and Required Information from the Police and Crime Commissioner	
		Part 2 – Question and answer session with the preferred candidate relating to the appointment.	
	15	EXCLUSION OF THE PRESS AND PUBLIC	17:00
		IT IS RECOMMENDED that the press and public be excluded from the meeting during this item of business under Section 100A (4) of the Local Government Act 1972 on the grounds:	
		(i) it is likely to disclose exempt information listed in Paragraphs 1, and 3 of Part 1 Schedule 12A to the Local Government Act 1972, being information relating to any individual or information relating to the financial or business affairs of any particular person; and	
		(ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.	

**16 PRIVATE AGENDA – PANEL DELIBERATIONS ON PROPOSED
APPOINTMENT OF CHIEF CONSTABLE**

This is a closed session where the Panel will discuss the proposed appointment of Chief Constable and agree its recommendations to the Police and Crime Commissioner.



Report to the West Midlands Police and Crime Panel Changes to Panel Membership and Independent Panel Member Recruitment

Date: 09 December 2024

Report of: Tom Senior Acting Lead for Law and Governance and Deputy Monitoring Officer, Dudley MBC - Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: wmpcp@birmingham.gov.uk

Phone: 0121 303 1727

1 Purpose

- 1.1 This report provides notification of the appointment of Councillor Mushtaq Hussain (Dudley Metropolitan Borough Council) for the remainder of the 2024/2025 Municipal Year. Also, the resignation of Derek French Independent Member
- 1.2 This report sets out the process and draft timetable for filling the Independent Panel Member vacancy and asks the Panel to appoint a Selection Panel to shortlist and interview candidates for the position.

2 Recommendations

2.1 That the Panel

- a. Note the appointment of Councillor Mushtaq Hussain (Dudley Metropolitan Borough Council) for the remainder of the 2024/2025 Municipal Year.
- b. Note the resignation of Derek French Independent Member
- c. Agree to proceed with the recruitment of an independent panel member.
- d. Approve the proposed recruitment timetable and process.
- e. Appoint a three-member selection panel to shortlist and interview candidates

3 Background

- 3.1 The Panel has three independent (non-councillor) co-opted member positions. Independent members are co-opted to bring skills, expertise and experience as lay members to assist the panel in the discharge of its functions.
- 3.2 In November Derek French resigned from the Panel, triggering the need to recruit to this position.
- 3.3 Section 3.23 of the West Midlands Police and Crime Panel Agreement 2012 specifies the arrangements for recruitment of independent panel members:

3.23 The Panel shall put in place arrangements to ensure that appointments of co-opted Members are undertaken following public advertisement in accordance with the following principles:

 - a) The appointment will be made on merit of candidates whose skills, experience and qualities are considered best to ensure the effective functioning of the Panel;*
 - b) The selection process must be fair, objective, impartial and consistently applied to all candidates who will be assessed against the same predetermined criteria; and,*
 - c) The selection process will be conducted transparently with information about the requirements for the appointment and the process being publicly advertised and made available with a view to attracting a strong and diverse field of suitable candidates.*
- 3.4 In June 2023 the Home Office has published it [Police, Fire and Crime Panel's Independent Member Recruitment Guidance](#) to improve the recruitment and retention of independent panel members.
- 3.5 The Panel Secretariat has considered the new guidance in developing this recruitment process.

4 The Selection Panel

- 4.1 Guidance on appointing independent co-opted members suggests that short-listing, interviewing, and selection be delegated to a selection panel or sub-committee of the Police and Crime Panel.
- 4.2 It is recommended that the Panel appoints a selection panel of three members at an early point to enable their full engagement in the recruitment process and this should include the Panel Chair and two further members. In appointing members, it is suggested that consideration is given to selecting a diverse membership, including a cross-party, cross-district composition.
- 4.3 This selection panel will need to commit to attending a briefing session, a shortlist session, conduct interviews, and make appointment recommendations to Police and Crime Panel.

- 4.4 The selection panel will receive support from the Panel Secretariat and other specialist services within Birmingham City Council including HR expertise.

5 The Recruitment Process

- 5.1 The recruitment process comprises six stages, which are outlined below:
- 5.2 **Stage 1: Panel approve the proposed process and appoints panel** – this includes identifying three Panel Members to support the shortlisting and interview phase.
- 5.3 **Stage 2: Recruitment pack and timetable is finalised.** This will require a review of the existing recruitment materials to ensure we comply with current best practice and guidance.
- 5.4 **Stage 3: Advert.** This will include conducting a regional advertising campaign utilising a range of media outlets and faith, voluntary and community networks across the West Midlands to reach as many potential candidates as possible.
- 5.5 **Stage 4: Shortlisting and Interview.** Recruitment and Selection expertise will be provided to guide the member selection panel through the shortlisting and interview stages to ensure a robust and fair process. Selection Panel members will need to commit to attend a briefing, shortlisting session, and interview day.
- 5.6 **Stage 5: References and Checks.**
- 5.7 **Stage 6: Panel Approval of appointment by the West Midlands Police and Crime Panel**

6 Recruitment Timetable

- 6.1 Set out in the below table is a draft recruitment timetable, highlighting key stages necessary to comply with the Panel Arrangements, as outlined in 3.2.

Activity	Draft Dates
Police and Crime Panel considers process, outline timetable and appoints Selection Panel	9 Dec
Review Application Pack and Communications Strategy	16 -20 Dec
Advert placed (3 weeks)	10 Jan
Closing date	31 Jan
Selection Panel Briefing and Packs	3 Feb
Shortlisting	3 Feb
Interviews	w/c 17 Feb
References and Checks (2 weeks)	10 March
Appointment ratified by the Police and Crime Panel	WMPCP 24 March 2025

7 Finance Implications

- 7.1 The Home Office provides an annual grant to support the administration of Police and Crime Panels. This will cover all costs relating to the recruitment of Independent Members.

8 Legal Implications

- 8.1 [Schedule 6 of the Police Reform and Social Responsibility Act 2011](#) provides for police and crime panels to co-opt a minimum of two independent members. In May 2023 the Secretary of State approved the appointment of a third independent panel member.

9 Equalities Implications

- 9.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 The Panel should ensure that it addresses these duties by considering them during the recruitment of a new Independent Member. Specifically, this relates to the recruitment information and advertisement of the vacancy, and during the selection process. It is critical to the success of the panel that the recruitment campaign can reach and engage a diverse range of candidates to apply for the position.

10 Background Papers

- 10.1 [Police Reform and Social Responsibility Act 2011](#)
- 10.2 Home office [Police, Fire and Crime Panel's Independent Member Recruitment Guidance](#) 2023
- 10.3 West Midlands Police and Crime Panel – Panel Agreement (2012)

11 Appendices

- 11.1 There are no appendices.

MINUTES OF THE MEETING OF THE WEST MIDLANDS POLICE AND CRIME PANEL HELD ON 7 OCTOBER 2024 AT 14:00 HOURS – SOLIHULL METROPOLITAN BOROUGH COUNCIL, COUNCIL CHAMBER, SOLIHULL CIVIC SUITE, MANOR SQUARE, SOLIHULL, B91 3PX

PRESENT: -

Members

Cllr Pervez Akhtar (Coventry City Council)
Adele Brown (Independent Panel Member)
Cllr Alan Feeney (Solihull Metropolitan Borough Council)
Cllr Judy Foster (Dudley Metropolitan Borough Council)
Cllr Abdul Khan (Coventry City Council)
Cllr Ed Lawrence (Dudley Metropolitan Borough Council)
Cllr Rashad Mahmood (Birmingham City Council)
Kristina Murphy (Independent Panel Member – Chair)
Cllr Zee Russell (City of Wolverhampton Council)
Cllr Jackie Taylor (Sandwell Metropolitan Borough Council)

ALSO PRESENT:-

Simon Foster – Police and Crime Commissioner
Craig Guildford – Chief Constable
Simon Down – Head of Policy, Office of the Police and Crime Commissioner
Yazmin Francis – Research Officer, Office of the Police and Crime Commissioner
Alethea Fuller – Deputy Chief Executive, Office of the Police and Crime Commissioner
Jane Heppel – Chief Finance Officer, Office of the Police and Crime Commissioner
Davinder Jagpal - Assistant Director - Finance, Contracts and Procurement, West Midlands Police
Jonathan Jardine – Chief Executive, Office of the Police and Crime Commissioner
Sarah Fradgley – Overview & Scrutiny Manager, Birmingham City Council
Shilpa Manek – Scrutiny & Committee Officer, Birmingham City Council
Hanna Pittaway - Research Officer, Office of the Police and Crime Commissioner

830 NOTICE OF RECORDING

The Chair announced the meeting would be webcast for live or subsequent broadcast and members of the press/public may record the meeting. The whole of the meeting would be filmed except where there were confidential or exempt items.

The Chair welcomed the Police Crime Commissioner, Chief Constable and the Police & Crime Commissioner (PCC) Team.

831 APOLOGIES

Apologies for non-attendance were received from Cllr Jasbir Jaspal – Chair (City of Wolverhampton Council), Cllr Waheed Rasab (Walsall Metropolitan Borough Council), Cllr

Izzy Knowles (Birmingham City Council), Cllr Gareth Moore (Birmingham City Council) and Derek French (Independent Panel Member).

832 DECLARATIONS OF INTEREST

Members were reminded that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

There were no declarations of interest declared.

833 POLICE AND CRIME PANEL MEMBERSHIP 2024/25

RESOLVED:-

That Cllr Judy Foster would replace Cllr Parmjit Sahota from Dudley Metropolitan Borough Council for the rest of the 2024/25 Municipal year.

That Kevin O’Keefe, Chief Executive for Dudley had retired and would be replaced by Balvinder Heron, as the Panel Lead Officer.

834 MINUTES

RESOLVED:-

That the minutes of the meeting held on 22 July 2024 be confirmed as a correct record and signed by the Chair.

835 ACTION TRACKER

The Scrutiny Manager reported that there were several actions on the tracker that needed to be discharged with the exception of Minute 824, the suggestion that the wording of the Panel Rules of procedure be strengthened. This had not yet been progressed. Minute 827vi, the member visit date needed to be changed. The date of 6 November would not be going ahead. A new date would be circulated.

RESOLVED:-

That the action tracker be updated with all actions except Minutes 824 and 827vi to be discharged.

823 PUBLIC QUESTION TIME

The Chair advised the Panel that no questions had been received from the public prior to the meeting.

824 POLICE AND CRIME COMMISSIONER UPDATE AND KEY DECISIONS

The Commissioner presented his report. The main points that were highlighted included:

- Preparing a new Police and Crime Plan for 2025-2029. The Plan was important and needed to reflect people's priorities and objectives for policing, crime, community safety and criminal justice in the West Midlands. The Chief Constable needed to have regard to the Plan when implementing operational policy and the Plan could be used to hold the Chief Constable to account on behalf of the people of the West Midlands.
- Currently, the consultation was ongoing until 14 October 2024. The consultation consisted of a survey to complete and could be assessed from the website. Many streams had been used to publicise the survey including adverts on buses and trains, posters at community venues such as schools and GP surgeries. Targeted engagement was also underway certain groups of people. There had also been a call for evidence, to further inform the Plan.
- West Midlands Police had been removed from Engage status. However further action was required to ensure continuous and sustained improvements in investigations. The Panel commended the hard work of officers and staff to make the improvements to be removed from Engage status.
- The Commissioner had engaged in many actions as a result of the consequences of the disgraceful scenes of disorder and violence that had taken place across the country in August.
- The Commissioner stayed committed to constant action, to work with relevant partners locally, regionally and nationally to ensure that collectively all was done to reduce the number of people, tragically and avoidably killed and seriously injured on the roads of West Midlands.
- The Commissioner welcomed the new law which made the possession of "zombie-style" knives and machetes a criminal offence from 24 September 2024.
- The Commissioner had met with MP's from West Midlands to issue a direct appeal for police funding to be allocated fairly across the country.
- Community Groups across the West Midlands were being urged to apply for a share of the £330,000 Community Fund being allocated to the Commissioner to make their community safer.

The Chief Constable updated the Panel on the outcome of HMICFRS reinspection with the following points:

- There were four areas of concern that needed improvements. HMICFRS closed three very quickly, and was satisfied enough progress had been made to improve Investigations but would continue to be assess continuous progress
- The number of police officers was still a concern, but a lot was being done to recruit a more diverse force.
- Force performance on call answering, response times and criminal justice outcomes compared well against the others in the Most Similar Forces group.

Members raised the following points to both the Commissioner and the Chief Constable:

- The National Police Chief Council had reported that violence against women and girls had reached epidemic levels. There was a 37% increase in reported cases of sexual abuse to the West Midlands Police. Members asked what was being done about these concerns and these figures? The Chief Constable responded that the violence had always been there and due to awareness, more cases were now reported. This needed to be addressed further on prevention and enforcement. West Midlands was not in a bad position but a lot more could be done. The Commissioner commented that violence against women and girls had always been a top priority, and a range of work was being done in the West Midlands to achieve a better outcome for victims and survivors. There had been an increase in civil protection for victims. There was a dedicated website with guidance. Also there were projects for schools providing education about healthy relationships for boys. There had been an increase in the arrest rates and better outcomes. This issue would remain a top priority in the new Plan.
- Knife and gun crime was a high priority for residents as too many young lives were being taken. The Commissioner commented that a response was being awaited on continued funding for the Violence Reduction partnership in West Midlands and current funding was until March 2025. The funding for the Guardian taskforces also needed to be secured. It was essential to secure both fundings to continue the work that had begun. The Commissioner would welcome all Members doing what they could to prevent youth violence and protect the funding for West Midlands.
- In response to what was being done to keep police staff motivated in their roles, the Chief Constable commented that the work needed to be kept challenging and interesting. It was essential to have good leadership in place, promotion opportunities available to all, good health and wellbeing processes and working environment.

RESOLVED:-

That the Panel noted the update provided and the recently published decisions.

The Chair to write to commend the PCC and West Midlands Police for rapidly addressing the HMICFRS concerns and the force's removal from the Engaged Status.

825 DEVELOPING THE POLICE AND CRIME PLAN 2025

The Head of Policy, Office of the PCC presented the report to the Panel. The main points highlighted included:

- How the consultation fed into the Plan.
- The different methods of consultation including the online survey, literature review, focus groups, call for evidence and the PCC's advisory panels.
- All points received would be put under a set of top headings and would be a key priority in the Plan. There would be subcategories behind each key priority.

- The draft Plan would be reviewed by the Panel on 20 January 2025, and the aim was to launch in March 2025.
- Any gaps in the representations were actively being filled.

Members raised the following questions:

- There was an absence of the drug strategy, and it was not getting any headline, even though it affected many of the priorities. Assurance was given that this was covered under Prevention and Rehabilitation-reducing harm from illegal drugs. The Commissioner was the Chair of the West Midlands Drugs and Alcohol Partnership too.
- From the road safety aspect, the PCC was asked whether emergency services could recoup their costs from the insurance companies of dangerous drivers and undertook to undertake further investigation to respond to this question.
- Members thanked the PCC for trying to fill all the representation gaps to complete the survey as part of the consultation process.
- How were elderly residents who were not online and students from colleges and university's being targeted? There were printed copies of the survey available and there had been a good representation from the elderly population. The football club had been targeted and there were planned visits to colleges, universities and through the youth commissions at schools.

RESOLVED:-

That the Panel agreed to hold an extraordinary meeting on 20 January 2025 to consider the Draft Police and Crime Plan.

826 POLICE AND CRIME COMMISSIONER - STATEMENT OF ACCOUNTS

The Chief Finance Officer, Office of the Police and Crime Commissioner presented the report, and the Panel was informed of the following:

- The Statement of Accounts are presented to the Panel for full transparency and to give context when considering the precept proposals in February for 2025/26
- The audit of accounts was well underway and the Joint Audit Committee meeting on 5 December 2024 would be considering the Statement of Accounts. There were currently no known concerns that would need to be highlighted to the Panel. This would then lead to sign off of the accounts in the New Year.
- The PCC had two sets of accounts, one for the Chief Constable around staffing and the other for the group set of accounts for all obligations around the assets.
- The force and the PCC were in a good position to face the financial challenges and risks of the future.

RESOLVED:-

That the Panel noted the contents of the draft Statement of Accounts for 2023/24

827 PANEL WORK PROGRAMME

The Scrutiny Manager referred to the items for the December meeting from the work programme. The Chair reminded the Panel that they were interested in looking at the recent disorder within the West Midlands and wider and looking at the lesson learnt from prevention, community safety and criminal justice perspectives.

RESOLVED:-

That:

- i. **The Panel agreed the outline work programme at Appendix A.**
- ii. **The Panel agreed to add looking deeper into the recent disorder within the West Midlands and wider and the lessons learnt from prevention, community safety and criminal justice perspectives to the work programme for the December meeting.**
- iii. **Subject to further input from the Chair and Vice-Chair, the issues listed on the Work Programme be considered in December 2024.**

828 Date of next meeting

RESOLVED:-

That the date of the next meeting was 9 December 2024.

829 URGENT BUSINESS

The Chair informed the Panel that one item of urgent business had been identified. Correspondence had been received from the Chair of the National Association of Police, Fire and Crime Panels about nominations for the forthcoming election to the Executive Committee that closed on 16 October 2024.

Two nominations were received. The first from Cllr Jaspal and this was seconded by Cllr Russell and a second from Cllr Taylor and this had been seconded by Cllr Mahmood.

A vote was taken. Cllr Jaspal received five votes and Cllr Taylor received three votes.

RESOLVED:-

That the nomination to be put forward for the Executive Committee at the National Association of Police, Fire and Crime Panel would be Cllr Jaspal and if a substitute nomination was required, Cllr Taylor would be put forward.

The meeting ended at 15.42 hours.

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CHAIR

West Midlands Police and Crime Panel – Action Tracker – December 2024

Outstanding Actions

Minute/ Action No.	Meeting Date	Action	Update/ Notes
842	07/10/24	URGENT BUSINESS A nomination for the Executive Committee at the National Association of Police, Fire and Crime Panel to be submitted for Cllr Jaspal. If substitute required, put forward Cllr Taylor.	To be discharged. NAPFCP does not operate a system of named substitutes, but if Chair can't attend a meeting, Cllr Taylor can attend as an observer.
840	07/10/24	PANEL WORK PROGRAMME The Panel Secretariat to add the following to the work programme for the December meeting: look deeper into the recent disorder within the West Midlands and wider and the lessons learnt from prevention, community safety and criminal justice perspectives.	OPCC requested item scheduled for January 2025 to allow time to obtain information from West Midlands Police to add to the report.
838	07/10/24	DEVELOPING THE POLICE AND CRIME PLAN 2025 The PCC undertook to investigate the suggestion that emergency services recoup costs of attending road traffic incidents from insurers and report back to the Panel.	
836	07/10/24	POLICE AND CRIME COMMISSIONER UPDATE AND KEY DECISIONS The Panel to write to commend the PCC and West Midlands Police for rapidly addressing the HMICFRS concerns and the force's removal from the Engaged Status.	To be discharged. Letter sent to PCC and CC on 21/10/2024 by email.
827 vi	22/07/24	PANEL WORK PROGRAMME The Panel Secretariat and OPCC arrange an induction session with the Panel, and suggestion this is held C3 Park Lane Centre.	To be discharged Date: 5 December 2024 10am -1pm Agenda and details to be provided to Panel Members
824	22/7/24	PANEL AGREEMENT AND RULES OF PROCEDURE The suggestion that strengthening of the wording in paragraph 2.10 of the Panel Agreement be explored for the Panel to fulfil its role in scrutinising the decisions and actions of the PCC.	



Report to the West Midlands Police and Crime Panel

Report of the Use of Information Subgroup

Date: 09 December 2024

Report of: The Subgroup Chair

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council, Email: wmpcp@birmingham.gov.uk Phone: 0121 303 1727

1 Purpose

- 1.1 To present the details of the considerations undertaken by the West Midlands Police and Crime Panel Use of Information Subgroup at its meeting on 21 October 2024.

2 Recommendations

It is recommended that the Panel:

- 2.1 Note the work of the subgroup to date and the next steps identified for future activity.
- 2.2 Endorse the comments developed by the Use of Information Subgroup in relation to the draft Police and Crime Plan key performance indicators.

3 Key Information

Role and Membership

- 3.1 The Panel established the Use of Information Subgroup on 22 July 2024, appointed members and agreed its terms of reference. The subgroup's purpose was to draw conclusions on the following and report back to the full panel to consider:
 - a. What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan.
 - b. How can the Panel use performance information to inform the development of its work programme.
- 3.2 In addition, during discussions at the Panel meeting on the development of the new Police and Crime Plan, the Police and Crime Commissioner welcomed the Panel's input into the work to develop the Plan performance metrics.
- 3.3 The following Panel members volunteered to join the Subgroup:

Councillor Izzy Knowles
Councillor Gareth Moore
Kristina Murphy
Councillor Jackie Taylor

4 Summary of Subgroup Meeting - 21 October 2024

- 4.1 The Subgroup held its first meeting on 21 October 2024. Apologies for absence was received from Cllr Taylor. Members present appointed Kristina Murphy as subgroup chair.
- 4.2 In view of the timeline to produce the PCC's Police and Crime Plan, the focus of the first meeting was to understand and comment on the proposed Police and Crime Plan performance metrics and the OPCC plans for developing public facing performance information. A summary of the discussion points are recorded in sections 5 – 7 below.

5 Police and Crime Plan Key Performance Indicators

- 5.1 The Office of the PCC took members through the proposed list of Key Performance Indicators associated with the PCC Priorities and Principles. Members examined the rationale for the measures and made the following comments aimed at clarifying the presentation of data for the panel and the public and to aid the interpretation of performance data.

- a) **Review terminology** – Members suggested terminology is reviewed to ensure the language is meaningful to the public.
- b) **Glossary** - Members suggested a glossary defining key terms is prepared to sit behind the performance information (e.g. the definition on “visible” policing, “drug disruption activities”, “third party intelligent reports”).
- c) **Clarity of baselines** – All baselines should be clear to aid understanding of the trajectory of performance and outcomes.
- d) **Rebuilding community policing – visibility of police officers**. Members suggested a clear definition of ‘police visibility’ is provided for this measure, in particular whether it includes just officers conducting neighbourhood policing activity or other officers. The Subgroup felt the measure should be balanced with a measure that captured public perception of police officer visibility and noted a trust and confidence public survey was being developed.
- e) **Positive outcome rates** – it was noted that some KPIs captured increases in positive outcome rates, and it was suggested positive outcome rates be included for the other KPIs. Additional data comparing positive outcome rates with Most Similar Forces would also be valuable.

- f) **Drug-related incidents** – it was suggested that in addition to the KPI relating to drug possession, a further KPI be added to demonstrate the reduction of drug-related incidents.
- g) **Victims** – it was noted that Victims Code compliance formed a key part of the Police and Crime Plan. It was suggested the KPIs associated with this show the entirety of the process and clarify the responsibilities of the various criminal justice partners.
- h) **Live chat and online contact** – It was suggested that in addition to monitoring the service performance of 101 and 999, the PCC consider including data to understand new methods of contact (Live chat and online).
- i) **Arrest rates** – concern was expressed that the proposed 'Increase in arrest rates' measure could be counter-productive and it was suggested the measure should be expanded to include other outcome methods used by the police.

6 Visualisation of Performance Data

- 6.1 The Office of the PCC summarised plans for further developing public-facing performance information through a dashboard on the PCC Website. Members felt as these plans developed it would be important to understand how accessible this information would be for the public and how the public would engage with the dashboard.
- 6.2 The OPCC had mapped out the range of data available from the ONS and criminal justice data and agreed to circulate the list of data sources compiled by the OPCC.

7 Performance Information to the Police and Crime Panel

- 7.1 Members briefly discussed what performance information could be presented to the Police and Crime Panel and the format of information going forward. It was noted that PCC's Accountability and Governance Board was programmed to receive six-monthly performance updates. A performance dashboard would be available to view on the PCC website, Stop and Search data, local crime data, and performance against national policing priorities was available on the Police UK website.
- 7.2 Initial thoughts from Subgroup Members on the Panel's requirements for performance information was that information should be clear and concise, provide a RAG rating, a commentary and trends lines. This would enable Panel Members to identify any performance outliers to provide focus for its scrutiny. It was noted that local authority breakdown of PCC performance information would enable councillor members to feed back to their districts.

8 Next Steps

- 8.1 The Subgroup agreed to:
- 8.2 Prepare a report on the key discussion points on the draft Key Performance Indicators presented by the OPCC to feedback to the PCC and the wider Panel.
- 8.3 The focus of the next meeting would build on the discussions about the PCC's KPIs by examining what other sources of information the Panel might use to inform its scrutiny of the PCC and develop the panel work programme. This could include research into best practice examples from other police and crime panels.

9 Finance Implications

- 9.1 The Home Office provides an annual grant to support the administration of the Police and Crime Panel. The Home Office grant covers all costs relating to the secretariat and administration to support this work programme.

10 Legal Implications

- 10.1 The Panel work programme should reflect the duties required by the Police Reform and Social Responsibility Act 2011 and relevant Regulations.

11 Equalities Implications

- 11.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 The Panel should ensure that it addresses these duties when developing its work programme and fulfilling its duties to challenging and supporting the Police and Crime Commissioner.

12 Appendices

- 12.1 None.

13 Background Papers

- 13.1 West Midlands Police and Crime Panel Meeting Papers 22 July 2024.

Report to the West Midlands Police and Crime Panel

Police and Crime Commissioner Update Report on Recent Activities and Published Key Decisions

Date: 9 December 2024

Report of: Tom Senior, Acting Lead for Law and Governance and Deputy Monitoring Officer, Dudley MBC - Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: wmpcp@birmingham.gov.uk

1 Purpose

- 1.1 The Panel is responsible for scrutinising the actions and decisions of the Police and Crime Commissioner.
- 1.2 The Panel is invited to consider the Police and Crime Commissioner's update report (attached as Appendix A) detailing the activities the Commissioner and his team have been engaged in since the Police and Crime Panel held on 7 October 2024.
- 1.3 The Panel is also invited to consider the list of key decisions posted by the Police and Crime Commissioner since the last Panel meeting (attached at Appendix B). The list includes links to decision reports where available. This information is also available on the Commissioner's website [Police and Crime Commissioner Decisions](#)

2 Recommendation

- 2.1 **That the Police and Crime Panel notes the attached update prepared by the Police and Crime Commissioner and the recent key decisions published.**

3 Finance Implications

- 3.1 There are no direct financial implications relating to the recommendation in this report.
- 3.2 The financial implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

4 Legal Implications

- 4.1 There are no direct legal implications relating to the recommendation in this report.

- 4.2 The powers and responsibilities of panels are set out in Police Reform and Social Responsibility Act 2011 which give panels the authority to scrutinise all decisions or actions in connection with the discharge of the PCC's functions.
- 4.3 The legal implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

5 Equalities Implications

- 5.1 There are no direct equalities implications relating to the recommendation in this report.
- 5.2 The equalities implications of the key decisions made by the Police and Crime Commissioner are outlined in the individual decision reports published by the Commissioner.

6 Appendices

- 6.1 Appendix A - Police and Crime Commissioner Update
- 6.2 Appendix B – Police and Crime Commissioner recent published decisions



Report to the West Midlands Police and Crime Panel PCC Update

Date: 9 December 2024

Report of: West Midlands Police and Crime Commissioner

Report author: Simon Foster

Police and Crime Commissioner Update: 9 December 2024

Introduction

The update set out below is only a selection of the action taken by the Commissioner, since the previous Police and Crime Panel on 7 October 2024.

For a more detailed round up of action the Commissioner has been taking, since the previous Police and Crime Panel on 7 October 2024, members of the Panel are encouraged and recommended to consult the News Section on the Office of the Police and Commissioner's website.

A link is available here:

[News - West Midlands Police & Crime Commissioner \(westmidlands-pcc.gov.uk\)](https://westmidlands-pcc.gov.uk)

Police and Crime Plan

One of my many duties as Police and Crime Commissioner is to prepare and issue a second Police and Crime Plan, following my re-election on 2 May 2024. That Plan will replace my existing Police and Crime Plan and will be for the period 2025 to 2029.

The extensive and wide-ranging consultation, that ran for 3 months, closed on Friday 18 October. That consultation included a public survey in connection with which we have received over 5,800 responses.

Just some of the many matters raised have been:

An emphasis on the need to increase community policing and engagement, particularly amongst young people;

The need to prevent and tackle knife crime, violence against women and girls and sexual violence and assault;

A need to improve action to protect vulnerable people, in particular the need for a more trauma informed approach; and

Reservations about the resources and personnel available and the consequential ability of West Midlands Police to deliver on the Plan

We will now be collating all of the responses to the consultation with a view to preparing, finalising and issuing the Plan by March 2025.

Intensive Supervision Court

On 3 October we received a visit from Minister of State Lord Timpson and Jess Phillips MP, Minister for Safeguarding and Violence Against Women and Girls.

The purpose of the visit was for the Ministers to have an opportunity to hear from partners and view first hand, the progress that has been made in implementing an Intensive Supervision Court in the West Midlands.

In June 2023, I welcomed the opportunity to establish the innovative Intensive Supervision Court in the West Midlands, that focuses on women in the criminal justice system. We know that women are all too often in the criminal justice system, because of mental ill health, alcohol or drug use, domestic abuse or criminal exploitation.

I am committed to delivering the Intensive Supervision Court model, because I believe it will prevent, tackle and reduce crime. That means there will be fewer victims of crime, less pressure on the police and our public services, less impact on the criminal justice system, it will break the cycle of crime, save taxpayers money, promote rehabilitation and provide women who are within the criminal justice system, with an opportunity to make a positive contribution to society.

The Court enables a holistic approach, with each intervention tailored specifically to each woman, based on a Risk and Needs Assessment and a review by the same Judge every month to monitor progress and to keep them from re-offending. It is also an opportunity to see services co-locating and working together in an effective and efficient new way.

I have enabled my New Chance service, an adult diversion scheme for women based in the West Midlands and delivered by Anawim and Black Country Women's Aid, to support the Intensive Supervision Court, to ensure it adequately and effectively meets the needs of women, within the criminal justice system.

National Hate Crime Awareness Week: 12 to 19 October.

Hate crime is abhorrent and will not be tolerated in the West Midlands. Latest figures from the Home Office show that hate crime offences have fallen in the West Midlands from 10,898 in the year ending March 2023 to 9,329 in the year ending March 2024

That is welcome, but I am not in the least complacent. I am continuing to invest in the rights and welfare of victims.

This includes £150,000 a year invested in the first West Midlands wide dedicated service to support victims of hate crime, offering emotional, personal and practical support to people who have been subjected to hate.

Becoming a victim of hate crime is deeply distressing and it is a matter of serious concern to me. I encourage anyone who is a victim of hate crime to report it direct to the police or to a third-party reporting centre.

I expect West Midlands Police to take the report seriously, investigate and take-action, so that perpetrators are held to account and face the consequences of their criminal activity, via the criminal justice system.

The investment I have made ensures that victims of hate crime and witnesses will have access to dedicated hate crime victim support services, whether they have reported the matter to the police or not.

Street Racing

I recently joined West Midlands Police as part of Operation Hercules, an initiative that continues to deal with people involved in illegal car cruising and street racing events.

Preventing and tackling crime, illegal street racing and anti-social behaviour and reducing the number of people tragically and avoidably killed and seriously injured on our roads is a top priority of mine.

That is why I have been out with West Midlands Police's Operation Hercules to see for myself the action they are taking to target people involved in illegal street racing.

The message is clear, illegal street racing will not be tolerated in the West Midlands and if you participate in this criminal and anti-social behaviour you will be held to account and face the serious consequences of your actions, including seizure of your vehicle and imprisonment.

Violence Reduction Partnership: Annual Conference

On Friday 18 October, in my capacity as Police and Crime Commissioner and as Chair of our West Midlands Violence Reduction Partnership Strategic Board, I opened our Violence Reduction Partnership Annual Conference 2024.

Our VRP is an integral part of the strategy set out in my Police and Crime Plan, to prevent and tackle violence, protect people and save lives. It embodies 3 key themes in my Police and Crime Plan: Prevention, Partnership and Rehabilitation. The Conference focused on 2 key themes. Firstly, financial sustainability and Secondly, the voices of young people.

The Funding for our VRP is due to end in March 2025. However, we will continue to make the case to Government for Renewed Funding, to enable us to continue to carry out the essential work required in the West Midlands to prevent and tackle youth violence and knife crime

In September 2024, we invited all our West Midlands MPs to a Briefing, to explain to them just how important it is that our Funding continues.

It is imperative that we are able to continue this essential and urgent work in the West Midlands because together, united as one, we can - and we will – all deliver on our

core mission – to prevent and tackle violence, protect our young people, enable them to fulfil their potential and to save lives.

Office of National Statistics: Crime Data

National statistics released on 24 October show safety in the West Midlands has continued to improve, with crime reducing, arrests increasing and victims receiving improved support from the police.

The data from the Office for National Statistics covers the period July 2023 to June 2024, and shows significant reductions in crimes.

Total crime reported across the West Midlands has reduced by 10% compared to the same period last year. We have also seen decreases in serious youth violence of 9%, including a reduction in knife crime.

The force has also made significant changes to how people contact the police which, in turn, has led to West Midlands Police being one of the best forces in the country, when it comes to both its 999 and 101 service.

I have been holding West Midlands Police to account and working with the force to prevent and tackle crime and keep the people and communities of the West Midlands safe and secure.

I therefore welcome the reductions in crime. However, we cannot be complacent and we never will be. One victim of crime is one too many.

I am committed to constant and unremitting action to hold West Midlands Police to account, to ensure it is doing everything within its power to prevent and tackle crime and keep people, families, businesses and local communities safe and secure.

Knife Enabled Robbery Taskforce

I have joined a major new national government taskforce, aimed at reducing knife enabled robbery, convened by the Home Secretary and Minister for Policing. The taskforce forms part of the Government's Safer Streets Mission to halve knife crime in a decade.

It will focus on what further action can be taken by policing partners to prevent and tackle knife enabled robbery.

In addition to the Home Secretary, the Minister for Policing, Police and Crime Commissioners and Mayors, Chief Constables are also taking part.

Recent data shows there has been a 13% reduction in serious youth violence across the West Midlands, compared to the same period last year.

This illustrates that the work of our Violence Reduction Partnership, West Midlands Police and our other partners is beginning to have a positive impact. However, whilst

this is welcome, we are not complacent and we never will be. One victim of knife crime is one too many.

I chair the Board that oversees the West Midlands Violence Reduction Partnership. Our VRP has a key focus on preventing youth violence and knife crime. I am also the Association of Police and Crime Commissioners Joint Lead for Serious Violence.

I am therefore keen to continue to work with my counterparts across the country and with central government to see how we can bring efforts and resources together, to reduce knife enabled robberies and crime, and keep our communities safe.

West Midlands Road Safety Action Plan

On 6 November Road Safety Partners, including myself, launched the West Midlands Road Safety Action Plan 2025 to 2030. The plan has been drawn up with the intention of delivering on a challenging but realistic target of a 50% reduction in the number of people killed and seriously injured in the region by 2030 and work towards the long-term mission for Vision Zero by 2040.

Road deaths and serious injuries are not just unfortunate collisions. They are predictable, preventable, and unacceptable. Evidence shows that setting a road safety target is an effective way to reduce the number of people killed and seriously injured in traffic crashes.

The Action Plan sets out a range of measures that partners have collectively and collaboratively committed to delivering, in order to achieve that target. I am committed to playing my part, so that we prevent and tackle crime and anti-social behaviour and reduce the number of people tragically and avoidably killed and seriously injured on our roads.

Record: Report: Result: Campaign

On 18 November 2024, I launched a campaign to encourage members of the public to play their part in putting an end to dangerous and reckless driving.

The campaign – **Record. Report. Result.** – includes a series of adverts and billboards across the region as part of Road Safety Awareness Week.

It forms part of Operation Snap, a national policing initiative that asks members of the public to submit footage of anyone committing driving offences, such as dangerous and reckless driving, using a mobile phone while driving, or not wearing a seat belt.

Putting an end to dangerous and reckless driving on our roads is one of my top priorities and I know it matters to the people of the West Midlands.

Dangerous and reckless drivers need to be held to account and face the consequences of their actions. The public can help and support us in doing that, so I would urge anyone who has relevant recorded footage to share it with the police, help bring perpetrators to justice and ultimately reduce the number of people tragically and avoidably killed and seriously injured on our roads.

Neighbourhood Policing Guarantee: Levelling Up

The Police and Crime Commissioner, Simon Foster, has urged the government to make sure police forces hit hardest by the unfair allocation of officers and funding are first in line, when it starts recruiting extra officers.

Simon Foster has written to the Home Office, calling for West Midlands Police to be prioritised, when it comes to levelling up on officer numbers and police funding.

He said the current position is “truly stark” with the region having 800 fewer police officers and 400 fewer PCSOs than it did in 2010. Rebuilding community policing is one of the PCC’s top priorities.

It comes after the government this week announced an “ambitious” programme of police reform, which included a Neighbourhood Policing Guarantee, to rebuild trust and confidence between local forces and the communities they serve.

The announcement also included half a billion pounds of additional government funding for policing next year.

The Police and Crime Commissioner, Simon Foster, said:

“The government’s commitment to strengthening local policing is welcome, particularly for forces like West Midlands Police that still has 800 fewer police officers than it had in 2010.

“This is despite other forces serving lower crime, rural, older population areas of the country, now having more police officers than they have ever had in their forces’ history.

“The government’s Neighbourhood Policing Guarantee is an opportunity to level up, right that wrong and remedy this serious injustice. I am calling on the government to prioritise forces, like West Midlands Police, that still have fewer officers than they had in 2010.

“In addition, the current police funding formula, that decides the share of national funding that each force receives, is universally acknowledged to be outdated, unfit for purpose and has never been implemented.

“This means West Midlands Police receives £40m a year less than the formula says it should. WMP needs to have enough resources to prevent crime and protect the public effectively. The Police Funding Formula must be reviewed urgently and replaced as soon as possible.”

Violence Against Women and Girls: White Ribbon Day: Violence Reduction Partnership

The Police and Crime Commissioner for the West Midlands, Simon Foster, says he’s pleased to see evidence that violence against women and girls is falling in our region, but emphasises that we cannot and we never will be complacent, because one victim of violence against women and girls is one too many.

The PCC has praised his Violence Reduction Partnership (VRP), along with other organisations, for projects which have helped reduce this type of violence by 10% across the West Midlands.

These projects include training and webinars for professionals.

Hundreds of employees from across the West Midlands have taken part in specialist training delivered by *Men at Work*. It is aimed at helping them have difficult conversations with young men and boys, identify signs of harmful behaviour and addresses misogyny.

Meanwhile, the *Time to Talk* programme has been delivered in almost 130 schools since March 2022 and offers a safe space for boys, ranging from 11-18, to discuss often taboo subjects such as porn, sexting, consent, gender bias and misogyny.

By March 2025, the Feast programme will have delivered wellbeing sessions focused on faith, belief and values in the context of VAWG to almost 360 students. It explores how these factors impact an individual's attitude and the way they interact with others.

An Early Years programme is also delivered in partnership with Birmingham and Solihull Women's Aid. *Bright Beginnings* teaches young children aged 3-5 the importance of knowing how to keep safe, knowing who their trusted adults are and who is allowed to touch them. It also addresses signs of domestic abuse and how teachers and staff can recognise signs of abuse at home.

Over 1,400 people have taken part in webinars aimed at raising awareness of VAWG and equipping participants with the tools required to help themselves and support others.

The Police and Crime Commissioner, Simon Foster said: "Violence against women and girls is abhorrent, it will not be tolerated and bringing an end to it is a priority for me.

"I am pleased that the work of our Violence Reduction Partnership is helping to bring down violence by educating our communities and providing them with the right support and guidance.

"However, whilst I welcome the news of violence reducing, we cannot be complacent and we never will be, because one victim of violence against women and girls is one too many.

"I must emphasise that there is lots more that we all need to do, to keep women and girls safe. I am committed to preventing and tackling violence against women and girls."

The *Men at Work*, *Time to Talk* and *Feast* projects are funded by the Home Office Safer Streets Fund.

The West Midlands Violence Reduction Partnership brings together the public, private, voluntary and community sectors to tackle the root causes of violence.

Simon Foster

Police and Crime Commissioner for the West Midlands

Police and Crime Commissioner Key Decisions Published Since 7 October 2024

The following key decisions have been published by the Police and Crime Commissioner since the last Panel meeting on 7 October 2024.

Further details of decisions, including non-confidential reports and supporting documents are available on the website: [Police and Crime Commissioner Decisions](#)

27 November 2024

Decision 035-2024 Property Maintenance Extension - The decision is a confidential matter so no documents are published

Decision 034-2024 Provision of Building Services Maintenance Lloyd House and CTU - The decision is a confidential matter so no documents are published

Decision 033-2024 – Kennelling of Dangerous Seized Dogs Acorn Ltd - The decision is a confidential matter so no documents are published

Decision 032-2024 – Provision of Crime Scene Consumables Contract - The decision is a confidential matter no documents are published.

18 November 2024

Decision 029-2024 – Sale of Harborne Police Station - The decision is a confidential matter so no documents are published.

05 November 2024

Decision 030-2024 – Mobile Voice and Data Services - The decision is a confidential matter so no documents are published.

Decision 028-2024 – Sale of Ladywood Police Station - The decision is a confidential matter so no documents are published

11 October 2024

Decision 027-2024 – Purchase of land for car parking provision at Stechford Police Station - The decision is a confidential matter so no documents are published.

Report to the West Midlands Police and Crime Panel - Medium Term Financial Plan and Reserves Strategy for 2024/25 to 2028/29

Date: 9 December 2024

Report of: West Midlands Police and Crime Commissioner

Report author: Jane Heppel, Chief Finance Officer, Office of the Police and Crime Commissioner

Purpose

- 1.1 In accordance with the Panel work plan, to provide the Panel with useful information and context to inform its scrutiny of policing precept in February.
- 1.2 Attached at the Appendix is the report which was presented to the Accountability and Governance Board on 22 October 2024. The report provided the Accountability and Governance Board with an update on the Medium-Term Financial Plan ((MTFP), along with the corresponding Reserves Strategy for the period 2024/25 to 2028/29, based on the available information and assumptions.

Recommendations

- 1.1 The Panel is asked to note the contents of the report.

Finance Implications

- 1.2 The financial details are fully covered in the attached report.
- 1.3 Since the report was presented internally to the Accountability and Governance Board, there have been a number of significant developments, not least the Chancellor's budget at the end of October 2024.
- 1.4 The Chief Finance Officer will verbally update the Panel on matters which have arisen between the publication of the report and the date of the Panel.

Equalities Implications

- 1.5 The Commissioner's Police and Crime Plan includes a firm commitment to promoting equality and diversity across all aspects of the work of the West Midlands Police. Equality Impact Assessments are undertaken on new projects and initiatives, and are integral to the activities described in Appendix A.

Appendices

- 1.6 Appendix A Report: Medium Term Financial Plan and Reserves Strategy for 2024/25 to 2028/29

ACCOUNTABILITY AND GOVERNANCE BOARD

Tuesday, 22 October 2024

Police and Crime Plan Priority: N/A

Presented by: Jane Heppel

Report: Medium Term Financial Plan and Reserves Strategy for 2024/25 to 2028/29

Purpose of paper

1. To provide the Accountability and Governance Board with an update on the Medium-Term Financial Plan ((MTFP), along with the corresponding Reserves Strategy for the period 2024/25 to 2028/29, based on current information and assumptions.

Background

2. The Medium-Term Financial Plan details how resources will be utilised to deliver Force priorities, as per the current Police and Crime Plan and Force strategies.
3. The corresponding Reserves Strategy is drawn up to support the MTFP within the parameters of the Financial Regulations adopted by the Police and Crime Commissioner (PCC).
4. The PCC must consider the required level of general policing fund balances that should be retained before deciding the level of council tax precept. General balances are maintained as a matter of prudence and to meet financial risks. They enable the PCC to provide for known and unknown risks and offer financial resilience.
5. Earmarked reserves are retained for specific risks and planned investments.
6. Provisions are retained for specific purposes or for known future financial obligations.
7. The MTFP is built upon the 2024/25 budget and includes the agreed 4.75% pay award from September 2024 along with the corresponding additional grant from the Home Office for 2024/25. The total grant settlement for the West Midlands in 2024/25 was £629.2m. The main points to note from the settlement were as follows:
 - The settlement continued to honour the commitment to policing, made in the Spending Review 2021 (£150m increase nationally in final year for policing).

- Baselined in year funding for the September 2023 Police and Staff Pay Award (£515m nationally).
 - Opportunity for PCCs to raise their precept by up to £13 per year per Band D property in 2024/25. This was an increase of £3 on the £10 announced, as part of the three-year spending review in 2021.
 - Continuation of the existing police pension grant, plus an additional £259m to mitigate the impact of increased pension contributions, as a result of the triennial actuarial assessment.
 - Furthermore, a one-off top-up payment of £26.8m, for implementation costs relating to the police pensions remedy.
 - Uplift grant of £425m nationally, to maintain 20,000 officers. This includes £67.2m funding for some force areas, that had agreed to recruit additional officers, above their original uplift target. For West Midlands Police, this equated to a total of £30.7m, which is conditional on WMP maintain a headcount of 8,009.
 - Additional grant, following a successful bidding process, to secure funding for a further 77 officers (confirmed £3.7m for 2024/25).
 - The Government expects Policing to continue to build on the progress made in improving efficiency and productivity. The publication of the Police and Productivity Review has demonstrated the scale of benefits that could be realised within Policing. £11m has been provided nationally, to support ongoing work into innovative technology, as recommended by the Productivity Review.
 - £200m investment in crime programmes to help keep our streets safe. This includes:
 - £92.8m to support activity designed to combat anti-social behaviour and serious violence (£3.7m for WMP).
 - £15m on Safer Streets Round 5, to supplement the funding already provided for 2023/24 (a reduction to £350k for WMP)
 - £46m to continue the County Lines Programme.
 - £47m to continue to support the work of Violence Reduction Units (£4.3m for WMP).
8. The plan is constructed based on the existing funding formula allocation, whilst we await timescales for a review. The 2024/25 budget delivered £10m of savings through a mix of non-pay, PCSO vacancies and other staff savings, offset by higher than inflation increases and operational growth.
 9. The additional £3 precept flexibility was targeted at the areas highlighted as causes of concern to support the Force in moving out of the “engaged” status. The investment went into Criminal Justice casefile preparations, PPU and LPA investigation teams. Along with a cost of living increased related to victims and witnesses’ services and IDVAs and ISVAs.
 10. Consideration has also been given to the current outturn position reported to the Finance Governance Board in September 2024, reporting a £10m underspend. Along with the current working assumptions from the approved Estates Strategy.

Revenue Medium Term Financial Plan

11. The Medium-Term Financial Plan is based on the following set of principles and assumptions:

- Maintain officer numbers, subject to the continuation of County Lines, GRIP, and uplift tranche 2 grant funding, at an establishment of 8,100 FTE (8,200 headcount) throughout the 5-year period.
- Maintain staff numbers at 4,301 FTE, subject to a review of vacancies and force needs.
- Maintain PCSO (Police Community Support Officers) numbers at 300 FTE.
- Police Staff vacancy factor a gradual reduction from 7% down to 3% throughout the MTFP. The vacancy rate as of October 2024 is 10%.
- Pay award inflation includes 4.75% for 2024/25, returning to pre-elevated (2%) levels thereafter.
- Incremental increases for officers, staff and PCSOs.
- Police Grant currently assumes flat cash for 2025/26 and then a percentage increase of 2% thereafter.
- Funding for the 2024/25 pay award is assumed to be available in 2025/26 at the full year level, as per the Policing Minister's letter of 13 September 2024.
- General price inflation returns to pre-elevated levels by 2025/26.
- Income inflated at 1% year on year.
- Maintain the General Fund Reserve at current levels.
- Contributions to or use of other reserves as required.
- Assumed asset life cycle for IT&D equipment is 5 years.
- A replacement programme for Fleet, Body Worn Cameras, and Tasers.
- Estates Strategy adopted in October 2023.
- General price inflation has been included in relation to Commissioning and oversight spending in the OPCC. Along with:
 - Backdated inflation on the Community Safety Partnership and Intervention and Prevention funding (it had been held cash flat for a few years)
 - £500k funding for the core VRP team, subject to funding being confirmed.
 - £300k custody referrals increase in line with the increased custody provision within the force.
- Continue to comply with the Living Wage Foundation's minimum pay rates.
- Continue to support the Control Strategy and Operational Priorities.

12. The below table summarises the revenue medium term financial plan.

Police Force Net Expenditure £m	Current Budget 2024/25	MTFP 2025/26	MTFP 2026/27	MTFP 2027/28	MTFP 2028/29
Salaries including Overtime	736.9	770.7	797.3	824.2	853.4
Non-Pay Expenditure	183.5	190.2	198.4	197.2	215.8
Income	(174.4)	(179.5)	(181.5)	(183.7)	(185.9)
Change Programme including Estates	9.7	2.8	(2.3)	(4.1)	(4.3)
Total Police Force Expenditure	755.7	784.2	811.9	833.6	879.0
Police & Crime Commissioner	11.1	12.2	12.9	13.6	14.3
Total Expenditure	766.8	796.4	824.8	847.2	893.3
Police Grants	(592.2)	(599.3)	(610.9)	(622.8)	(634.8)
Precept	(161.2)	(163.1)	(165.0)	(167.0)	(169.0)
Planned Contribution to / (from) Reserves	(13.4)	(8.5)	(5.6)	(0.5)	(8.2)
Potential Savings Required (pre-precept increase)	0.0	25.5	43.3	56.9	81.3
Precept Scenarios					
£10 increase (Potential Savings Required)	N/A	17.9	28.0	33.7	49.8
£13 increase (Potential Savings Required)	N/A	15.7	23.4	26.7	40.4
£15 increase (Potential Savings Required)	N/A	14.1	20.3	22.1	34.2

13. When considering precept flexibility, it is important to note that West Midlands is in the top quartile of Forces reliant on funding from Government, and has the second lowest council tax Band D level nationally.
14. The Potential Savings Required; with a £10 precept increase; has increased from £9.5m outlined in the budget report to £17.9m in the table above. This increase is made up of a number of factors, set out in the table below.

Movement in 2025/26 MTFP from Budget Report (with £10 precept increase)		£m
Budget Report Decision Paper Funding Gap		9.5
Flat Cash Funding Settlement (outside of the 2024/25 Pay Award increase)		11.9
Interest Payable / MRP Saving (from early repayment of 2 loans)		(1.0)
Re-profile of capital financing provision in line with updated capital programme		(1.4)
CTU grant funding increase in line with pay awards		(4.5)
Office of PCC increase outlined above (within paragraph 11)		2.0
Police Staff Pay Investment in key priority areas		1.4
Current MTFP Funding Gap		17.9

15. The table below contains our planning assumptions and a sensitivity analysis of a 1% variance across the core expenditure types.

Expenditure / Income Type	Planning Assumptions 2025/26 onwards	1% Movement £m (+/-)
Salaries	2.0%	7.5
Supplies & Services	3.0%	0.8
Premises including utilities	5.0%	0.3
Income	1.0%	0.5
Transport including fuel	3.0% to 5.0%	0.1
Third Party Payments	3.0%	0.4
Police Grant	Flat Cash 2025/26 & 2.0% thereafter	5.9
Tax Base	1.2%	1.6
Precept (£)	£10	0.7

16. Potential risks / issues that have not been factored into the current plan include:
- Market conditions escalating due to global events.
 - Funding for local government may be reduced further due to governments rebalancing public finances.
 - Funding of further transformation projects beyond the current programme.
 - Impact of any national policy changes or legal challenges that would affect the financial position.
 - Increased costs for the National Police Air Support provision, or a change in the service provision.

- Reductions in Home Office grants for key services such as CTU (Counter Terrorism Unit), Firearms, ROCU (Regional Organised Crime Unit), County Lines, VRU, GRIP.
- Financial implications of ESMCP (Emergency Services Mobile Communications Programme) including dual running costs.
- Potential increases in employers' pension rates for triennial actuarial valuations. Along with the financial implications of the McCloud and Sargeant cases.
- Potential increases in taxation and employer's national insurance, yet to be announced in the 2024 Budget, which would create direct and indirect pressures on the baseline.
- It is assumed that although the uplift grant funding has not been baselined, that this funding is still awarded to WMP at current levels throughout the MTFP period, however there is a risk that this funding is reduced.
- There is the potential to receive additional funding as promised under the uplift programme, whereby WMP would receive a share of a further £150M of funding in 2025/26.
- Risk of the loss of the remaining 50% special grant funding for Hillsborough (£2.5m).
- Increased costs of kennelling dangerous dogs. This has created an in-year pressure of £385k for 2024/25.
- MTA charges above inflationary increase put in as the Home Office try and recover the cost of replacing old IT systems in full as they transition them through DLRP. For 2025/26 the estimated increase in charges is an additional £1.8m
- The PCC commissioned the Carbon Trust with producing a greenhouse gas (GHG) emissions report, which will help WMP to be clear on a benchmark against which to demonstrate carbon reduction. This work is yet to be fully costed.
- Operational Risks – associated with having fewer officers than our Most Similar Forces. If the funding formula had been fully implemented or we had council tax parity with Greater Manchester Police, we would have a significantly higher number of officers per 100,000 of population which would place significant pressure on the expenditure budget.

Forecasted Staffing

17. The table below details the staffing levels currently included within the MTFP (full time equivalents) up until March 2029.

Forecast Establishment (@ 31 st March each financial year)	2024/25 FTE	2025/26 FTE	2026/27 FTE	2027/28 FTE	2028/29 FTE
Police Officer	8,100	8,100	8,100	8,100	8,100
PCSOs (Police Community Support Officers)	300	300	300	300	300
Police Staff*	4,301	4,301	4,301	4,301	4,301
Total Establishment	12,701	12,701	12,701	12,701	12,701

*The table above does not reflect the outcome of the restructure of the Forensic review.

18. As we develop our plans to manage the funding gap for 2025/26 the establishment levels included in the MTFP may reduce in line with an agreed savings plan.
19. The police officer full time equivalent (FTE) of 8,100 includes maintaining our uplift headcount target of 8,009, the assumption that funding will continue for the uplift tranche 2 allocation of 77 officers. Along with funding for the 30 FTE funded through the 2024/25 precept increase. There is also funding for a further 85 FTE to allow for potential reductions in short term grant funding for County Lines and GRIP.
20. The Police Staff establishment reflects the savings from the People Services Review. Work is ongoing to review Forensic Services, along with a review of police staff vacancies as part of a PBB budget setting exercise. The updated staff establishment will be reflected when setting the budget for 2025/26.

Capital Programme

21. Our capital programme is split between our BAU replacement strategy and our Estates Strategy. The table below break down the business-as-usual capital replacement programme, along with how the programme is funded:

Capital Programme, £m	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Fleet Replacement	5.8	6.0	6.3	6.6	6.9	31.6
Body Worn Video Replacement	1.0	0.4	1.0	1.3	1.3	5.0
Taser Replacement	0.0	0.6	1.3	1.3	1.3	4.5
IT Infrastructure / Laptop Replacement	5.1	7.3	7.1	3.8	12.9	36.2
CTU Vehicles / Equipment	2.8	2.9	3.0	3.0	3.1	14.8
Firearms Vehicles / Equipment	0.6	0.7	0.7	0.8	0.8	3.6
Connect Replacement	0.0	1.5	3.5	0.0	0.0	5.0
Other Equipment	0.1	0.1	0.1	0.1	0.1	0.5
Total Capital Replacement Programme	15.4	19.5	23.0	16.9	26.4	101.2
Funded by:						
Revenue Contributions	12.5	16.4	19.9	13.7	23.2	85.7
Capital Grants	3.0	3.0	3.1	3.2	3.2	15.5

22. The fleet replacement programme has a rolling replacement of between 220-230 vehicles per year. The asset life for vehicles ranging depending upon the vehicles use. The above figures do not fully reflect the cost of moving to a greener fleet. We have £3m set aside in reserve to drawn down as we commence this work, and consideration is being given to how we fully fund this move forward.

23. The Body Worn Video replacement is currently under contract with an asset life of 3 years, the contract is currently due to end in 2026/27.
24. The Taser Replacement programme is due for renewal in 2026/27 following an extension to the existing contract / tasers. The asset life is usually 5 years. The new taser contract will be set up in a comparable way to the Body Worn Video's where the asset cost will be spread over the life of the contract.
25. The IT and Digital Replacement programme is made up of 2 areas – Laptops / Desktops, and IT Infrastructure. The capital programme allows for a rolling replacement programme for laptops / desktops with an expected asset life of 5 years. The infrastructure programme allows for upgrades / replacements of our existing infrastructure, IT and Digital have a programme of work planned. Work is ongoing with IT and Digital to consider the mix between cloud v's on-premises application. The split between revenue and capital expenditure may then shift.

Estates Strategy

26. The current Estates Strategy was signed off by the Chief Constable and Police and Crime Commissioner in 2023/24 and work is underway on delivering the strategy.
27. The table below breaks down the proposed capital and revenue costs of delivering the Strategy - subject to timing delays and operational changes.

Estates Strategy £m	2024/25	2025/26	2026/27	Total
Capital	7.4	28.3	4.3	40.0
Revenue	7.8	4.6	1.6	14.0
Total Cost of Estates Strategy	15.2	32.9	5.9	54.0
Funded by:				
Borrowing	4.0	0.0	0.0	4.0
Capital Receipts	3.4	28.3	4.3	36.0
Reserves	7.8	4.6	1.6	14.0

28. The revised strategy will achieve capital receipts of c£65m from the proposed site disposal programme, and the elimination of backlog maintenance exposure at those sites of c£19m. The below table shows the expected timing of the capital receipts and usage of receipts. The remaining balance from the capital receipts is expected to be c£29m, conversations will start to take place around the use of these capital receipts, early thinking is this could support the work to reduce our carbon footprint.

Capital Receipts £m	2024/25	2025/26	2026/27	2027/28
Opening Balance	6.5	21.5	29.6	29.1
Planned Use of Capital Receipts	(3.4)	(28.3)	(4.3)	0.0
Proposed Capital Receipts (from Sale of Buildings)	18.4	36.4	3.8	0.0
Closing Balance	21.5	29.6	29.1	29.1

29. The planned enhancements at the remaining sites will also address their backlog maintenance issues currently estimated to be c£3m.
30. There will also be an ongoing reduction to revenue expenditure of £6m, due to a mix of lower running costs for the estate.

Reserves Strategy

31. Over the next 5 years we will look to use a net £25.7m of reserves as detailed in the table below:

Contribution (to) / From Reserves £m	2024/25 Forecast	2025/26 Forecast	2026/27 Forecast	2027/28 Forecast	2028/29 Forecast
Uniform and Equipment	0.0	0.6	0.0	0.0	8.0
Estates Strategy / Change	8.7	7.3	5.1	0.0	0.0
Budget Reserve (including	(9.2)	0.0	0.0	0.0	0.0
BAU Carry Forwards	1.5	0.0	0.0	0.0	0.0
OPCC including Commissioned Services	1.6	0.4	0.4	0.4	0.5
NaBIS / ROCU Reserves	0.2	0.0	0.0	0.0	0.0
Police Property Act / Drug Squad Contributions	(0.3)	(0.3)	(0.3)	(0.3)	(0.3)
National contingency – Hillsborough	0.4	0.4	0.4	0.4	0.0
Total	2.9	8.5	5.6	0.5	8.2

32. This currently **excludes** any potential utilisation of the budget reserves to alleviate the financial pressures for 2025/26 onwards whilst we work through the budget setting process and await the financial settlement in December 2024.
33. The table below details the current level of reserves held from the outturn for March 2024 through to the forecasted level by March 2029 based on use of / contribution to reserves detailed above.

Reserves £m	31st March 2024 Actual	31st March 2025 Forecast	31st March 2026 Forecast	31st March 2027 Forecast	31st March 2028 Forecast	31st March 2029 Forecast
Funding for Planned Expenditure on Projects & Programmes - Revenue						
Regional / National Reserve	5.6	5.4	5.4	5.4	5.4	5.4
PPA / Misuse of Drugs Act	1.6	1.5	1.3	1.2	1.0	0.9
POCA (Proceeds of Crime Act) Reserve	0.9	0.9	0.9	0.9	0.9	0.9
Change Programme / Estates Strategy Reserve	21.4	14.3	7.0	1.9	1.9	1.9
Carry Forward Reserve inc. Grant No Condition	6.3	3.8	3.8	3.8	3.8	3.8
Funding for Planned Expenditure on Projects & Programmes – Capital						
Useable Capital Receipts Reserve	6.5	21.5	29.6	29.1	29.1	29.1
Capital Grants Unapplied	0.8	0.0	0.0	0.0	0.0	0.0
Reserves held in accordance with sound principles of good financial management						
Uniform and Equipment Reserve	13.2	11.6	11.0	11.0	11.0	3.0
Budget Reserve	21.0	30.0	30.0	30.0	30.0	30.0
National Contingency Reserve	2.6	2.2	1.8	1.5	1.1	1.1
Total Earmarked Reserves	79.9	91.2	90.8	84.8	84.2	76.1
General Fund Reserve	16.7	16.7	16.7	16.7	16.7	16.7
Total Useable Reserves	96.6	107.9	107.5	101.5	100.9	92.8
Provisions	23.4	15.7	14.5	13.4	13.1	13.5
Total Useable Reserves & Provisions	120.0	123.6	122.0	114.9	114.0	106.3

34. The total reserves of the West Midlands Police and Crime Commissioner as of 31 March 2024 was 16% of the net revenue budget (NRB), if all the funding for planned expenditure is utilised by March 2029 this will reduce to around 13% of the forecast NRB.
35. Reserves and provisions will continue to be monitored and reviewed regularly throughout the year and medium-term. The Reserves Strategy is included as **appendix 1**.

Options over the Medium-Term Financial Plan

36. Levers to reduce the financial pressures are detailed below. Consideration will be given to the impacts of any proposals on the delivery of policing services.
- A cyclical Priority Based Budgeting (PBB) process has been developed to drive out cashable savings and non-cashable efficiencies on an annual basis.

- Use of the Data Analytics finance model to review staffing levels, budget allocations and performance levels.
- Review and challenge all non-pay budgets including overtime.
- Seek further income generation opportunities. This includes income from policing events.
- Identify further invest to save opportunities including environmental projects.
- Review laptop, desktops, and mobility devices to ensure replacement plans align to needs in the future.
- Utilise vehicle telematics to reduce the fleet size where inefficiencies are identified.
- Consider partnership and collaboration options.
- Review the capital programme and hence the required revenue contributions. Or consider alternative ways of funding, such as short-term borrowing.
- Reserves in place to provide flexibility in managing future years budget pressures.

37. The above options will be explored during the budget setting process for 2025/26 and will be included in the papers when the Commissioner presents the budget and precept proposals for 2025/26 to the Police and Crime Panel.

Summary

38. The medium-term financial plan seeks to find a balance between delivering savings whilst maintaining the following approach.
- Recruitment of a mix of police officers, police staff and PCSOs. Seeking to recruit more underrepresented groups as a keyway of transforming the Force's representation to enhance Fairness and Belonging.
 - Compliance with the Living Wage Foundation recommended minimum pay rates.
 - Funding to support the delivery of the Estates Strategy.
 - Reserves held at a level consistent with an organisation of this size, complexity, and operational exposure.
 - The commissioner will continue to work on efficiencies and productivity to redirect resources to frontline policing as a priority.

Recommendation

39. The board is asked to note the content of this report.

Author(s): Jane Heppel

Peter Gillett

Job Title: PCC Chief Finance Officer

Direct of Commercial Services

Report to the West Midlands Police and Crime Panel Work Programme for 2024/2025

Date: 09 December 2024

Report of: Tom Senior Acting Lead for Law and Governance and Deputy Monitoring Officer, Dudley MBC - Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: wmpcp@birmingham.gov.uk

Tel: 0121 303 1727

1 Purpose

- 1.1 This report sets out the proposed work programme of key issues to be considered by the West Midlands Police and Crime Panel ('the Panel') during 2024/25 and provides an opportunity for Members to identify further topics to be added.
- 1.2 The work programme is structured around the statutory duties the Panel must undertake and wider exploratory work that enable the Panel to scrutinise and support the Police and Crime Commissioner (PCC) decisions and actions.
- 1.3 The work programme will be updated throughout the year to enable the Panel to respond to emerging issues in a flexible and timely way.

2 Recommendations

2.1 That the Panel

- i. **Agrees the outline work programme at Appendix A.**
- ii. **Identifies any further topics to add to the work programme.**
- iii. **Agrees, subject to further input from the Chair and Vice-Chair, the issues that the Panel will consider in January 2024 and the proposed aims and objectives.**

3 Context

- 3.1 Police and Crime Panel was established under the Police Reform and Social Responsibility Act 2011. The Panel acts as a joint scrutiny body of the West Midlands Local Authorities with a dual role to 'support' and 'challenge' the work of the Police and Crime Commissioner.
- 3.2 The Panel must perform the following statutory functions:
 - Scrutinise the decisions and actions of the PCC

- Review and comment on the PCC's draft Police and Crime Plan and any draft variations to the Plan
 - Review the PCC's Annual Report
 - Review (with the power to veto) the PCC's proposed policing precept.
 - Hold confirmation hearings for senior appointments (Chief Constable, Deputy PCC, Chief Executive and Chief Finance Officer), with the power to veto for the Chief Constable appointment.
 - Handle non-criminal complaints about the conduct of the PCC and Deputy PCC, referring serious complaints to the Independent Office for Police Conduct (This function is delegated to the Monitoring Officer).
 - suspend the PCC if they are charged with an imprisonable offence which carries a maximum term of two years or more.
 - appoint an acting PCC if the elected one cannot carry out their role due to incapacitation, suspension, resignation or disqualification.
 - play a role in any call made by a PCC for a Chief Constable to resign or retire.
- 3.3 The Panel's work programme consists of statutory tasks (from the above list) and wider exploratory work to fulfil its role to hold the PCC to account on the strategic policing and the wider community safety and criminal justice landscape.
- 3.4 The Panel must maintain a strategic focus in scrutinising the work of the PCC, rather than operational detail. The Panel does not provide oversight of the Chief Constable - this is the role of the Police and Crime Commissioner.

4 Panel Work Programme 2024/25

- 4.1 A well planned and timely work programme enables the Panel to consider the right issues in an informed way.
- 4.2 The current work programme is attached as Appendix A.
- 4.3 It may be necessary for the Panel to also prioritise issues and consider factors such as public interest and performance when further shaping its work programme.
- 4.4 The Panel will liaise with the PCC and the Office of the Police and Crime Commissioner to communicate the issues the Panel would like to explore, and specific areas of focus.

5 Member Sub-Group – Use of Information

- 5.1 In July 2024 the Panel established a Member Subgroup appointing Independent Member Kristina Murphy, Councillor Jackie Taylor, Councillor Izzy Knowles and Councillor Gareth Moore.

- 5.2 The sub-group will undertake a focussed piece of work to draw conclusions on the following and report back to the full Panel to consider:
- What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan.
 - How can the Panel use performance data to inform the development of its work programme.
- 5.3 The subgroup met for the first time in October to examine in detail the performance metrics associated with the development of the new police and crime plan and consider the performance information requirements of the Panel. A separate report summarising the conclusions of that meeting is on this agenda.

6 Finance Implications

- 6.1 The Home Office provides an annual grant to support the administration of the Police and Crime Panel. The Home Office grant covers all costs relating to the secretariat and administration to support this work programme.

7 Legal Implications

- 7.1 The Panel work programme should reflect the duties required by the Police Reform and Social Responsibility Act 2011 and relevant Regulations.

8 Equalities Implications

- 8.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics and groups outlined in the Equality Act are age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion and belief; sex, and sexual orientation.
- 8.3 The Panel will ensure it addresses these duties by considering them during work programme development, the scoping of work, evidence gathering and making recommendations. This should include considering how policy issues impact on different groups within the community, particularly those that share a relevant protected characteristic; whether the impact on particular groups is fair and proportionate; whether there is equality of access to services and fair

representation of all groups within the West Midlands; and whether any positive opportunities to advance equality of opportunity and/or good relations between people are being realised.

- 8.4 The Panel should ensure that any recommendations which contribute towards reducing inequality, are based on evidence.

9 Background Papers

- 9.1 [Police Reform and Social Responsibility Act 2011](#)
- 9.2 [Policing and fire governance: guidance for police and crime panels](#)
- 9.3 [Home Office Guidance - Police, fire and crime panels](#)
- 9.4 [West Midlands Police and Crime Panel – Panel Agreement \(2012\)](#)

10 Appendices

- 10.1 Appendix A: West Midlands Police and Crime Panel Work Programme
December 2024

West Midlands Police and Crime Panel Work Programme 2024/25 – December 2024

Meeting Date	Item/Topic	Aims and Objectives	Additional Information and Outcome*
22 July 2024	Deputy PCC Confirmation Hearing (Statutory Task)	The Panel must hold a public confirmation hearing, requesting the candidate to appear for the purpose of answering questions relating to the appointment.	The scrutiny of senior appointments is a statutory task of the Panel . The Panel must prepare a report and recommendations for the PCC to consider.
22 July 2024	PCC Performance Update	To provide an overview of West Midlands Police performance across key areas between April 2023 to March 2024.	The report includes an update on the Engage Status of WMP requested by the Panel in February 2024.
22 July 2024	PCC Accountability and Governance Arrangements	To inform the Panel of the PCC's revised accountability and governance arrangements for the exercise of his strategic direction, holding to account and public engagement functions.	
22 July 2024	Development of the Police and Crime Plan	To inform the Panel on progress and further plans for the development of the Police and Crime Plan 2025-2029	The Panel's must schedule its review based on the development timetable. The review of the draft Police and Crime Plan is a statutory task of the Panel . The Panel must prepare a report and recommendations to the PCC to consider before finalising the Plan.
22 July 2024	Establishment of Use of Information Subgroup	To undertake a focussed piece of work to draw conclusions and report back to the full Panel on: a. What information does the Panel need and how can it make best use of this information to fulfil its statutory duty to scrutinise the Commissioner's performance in delivering the ambitions of the Police and Crime Plan. b. How can the Panel use performance data to inform the development of its work programme	Panel terms of reference approved by Panel on 22 July Membership: Cllr Izzy Knowles, Cllr Gareth Moore, Kristina Murphy and Cllr Jackie Taylor
22 July 2024	AGM Items	Panel Membership Election of Chair and Vice Chair Annual approval of Panel Arrangements and Rules of Procedure	

Meeting Date	Item/Topic	Aims and Objectives	Additional Information and Outcome*
7 October 2024	PCC Statement of Accounts	To note the PCC accounts and seek reassurances on the accounts and audit. To provide the Panel with useful information and context to inform its scrutiny of policing precept in February.	
7 October 2024	Draft Police and Crime Plan	The PCC to present an update on the development of the police and crime plan. The Panel will examine how the draft plan takes into account local priorities, resourcing, partnerships to fulfil the plan objectives and how delivery of priorities will be measured.	The review of the draft Police and Crime Plan is a statutory task of the Panel . The Panel will formally review the Plan at a later date and prepare a report and recommendations for the PCC to consider before finalising the Plan.
7 October 2024	PCC Update on Recent Activity	Update on recent activity including published key decisions. The Chief Constable will contribute to this item and update the Panel in the recent HMICFRS decision to remove West Midlands Police from Engage Status.	
21 October 2024 (Online)	Use of Information Sub-group	First session to examine the Police and Crime Plan performance metrics	Panel terms of reference approved by Panel on 22 July Membership: Cllr Izzy Knowles, Cllr Gareth Moore, Kristina Murphy and Cllr Jackie Taylor Following the session a report and recommendations will be prepared for the 9 December Police and Crime Panel meeting.
5 December 2024	Member Visit	Visit will include a tour of the C3 Contact Centre and briefings on Neighbourhood policing and work of the OPCC. This will provide an opportunity for members to learn more about the work of the PCC and OPCC.	
9 December 2024	Report of the Use of Information Sub-Group	Report back by the Use of Information sub-group on findings and recommendations pertaining to the Draft Police and Crime Plan metrics.	

Meeting Date	Item/Topic	Aims and Objectives	Additional Information and Outcome*
9 December 2024	Confirmation Hearing of Chief Constable	Following notification from the PCC, the Panel must hold a Confirmation Hearing to review the proposed appointment to Chief Constable and make a recommendation to the Commissioner.	This is a statutory duty of the Panel under schedule of the Police Reform and Social Act 2011
9 December 2024	PCC Activity update	To provide an update on the PCC recent activity including published key decisions.	
9 December 2024	Independent Panel Member Recruitment	To appoint a three member appointment panel to recruit to the vacant independent panel member position.	
9 December 2024	PCC Medium Term Financial Plan	To provide the Panel with useful information and context to inform its scrutiny of policing precept in February.	
20 January 2025 Sandwell	Review of draft Police & Crime Plan (Statutory Task)	The PCC to present the draft police and crime plan. The Panel will scrutinise how the draft plan takes into account the local priorities, resourcing and how delivery of priorities will be measured.	This is a statutory duty of the Panel. The panel must publish and report and recommendations for the PCC to consider
20 January 2025	Lessons learnt from violent disorder in Summer 2024	To understand the actions and activities of the Police and Crime Commissioner in the immediate response to the violent disorder in Summer 2024 and to identify any lessons learnt from a prevention, collaboration, community safety and criminal justice perspective.	
January 2025 (Date TBC)	Member briefing on police finance and budget	To provide Panel members with briefing information about police finance and the funding settlement to prepare for the statutory duty to review the proposed precept in February.	
3 February 2025	PCC Proposed Policing Precept 2025 and budget. (Statutory Task)	Formally review the proposed policing precept 2025 and make a recommendation to the PCC.	This is a statutory duty of the Panel. The Panel has the power to veto the proposed policing precept. If this happens, the PCC will present a revised precept to Panel on 19 February 2024.
3 February 2025	PCC Update on Recent Activity	To provide an update on the PCC recent activity including published key decisions.	

Meeting Date	Item/Topic	Aims and Objectives	Additional Information and Outcome*
3 February 2025	Proposed item PCC Annual Report 23/24	The panel must invite the PCC to attend a public meeting to scrutinise the annual report setting out progress on meeting the priorities of the Police and Crime Plan during the financial year and consider how the Annual report can be developed.	This is a statutory duty of the Panel. The Panel must publish a report and recommendations for the PCC to consider
17 February 2025	<i>PCC Proposed Policing Precept for 2025/26</i>	<i>Formally review the proposed and revised precept</i>	<i>Provisional meeting date – if the proposed precept was vetoed on 3 February 2025. The Panel does not have a second veto.</i>
24 March 2025	Annual report on Complaints received by the Panel	The Monitoring Officer presents an annual report on the Panel's delegated complaints handling duties.	Annual Report of the Lead Panel Officer
24 March 2025	Panel Budget and Expenditure	To consider and approve the total budget and expenditure of the West Midlands Police and Crime Panel	Annual Report of the Lead Panel Officer.
24 March 2025	PCC Update on Recent Activity	To provide an update on the PCC recent activity including published key decisions.	
24 March 2025	Item – TBC		

Menu of Options for Future Consideration

The Panel is invited to identify potential topics for future consideration. This approach enables the West Midlands Police and Crime Panel to remain flexible and respond in a timely manner to emerging issues. This is a live work programme. New items may be added, or items removed during the course of the year.

Proposed aims and objectives may also be subject to change.

Meeting Date	Item/Topic	Aims and Objectives	Additional Information and Outcome*
To be programmed	Use of Information Sub-group	Additional sessions to be scoped and timetabled in line with the agreed terms of reference	Members: Cllr Izzy Knowles, Cllr Gareth Moore, Kristina Murphy and Cllr Jackie Taylor
To be programmed	Suggested Topics for Work Programme	Items to be scoped to demonstrate aims and objective before scheduling on work programme <ul style="list-style-type: none"> Local high streets, tackling anti-social behaviour and business crime. 	Invitation to the Stop and Search Consortium to be organised.

		<ul style="list-style-type: none"> • Appropriate adults and support to those questioned by the police. • Stop and Search. • Neighbourhood Policing. • Road safety. 	
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Report to the West Midlands Police and Crime Panel**Confirmation Hearing of the Chief Constable****Date: 9 December 2024**

Report of: Tom Senior, Acting Lead for Law and Governance and Deputy Monitoring Officer, Dudley MBC - Lead Officer of the West Midlands Police and Crime Panel

Report author: Sarah Fradgley, Overview and Scrutiny Manager, Birmingham City Council

Email: sarah.fradgley@birmingham.gov.uk

Phone: 01213031727

1 Purpose

- 1.1 Under the Police Reform and Social Responsibility Act 2011 (“the Act”) [Schedule 8](#), the Police and Crime Commissioner has given notification to the West Midlands Police and Crime Panel of the proposed re-appointment of Mr Craig Guildford QPM VR DL as Chief Constable of West Midlands Police.
- 1.2 This report sets out the process for conducting a confirmation hearing and the information necessary to enable the Panel to review the proposed appointment and make a report to the Police and Crime Commissioner upon it, including a recommendation as to whether or not the candidate should be appointed.

2 Recommendations**2.1 That the Panel:**

- i. **Note the confirmation hearing process set out in this report;**
- ii. **Undertake a confirmation hearing for the post of Chief Constable;**
- iii. **Consider the information provided by the Police and Crime Commissioner regarding the proposed appointment, and the preferred candidate during this confirmation hearing; and**
- iv. **Agree that a report incorporating the Police and Crime Panel’s recommendation on the appointment be submitted to the Police and Crime Commissioner.**

3 Background

- 3.1 The Police and Reform and Social Responsibility Act 2011 requires the police and crime panels to conduct confirmation hearings and make recommendations for specific senior appointments, including chief constable.
- 3.2 On 11 November 2024 the Police and Crime Commissioner wrote to formally notify the Panel of his proposal to re-appoint Mr Guildford QPM VR DL to the position of Chief Constable for West Midlands Police, following the intended retirement of Chief Constable Guildford, in accordance with the national Retire and Re-join scheme.
- 3.3 The Police Reform and Social Responsibility Act 2011 makes no distinction between the new appointment of a chief constable, and a re-appointment, requiring a transparent and open process in either case, of which a confirmation hearing is a key part.
- 3.4 The confirmation hearing is a meeting of the panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment. The line of questioning is to determine whether the candidate has the necessary professional competence and personal independence to carry out the role.
- 3.5 The Panel will arrive at a conclusion on the proposed candidate during a closed session following the hearing, and then publish a report to the Police and Crime Commissioner with a recommendation as to whether or not the candidate should be appointed.
- 3.6 Police and Crime Panels have power to veto chief constable appointments. In the event of the Panel exercising the power of veto the Police and Crime Commissioner must not appoint the candidate.

4 Notification by the Police and Crime Commissioner

- 4.1 Under the [Schedule 8 \(3\) of the Act](#), the Police and Crime Commissioner must provide the Panel with the following information:
 - i. The name of the person they are proposing to appoint;
 - ii. The criteria used to assess the suitability of the candidate for the appointment;
 - iii. Why the candidate satisfied those criteria; and
 - iv. The terms and conditions on which the candidate is to be appointed.
- 4.2 The appendices A-C to this report set out the information provided by the Police and Crime Commissioner in relation to the requirements set out in 4.1. The information includes formal notification from the Police and Crime Commissioner, a report from the Office of the Police and Crime Commissioner, and assessment and selection criteria information presented to the Panel in 2022 in relation to the original appointment of Mr Guildford as Chief Constable.

- 4.3 To provide further details on the retirement and re-joiner policy, Appendix D sets out the National Police Chief Councils Advice Note 8 - Retirement and Re-joiner Guidance.

5 The Police and Crime Panel's Role

- 5.1 Under the terms of the Act, the Panel must:
- i. Review the proposed appointment
 - ii. Make a report to the Police and Crime Commissioner on the proposed appointment
 - iii. Include within the report a recommendation as to whether or not the candidate should be appointed (subject to the panel exercising its power of veto)
 - iv. Publish its report in a manner of its own determination.
 - v. In respect of chief constable appointments, the Panel has the additional power to veto the appointment of the candidate subject to a minimum number of members making that decision. See paragraph 8 below.
 - vi. The Panel must conclude this process and report back to the Police and Crime Commissioner within three-weeks of receiving the Commissioner's formal notification.

6 The Confirmation Hearing

- 6.1 A "confirmation hearing" is a meeting of the panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment.
- 6.2 [The Policing and Fire Governance guidance for Police and Crime Panels](#) document advises that members' questions to the candidate concern primarily the "professional competence" of the candidate and their "personal independence". The College of Policing has set out a role profile of chief constables: <https://profdev.college.police.uk/professional-profile/chief-constable/>. Personal independence is defined in the Police and Crime Panel Guidance as a candidate's ability to act in a manner that is operationally independent of the Police and Crime Commissioner.
- 6.3 Following the hearing, the panel will hold a closed private session to deliberate and formulate its recommendation and content of the report to the Police and Crime Commissioner.

7 The Decision-Making Process

- 7.1 Following the completion of questioning and points of clarification, the Panel will go into closed session to take its decision.
- 7.2 The panel has three principal options, as follows:

- i. To endorse the candidate's appointment,
- ii. To recommend that the candidate should not be appointed or
- iii. To use its power of veto.

7.3 The panel must prepare a report for the Police and Crime Commissioner and include a recommendation as to whether or not the candidate should be appointed.

7.4 In the event that the Panel determines that the candidate may not meet the requirements for the post, the Panel may provide advice and recommendations to the Police and Crime Commissioner in its report.

7.5 If the Panel determines that the candidate does not meet the standards required in the role profile it can use the veto.

8 Power of Veto

8.1 Having reviewed the proposed appointment at the confirmation hearing, if the Panel determines that the candidate does not meet the standards required for the role, it has the power to veto the appointment of the candidate and decide that the candidate should not be appointed.

8.2 A veto decision can only be made if at least two-thirds of the persons who are members of the panel at the time when the decision is made vote in favour of making that decision. In the West Midlands this would require 10 or more members, based on the current membership of 15. It is envisaged that the veto would only be used in exceptional situations.

8.3 If the Panel vetoes the appointment of a candidate, the Police and Crime Commissioner must not appoint that candidate as chief constable.

9 Reporting the Panel's recommendation

9.1 The Panel Chair will write to the Police and Crime Commissioner on the next working day following the confirmation hearing with the Panel's decision and recommendations.

9.2 The candidate will also be sent a copy of the letter.

9.3 The Panel will wait five working days before it publishes any information about its recommendations unless it is agreed with the Police and Crime Commissioner that this information can be released at an earlier stage.

9.4 The report will be published on the [Panel's website](#).

9.5 The Police and Crime Commissioner must notify the Panel of his decision whether to accept or reject the recommendation.

10 Finance Implications

- 10.1 There are no financial implications for the Police and Crime Panel arising from these recommendations. The administration of the Panel, including conducting a confirmation hearing meeting, is met from a Home Office grant.

11 Legal Implications

- 11.1 The Police and Crime Panel has a statutory responsibility under the [Police Reform and Social Responsibility Act 2011](#) to conduct confirmation hearings for senior appointments made by the Police and Crime Commissioner

12 Equalities Implications

- 12.1 The Panel should ensure that it has due regard to its Public Sector Equality Duty under the Equality Act (2010) while carrying out the confirmation hearing and making its recommendation to the Police and Crime Commissioner i.e. the need to:
- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2 The protected characteristics and groups outlined in the Equality Act are Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.

13 Background Information

- 13.1 [Police Reform and Social Responsibility Act 2011 Schedule 8](#)
- 13.2 [LGA/Centre for Governance and Scrutiny Guidance for Police and Crime Panels on confirmation hearings](#)
- 13.3 [Home Office Police Regulations Police and Crime Panels – Scrutiny of Chief Constable Appointments](#)
- 13.4 [College of Policing - Chief Constable Role Profile](#)

14 Appendices

- 14.1 Appendix A – Report by the Office of the West Midlands Police and Crime Commissioner - Proposed PCC appointment to the position of Chief Constable of West Midlands Police
- 14.2 Appendix B - Notification from Simon Foster, Police and Crime Commissioner 11 November 2024.

- 14.3 Appendix C – Assessment information presented by the PCC to the Panel to support the original appointment in 2022
- 14.4 Appendix D - National Police Chief Councils Advice Note 8 - Retirement and Re-joiner Guidance July 2022

Report by the Office of the West Midlands Police and Crime Commissioner - Proposed PCC appointment to the position of Chief Constable of West Midlands Police

Proposed re-appointment to the position of Chief Constable for West Midlands Police

1.0 Introduction

- 1.1 This report sets out the proposal by West Midlands Police & Crime Commissioner (PCC) for the re-appointment to the position of Chief Constable for West Midlands Police.

2.0 Background to the Re-appointment

- 2.1 In September 2024, Chief Constable Craig Guildford formally requested of the PCC that he be permitted to participate in the Retire and Rejoin Scheme.
- 2.2 In accordance with the provisions set out in the Police Regulations 2003 and updated guidance from the National Police Chiefs' Council (NPCC), Association of Police & Crime Commissioners (APCC) and College of Policing, the scheme is open to all police officers in England and Wales and is designed to retain skills, knowledge and experience within the police service at all ranks of policing.
- 2.3 The scheme allows for any police officer [including a Chief Constable] to formally resign as an officer before being re-appointed into the same rank. This process also requires a break in service of at least a calendar month to ensure that pension entitlement can be abated without any impact on entitlement to lump sum payments or monthly payments.
- 2.4 It is recognised that the current pension scheme for police officers can result in a detrimental financial impact for senior officers where they have exceeded their lifetime contributions to the scheme. When this point has been reached, continuing to make payments has no benefit to the individual nor their pension entitlement post-retirement.
- 2.5 The Retire and Re-join Scheme is a useful tool to encourage chief officers to stay longer in post. This position is supported by national bodies, including the NPCC, APCC, College of Policing and the Chief Police Officers' Staff Association.
- 2.6 The PCC considers it to be in the best interests of West Midlands Police to retain the services of a proven leader with considerable calibre and experience, for the benefit of leading the Force and delivering the highest possible policing services to the communities of the West Midlands, by enabling the Chief Constable to retire and rejoin the Force [through the scheme] on a fixed-term contract for a further period to expire on 16 December 2028.

3.0 The Proposed Appointment

- 3.1 It is proposed that, subject to the confirmation of the West Midlands Police & Crime Panel, the new appointment period will commence on 16 December 2024 and will run until 16 December 2028.
- 3.2 Under the provisions of the Home Secretary's determinations of the Police Regulations 2003, a job advert for the role is not required in this instance because the PCC will be appointing the Chief Constable for a further fixed term which, when cumulatively added to the Chief Constable's first term of appointment, will not exceed seven years in total.
- 3.3 It is a requirement of the legislation for every police force area in England and Wales to have a Chief Constable in post at any given time. West Midlands Police appointed an Acting Chief Constable, and the Deputy Chief Constable became acting Chief Constable for the period 15 November 2024 to 15 December 2024 inclusive, pursuant to Section 41 of the Police Reform and Social Responsibility Act 2011.

4.0 Recommendation

- 4.1 The West Midlands Police & Crime Panel is requested to review and commend the proposed re-appointment of Craig Guildford QPM VR DL as Chief Constable for the West Midlands Police on a fixed-term contract until 16 December 2028.

Jonathan Jardine
Chief Executive & Monitoring Officer
Office of the West Midlands Police & Crime Commissioner

Please ask for: Jonathan Jardine
Telephone Number: 0121 626 6060
wmpcc@west-midlands.police.uk



Sent by email to:
Councillor Jaspal, Chair,
West Midlands Police and Crime Panel
WMPCP@birmingham.gov.uk

11 November 2024

Dear Councillor Jaspal,

Re: Proposed Retirement and Re-join: Chief Constable for West Midlands Police.

I am writing ahead of the West Midlands Police and Crime Panel meeting on 9 December 2024, to formally notify you of my proposed re-appointment to the position of Chief Constable for West Midlands Police, following the intended retirement of Chief Constable Guildford. I am recommending the re-appointment of Mr Craig Guildford QPM VR DL to the position of Chief Constable, in accordance with the national Retire and Re-join scheme.

I consider it to be in the best interests of West Midlands Police to retain the services of a proven leader with experience, integrity and professionalism, who is committed to delivering an effective and efficient policing service to the people and communities of the West Midlands.

The criteria used to assess the suitability of the candidate for the appointment and how the candidate satisfies those criteria have not changed from the information that was previously provided to the Panel to support the original appointment in December 2022. This information will be included within the report to the Police and Crime Panel.

Chief Constable Guildford will retire on 15 November 2024 and it is proposed that, subject to the confirmation of West Midlands Police and Crime Panel, Mr Guildford will be re-appointed as Chief Constable of West Midlands Police on 16 December 2024, pursuant to an extended fixed term contract, on the same terms and conditions as now and with his pension abated.

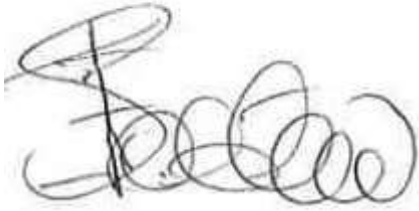
The new term of appointment would commence on 16 December 2024 and would cease on 16 December 2028, to ensure that the overall term in post does not exceed the mandated 7 years. His salary will be in line with the chief officer pay structure for England and Wales.

Please kindly share the invitation and arrangements for the confirmation hearing with me, alongside the principles of professional competence and personal independence that Mr Guildford will be evaluated against during the Panel meeting and I will ensure that these are passed to him for his information.

If you require any further information or have any questions, please do not hesitate to contact me.

I look forward to hearing from you.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Simon Foster', with a stylized, cursive script.

Simon Foster

Police and Crime Commissioner for the West Midlands

**WEST MIDLANDS POLICE
AND CRIME COMMISSIONER**

NOTICE OF DECISION

017/2022

Contact Officer: Andrea Gabbitas

Telephone Number: 0121 626 6060

Email: andrea.gabbitas@westmidlands.police.uk

Title: Proposed Appointment of Chief Constable

EXECUTIVE SUMMARY

Following the recent recruitment and selection process, to appoint a preferred candidate for the post of Chief Constable for the West Midlands.

DECISION

1. That Mr Craig Guildford be appointed as the preferred candidate for the post of Chief Constable for the West Midlands.
 2. Notice be provided to West Midlands Police and Crime Panel of this decision, in order that a confirmation hearing can be arranged in accordance with the requirements of the Police Reform and Social Responsibility Act 2011.
-

West Midlands Police and Crime Commissioner

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the West Midlands Office for Policing and Crime. Any interests are indicated below.

Signature



Date 06.07.2022

NON-CONFIDENTIAL FACTS AND ADVICE TO THE POLICE AND CRIME COMMISSIONER

INTRODUCTION AND BACKGROUND

1. The Police Reform and Social Responsibility Act 2011 (“the Act”) provides, pursuant to section 38, that a police and crime commissioner must appoint a person to be the Chief Constable of the police force for the area.
2. The current Chief Constable, Sir David Thompson, will retire from the Force on or before 17 January 2023. In order to identify a suitable new Chief Constable, a recruitment and selection process has been undertaken. At the conclusion of the recruitment and selection process, Craig Guildford was identified as the preferred candidate for the post.
3. The appointment of the preferred candidate for the post of Chief Constable must be notified to the Police and Crime Panel for the area. The Panel must then review the proposed appointment and submit a report to the Commissioner with a recommendation as to whether or not the candidate should be appointed. The Panel may also veto the appointment, but is required to have a majority of two thirds of its total membership in order to do so.

Scrutiny of senior appointments by the police and crime panel

4. In accordance with the provisions of the Act, a report shall be provided to the Police and Crime Panel (“the Panel”) which will include:
 - the name of the person proposed for appointment;
 - the criteria used to assess the suitability of the candidate for the appointment;
 - why the candidate satisfies those criteria; and
 - the terms and conditions on which the candidate is to be appointed.

The Commissioner’s report will be published by the Panel. The Panel may request further information.

It is anticipated that the Panel will consider the proposed appointment at its meeting on 25 July 2022.

5. Criteria used to assess the suitability of candidates

On 14 March 2022, a report was presented to the Police and Crime Panel providing details of the proposed appointment of the new Chief Constable. This included details about the interview panel, the stakeholder panels and the plans to attract a strong field of candidates. Further detailed information about the recruitment process will be set out in the report from the Independent Member of the interview panel, which will be presented to the Police and Crime Panel on 25 July 2022.

With regard to the criteria used to assess candidates, the assessment criteria were based on the Police Competencies and Values Framework (“CVF”), which is the national

framework in place for all police officers. The CVF sets out the competencies and values expected of all police officers, and is divided into levels of seniority.

Candidates were assessed at shortlisting stage, against the following five criteria. Below each criteria is an indication of the section of the CVF being assessed:

- i) **Operational and senior leadership experience:** Wide ranging operational law enforcement experience and a demonstrable track record of successful experience working at a strategic level, including the leadership of law enforcement officers and staff at senior leadership level. Up to date operational/technical policing knowledge. Knowledge and experience leading policing in a large urban area. Extensive experience of managing large and complex budgets to deliver effective management of public funds and operating within a corporate governance framework. *(CVF assessment – Intelligent, Creative and Informed Policing)*
- ii) **Strategic vision and planning:** Skilled in leading, developing and inspiring people, engaging the organisation with strategic priorities and the development of ambitious vision, strategy and policy, aligned to operational realities and wider plans/goals. Knowledge of developing legal, political, economic, social, technological, and environmental factors and an understanding of the implications for strategic planning. Knowledge of relevant local, regional and national policies, strategies and initiatives and an understanding of the implications within the policing context. Ability to create, lead and deliver change. *(CVF assessment – Inclusive, Enabling and Visionary Leadership – deliver, support and inspire)*
- iii) **Working in partnership:** Experience of successfully engaging with, listening to, working with and influencing multi-agency partnerships; successfully engaging and leading partnerships with communities and with partner organisations. *(CVF assessment – Inclusive, Enabling and Visionary Leadership – collaborate)*
- iv) **Leading a diverse workforce and engaging with diverse communities:** a deep understanding and a demonstrable personal commitment to diversity and inclusion. *(CVF assessment – testing the values of impartiality and integrity and transparency)*
- v) **Communication and leadership skills:** persuasive written and verbal skills. Skilled in leading, developing and inspiring people. *(CVF assessment – Intelligent, Creative and Informed Policing)*

An Assessment Centre took place on 21 – 22 June 2022. On 21 June each candidate met with 3 stakeholder panels:

- Young People
- Community
- Staff Association and Trade Unions

Candidates were required to make a 10-minute presentation to each Stakeholder Panel on 'What is your vision for the future of West Midlands Police?'. Each of the Panels then prepared a report which was submitted to the Interview Panel, highlighting particular strengths for each candidate, and also highlighting areas for further questioning or consideration.

At interview stage, a semi-structured interview format was used, and each candidate was asked a series of questions designed to test the CVF competencies.

Preferred Candidate

At the conclusion of the Assessment Centre the Interview Panel identified Craig Guildford as the preferred candidate. Craig Guildford has an extensive track record of high performance as a chief police officer, most recently as Chief Constable of Nottinghamshire Police. The Interview Panel was assured that he demonstrated all the competencies and values required in order to be appointed as Chief Constable for the West Midlands Police.

6. Terms and conditions of employment

TENURE: This is a full-time position, and will be offered on a 5 year fixed term contract. The term of office for chief constables is governed by the Police Regulations 2003 and determinations by the Home Secretary. This term may then be extended by the PCC by up to three years. There is no requirement to seek Home Secretary approval for such extensions. Extensions do not require confirmatory hearings by West Midlands Police and Crime Panel.

SALARY: £204 372, subject to 2022 pay increase. Chief constable salaries are set by the Secretary of State under regulation 24 of the Police Regulations 2003 (S.I. 2003/527).

1. INTRODUCTION

This report has been prepared to provide information on the process for the appointment of Chief Constable for West Midlands Police.

Home Office circular 13/2018 outlines that it is for the Police and Crime Commissioner (PCC) to decide how they wish to run their recruitment process and which candidate they wish to appoint. The PCC should involve an Independent Member during assessment, short listing and interviewing of candidates for Chief Constable positions.

This report is the Independent Member's report relating to the appointment process for the West Midlands Police whose PCC is Simon Foster.

2. BACKGROUND

West Midlands Police is the second largest police force in the country, covering an area of 348 square miles and serving a population of almost 2.8m people. The Force sits at the very heart of the country and covers the three major cities of Birmingham, Coventry, and Wolverhampton. It also includes the busy and thriving districts of Sandwell, Walsall, Solihull, and Dudley. Leisure, retail, and conference amenities, sprawling canal networks, together with Premiership and Championship football teams attract millions of visitors annually. Most of the area is densely populated with some rural areas.

Sir David Thompson QPM DL will be leaving West Midlands Police on or before 17th January 2023 and he has served as Chief Constable in the West Midlands, since 2016, during a period of great change. The recruitment of a Chief Constable, with local and national standing, is imperative and is one of the most complex jobs in UK policing.

Section 38 of the Police Reform and Social Responsibility Act 2011, provides that a Police and Crime Commissioner is responsible for appointing the Chief Constable for their police force area. The responsibilities of the Commissioner in relation to the appointment are further explained in Home Office Circular 13/2018 - Selection and Recruitment of Chief Officers.

3. INDEPENDENT MEMBERS STATEMENT – KARL GEORGE MBE

It is recommended that the Police and Crime Panel consider the Commissioner's preferred candidate, Craig Guilford, for the role of Chief Constable, at the Confirmation Hearing on the 25th July 2022.

The recruitment process was well planned and commenced very early, in fact it was in January 2022 to provide all available and eligible candidates good notice of the vacancy. As part of the advance planning process, advisory meetings were held with experts such as Think Tanks, former PCCs and the Chair of the National Police Chief Council. These assisted with the shaping and planning of the recruitment process at the very initial stages. Also,

throughout the process, the advice and endorsement we sought from the College of Policing played a pivotal role.

My role as Independent Member included ensuring that the entire recruitment exercise was open, fair and a transparent process in order to attract a strong and diverse field of applicants, and that the appointment made was based on merit.

Having observed and contributed to the recruitment of the Chief Constable, I can confirm this to be the case. I was satisfied that all regulatory procedures were followed and was assured by the support from the College of Policing, the Policing Advisor, and the Monitoring Officer, who all responded to my requests and provided me with the required assurance.

The Panel was competent, diverse and experienced and were all explicit in agreement, including the Observer from the Police and Crime Commission and the Policing Advisor that:

- ☐ The process was open, fair and transparent
- ☐ The Monitoring Officer had carried out their role effectively
- ☐ The resources, timing of meetings and training were sufficient for the Panel to carry out its role effectively
- ☐ The Chair carried out the process professionally and competently and was clear and succinct with each candidate
- ☐ The Chair, when carrying out the interview, had a consistent approach for each candidate and he then utilised the scores of the Panel to come to a final decision on the preferred candidate

4. THE PROCESS

The Commissioner personally wrote to every Police Officer in the UK, who was eligible to apply, to inform them of the forthcoming process, including an offer to have informal confidential discussions with potential candidates. This was done in January 2022 in advance of the start of the formal process which was scheduled to commence in April 2022.

Also, on the 31st January 2022, contact was made (by letter) with 116 community stakeholders who were invited to express their interest in being part of the Stakeholder Panel. Thirty people applied and shortlisting was undertaken by the PCC, Chief Executive and Head of Business Services, following which 12 people were appointed to sit on the Stakeholder Panel.

On 14th March 2022 an update report was presented to Police and Crime Panel and an invitation was extended for a representative of the Panel to observe the recruitment process. On 30th March 2022 the draft role profile and application pack was circulated to all stakeholders and the Police and Crime Panel for consultation with a 2-week closing date.

In the meantime, a consultation meeting was held with representatives from staff associations and trade unions. There was a discussion about the planned recruitment and consultation on the draft role profile and application pack.

During April 2022, the advert was placed widely across the UK, and information distributed across the police network, making use of platforms such as Police Now, College of Policing, and the Chief Constable Network.

In addition to the general advert aimed at inviting every eligible individual in the UK to apply for the role, positive actions were actively undertaken to attract candidates from a diverse background. These actions included directly approaching two potential non-white applicants and two female potential applicants.

Open to all applicants, a familiarisation day was held prior to the formal closing application date of 27th May. This was jointly hosted by the West Midlands Police and the PCC.

It should be noted that, at this point, all prospective candidates were given an open offer from the PCC and the Chief Executives to have an informal briefing to discuss any matters of concern prior to the formal process being initiated.

All recruitment materials were designed with the aim of demonstrating that this process was open, fair and transparent.

Training was provided for all Panel members on 1st June 2022, and although this was not mandatory, all members of the Panel agreed it was an important part of the process.

The training session, led by the College of Policing, focused on:

- ☐ The competency matrix
- ☐ The competency and values framework
- ☐ Unconscious bias
- ☐ The ORCE model of assessment (Observe and Record, Classify and Evaluate)
- ☐ Rating scales
- ☐ Barriers to effective recruiting

This ensured that there was a collective understanding of the process, and the Panel knew how to effectively challenge and test the candidates.

Together with the training, there was a planning and shortlisting meeting where the expertise of the trainer and the Policing Adviser was utilised extensively. The shortlisting was completed against the agreed appointment criteria, and we were therefore able to assess which candidates most closely met the appointment criteria.

The process had originally identified four applicants for shortlisting by the panel who considered whether the diversity of the applicants and number of applicants was reasonable. The decision to go forward was based on the restricted pool of candidates and the Panel were satisfied, having reviewed the potential pool, that one person from a diverse background and one female, was an acceptable and positive result. It is unfortunate that one applicant decided not to continue with the process for personal reasons unrelated to the process, which resulted in three candidates for interview. All three candidates that applied were assessed as meeting the appointment criteria at shortlisting and therefore they progressed to the next stage.

The candidates took part in three Stakeholder Panels before the final interview, and the results of the Stakeholder Panels were made available to the Interview Panel in advance of the interviews, with summarised written reports on each candidate.

One Panel was made up of young people, and the second Panel made up of representatives from community and the other partner organisations. The third Stakeholder Panel was added to the process because of a request made by the police staff associations and trade unions during a consultation meeting on 7th April 2022. The Panels were set up to assess the ability of each candidate to engage with communities and to work in partnership and were chaired by the Assistant PCCs.

In order to emphasise the importance of holding these Stakeholder Panels to the overall process and, additionally to give the PCC assurance over their practice, the PPC attended all three sessions.

Interviews took place on 22nd June 2022 for all three candidates and all members of the Panel agreed with who the preferred candidate was having based scoring on the range of questions that were answered by each candidate at the interview. All candidates were asked to wear uniform in order to mitigate any unconscious biases based on their appearance. Great care was undertaken in order to ensure that each candidate had the same interview experience in terms of welcome, length of interview, time to respond to the questions, opportunity to ask questions and closing comments.

Each candidate was asked the same six questions and one individual question that the Panel had agreed on as a result of considering the feedback from Stakeholder groups. In carrying out the assessment, each Panel member was provided with a pack of information which included the application form of each candidate, a scoring matrix with assessment marking sheets, the role profile and the competency and values framework. After each interview there was a 30-minute break for each Panel Member to score the candidate which was completed after feedback from the Policing Advisor. Following all three interviews, scoring was carried out for each candidate which was then collected by the Monitoring Officer and each Panel member was allowed to contribute their views on the scoring. The scores were collated and provided resulted in the identification of the preferred candidate.

5. AREAS OF RESPONSIBILITY

Policing Adviser – Dame Lynne Owens (see Appendix C) was appointed as the Policing Adviser for the Panel and provided technical advice to the Interview Panel and to the Commissioner. The Policing Adviser assisted with advice at each stage of the recruitment.

Interview Panel – This was made up of the Commissioner, the Victims Commissioner, an Independent Member and two representatives from community groups/partner organisations, supported by the Policing Adviser and the Monitoring Officer. A member of the Police and Crime Panel was invited to attend as an Observer. It is important to highlight that a key attribute of the interview panel was its diversity and representativeness. In order to help ensure this, all interview panel members were remunerated to ensure no-one was excluded from participation by virtue of their financial status.

The Appointment Panel's role was set out in the College of Policing's Guidance for appointing chief officers. This set out that the PCC should convene the appointment panel before any stage of the appointment process takes place (e.g. sifting applications). The PCC can consider involving panel members in defining the role requirements and I was appointed as Independent Panel Member after an interview process and prior to the Chief Constable advert being placed. Whilst the PCC did not engage me in defining the role requirements, I can confirm that they were defined in line with the College of Policing's Police Professional Profiles.

The Panel

- ☐ Simon Foster, West Midlands Police and Crime Commissioner
- ☐ Nicky Brennan, West Midlands Victims Commissioner
- ☐ Karl George MBE, Independent Member (see Appendix B)
- ☐ Sarah Chand, Director for Probation Service, West Midlands Region
- ☐ Kamran Hussain, Chief Executive, Green Lane Mosque
- ☐ Jonathan Jardine, Monitoring Officer, Chief Executive Officer, OPCC
- ☐ Suky Samra, Observer, Police and Crime Panel Chair

Independent Member – The Interview Panel must include an Independent Member and the Independent Member of this Panel was independent of the Commissioner and West Midlands Police. The role of the Independent Member was to ensure the selection and appointment process was conducted fairly and openly, and that the successful candidate was selected on merit. The Independent Member was selected as part of an open recruitment process and needed to have high levels of knowledge and understanding of the need to ensure fairness, integrity and equality throughout a recruitment process. I was an active member of the Interview Panel, participating throughout the selection process and engaged with the Panel members in order to produce this written report.

Monitoring Officer - The Monitoring Officer's role was to ensure the process was administered effectively, that interviews kept to time and each candidate was given the same amount of time and treated fairly and equitably.

The Police and Crime Panel - The role of the Police and Crime Panel in a Chief Constable recruitment process is set out at PRSRA 2011, Schedule 8, and in the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012.

Police and Crime Panel Confirmation Hearing - The Independent Member of the Interview Panel was to submit a report to the PCP, outlining their view on whether the recruitment was a fair and open process, and the appointment was based on merit.

6. FINAL NOTES

There is now subsequent routine and ongoing engagement with the outgoing Chief Constable taking place in order to ensure there has been, and continues to be, appropriate planning for transition.

Following the completion of the recruitment process, the group's gratitude to being included in the recruitment process was duly noted at a Trade Union and Staff Association meeting with the PCC.

Appendix A: Independent Member Role Profile

Home Office Circular 13/2018 states that at least one member of the appointment panel should be an Independent Member. It is important that the Independent Member is suitably experienced in selection and assessment practices, so they can determine the extent to which the appointment process is conducted in line with the principles of merit, fairness and openness.

The role as set out in College of Policing Guidance for Appointing Chief Officers requires the independent member to:

- ☐ Be suitably experienced and competent in assessment and selection practices
- ☐ Undertake appropriate briefing/assessor training
- ☐ Be aware and have an understanding of the needs and interests of the recruiting force and local community
- ☐ In collaboration with the PCC and other panel members, shortlist and assess applicants against the agreed appointment criteria and consider which candidate most closely meets the appointment criteria
- ☐ Produce a written report on the appointment process, to be submitted to the PCP at the same time as the name of the preferred appointee, expressly and explicitly addressing the appointment principles of merit, fairness and openness and the extent to which the panel was able to fulfil its purpose (eg to challenge and test that the candidate meets the necessary requirements to perform the role).

Appendix B: Role Profile: Karl George

Karl George MBE is a thought leader and internationally established consultant in governance. He has designed, facilitated and been part of many recruitment campaigns for non-executive board members and C-Suite appointments in the private and public sector. He received a Community Award from West Midlands Police Authority for organising a community wide response and Peace March in the light of civil unrest in 2011 and more recently has supported Police and Crime Commissioner Organisations to adopt the RACE Equality Code.

Karl is a visiting professor and has an honorary doctorate, is an established author and conference speaker. He is a Partner and Head of Governance at the leading professional services firm RSM. Creator of the tgf Governance Code, The RACE Equality Code and the Effective Board Member Programmes. He works with boards and senior executives in the private, public and voluntary sectors and has over twenty-five years' combined experience in accountancy, business and strategic development. Karl a qualified accountant and Fellow of the global international body for governance practitioners ICSA: The Chartered Governance Institute (CGI). He has developed a unique governance framework and quality mark that was endorsed by the late Sir Adrian Cadbury.

Karl has held several board positions across a number of sectors over the last two decades and is a current board member of the Greater Birmingham Chambers of Commerce and Chair of the West Midlands Branch CGI

Examples of Karl's experience includes:

- ❑ Developed the RACE Equality Code which has been adopted across the private, public and voluntary sector and recognised in various other codes, membership bodies and regulators as innovative and unique solution for tackling ethnic underrepresentation of boards and senior leaders.
- ❑ Across nine countries in the Middle East and Caribbean, Karl has worked with a number of organisations including banks, national investment authorities, government departments, airlines, oil companies – working directly with the boards.
- ❑ Karl led a national government initiative which helped to develop capacity for large Islamic organisations specifically around the area of governance which was delivered to over 100 mosques.
- ❑ He has designed and resourced an accredited governance training programme tackling diversity – the Effective Board Member Programmes that are delivered in 11 countries and have over 1000 graduates.

Appendix C: Role Profile: Lynne Owens

Dame Lynne Owens DCB CBE QPM

Lynne has enjoyed a 32 year career in policing and national security culminating in her leadership of the National Crime Agency, one of the two most senior roles in UK policing. With a statutory responsibility to lead the UK's fight to cut serious and organised crime Lynne not only developed and grew this new organisation into a world-renowned law enforcement body but she also influenced the whole system, galvanising it to counter the threats. As a member of the UK's national security community, she has worked closely with Government and represented the UK internationally as the principal law enforcement officer on the Five Eyes Law Enforcement Group. She has worked closely alongside the National Cyber Security Centre on matters such as cyber security and prior to this post Lynne held senior roles in policing including as Chief Constable of Surrey Police and Assistant Commissioner in the Metropolitan Police Service.

In December 2020, Lynne was appointed Dame Commander of the Order of the Bath.

Biography - Craig Guildford



Craig Guildford's policing career began when he joined Cheshire Constabulary as a Police Constable in 1994 after completing his first degree at the University of Derby. He had previously served as a volunteer Special Constable with the same Force since 1992 and comes from a policing family.

After 18 months service he went into the Criminal Investigation Department (CID) and worked in a number of proactive and re-active crime units across the Constabulary where he was extensively commended.

In 2000, he was seconded to the National Crime Squad in Manchester where he worked in intelligence and targeted operations as a Detective Constable and Detective Sergeant.

On returning to Cheshire Constabulary, Craig gained a place on the High Potential Development Scheme, working in homicide, response and various BCU, operational, crime and corporate roles across the force at Inspector, Chief Inspector and Superintendent ranks. He led a team to successfully settle a complex PFI contract on behalf of the Police Authority to the benefit of the public purse. He received a Chief Constable's Commendation for his leadership whilst simultaneously leading centralised custody and prosecuting a highly sensitive criminal investigation involving a serving senior IPCC Investigator.

As Superintendent for Citizen Focus at Cheshire Police, he implemented customer service desks across the Force which saw Cheshire rise from 43rd to first for overall satisfaction in less than two years.

Craig was appointed as Assistant Chief Constable (Specialist Operations and CT Commander) with West Yorkshire Police in 2012. He also led the force change team in responding to the Austerity challenge. He joined Gwent Police as Deputy Chief Constable in 2014 where he successfully transformed the force in moving out of HMIC engagement in six months. This saw the force move from Requiring Improvement to Good in all areas. Craig also led the All Wales Schools Liaison Programme with the Welsh Government.

Craig joined Nottinghamshire Police as Chief Constable in February 2017 and, since joining the Force, has delivered a myriad of developments including Operation Uplift a year early

with the most diverse proportion of officers nationally, the first PCDA, a widening access programme, Special to Regular and a Military entry route with the College of Policing. He was awarded an Honorary Doctorate in 2021 for his services to policing.

He has worked with highly engaged staff to deliver sustained improvements in public confidence whilst rebuilding neighbourhood policing, reducing acquisitive crime, knife crime and homicide. He implemented knife crime teams, burglary teams and a dedicated neighbourhood Operation Reacher Programme which was acclaimed by Oxbridge academics. The force has seen record numbers of firearms recoveries and prosecuted its highest ever number of drug dealers under his tenure. He has recently led the joint Police and Fire Headquarters transition.

Craig remains a Specialist Firearms and Public Order Commander and Assessor. Nationally he is a co-director of the Senior Police National Assessment Centre and leads on Examinations. He leads the NPCC Professional Standards and Ethics portfolio where he has worked across the sector with stakeholders and Government to change Regulations and create a greater learning culture. He also sits on and advises jurisdictions on a number of police disciplinary matters whilst retaining several Chief Police Officer Staff Association cases in support of his colleagues.

He was awarded the Queens Police Medal for exceptional service in 2020 and he is a serving Deputy Lieutenant in Nottinghamshire. For the past 25 years Craig has worked as a volunteer with young offenders.



National Reward Team **Advice Note 8 - Retirement and Re-joiner Guidance** **5th July 2022**

Introduction

This Advice Note is issued jointly by the National Reward Team and the NPCC Pensions Team. It provides guidance that will assist forces in formulating a policy to re-engage officers after retirement.

This Advice Note:

- Provides forces with appropriate guidance to develop a Retirement and Re-joiner Policy.
- Assists and enables forces in England & Wales to retain experienced officers in a wide range of roles to support Uplift, to provide resilience, mentoring and coaching at a time when there are high numbers of officers with limited operational policing experience, where they identify a need to do so.
- Recognises the changes to the Compulsory Retirement Age (CRA) for police officers from 1st April 2022 and supports the government's objectives of achieving longer working lives, whilst removing the financial dis-incentive that may encourage officers who would ordinarily wish to continue working in the police to leave service for reason associated with pension benefit changes.
- Provides the opportunity to address the issue raised by staff associations around the interaction of legacy (1987 and 2006) Scheme benefits and access to reformed 2015 Scheme benefits where legacy benefits are accessed before age 55, referred to by them as 'the pensions trap'.

It is a matter for the Chief Constable whether to adopt and follow this guidance. The approach set out in the guidance has been endorsed by the staff associations and has been shared with Home Office.

Forces should now review their own relevant policy documents and procedures to ensure that reflect current legislation and practice are followed.

This guidance can be applied in all forces and has been shared with staff associations to ensure consistency of understanding and application across forces.

If you have any questions on this advice note please contact the National Reward Team via enquiries.nationalrewardteam@thamesvalley.pnn.police.uk

Retirement and Re-joiner Guidance (5th July 2022)

1. Background

- 1.1.** Many forces already operate a re-joiner arrangement which does not require any specific authority and can be achieved within existing Police Regulations and Pension Scheme Regulations. This guidance sets out how to extend these arrangements using existing Regulations and reflects changes to pension provision since April 2022.
- 1.2.** This Retirement and Re-joiner guidance is not intended further to enhance the benefits available under the 1987 and 2006 Police Pension Schemes, which are among the best in the Public Sector. Nor is it intended to increase the cost to forces or to the Home Office of providing pensions and policing services. Unless there are exceptional circumstances, ordinarily pensions should be fully abated where a member leaves and re-joins, so they will not receive both pay for the role and pension accrued.
- 1.3.** Previous Re-joiner policies have targeted specific skills and or roles, but this guidance is designed to apply to any eligible officer subject to the conditions set out in the paper.

2. Resilience issues

- 2.1.** On 5 September 2019 the Prime Minister announced the Government commitment to recruit an additional 20,000 police officers in England and Wales by 31 March 2023.
- 2.2.** There was a total of 142,526 officers' provisional headcount as at 31 March 2022 in England and Wales.
- 2.3.** This included +13,576(of +20,000 by March 2023) provisional uplift figure as at 31 March 2022, England and Wales.
- 2.4.** This means overall almost 10% of the workforce as at March 2023 has under 2 years' service.
- 2.5.** Most new recruits are deployed initially to front-line, response policing, meaning that this area is very heavily populated by short-service recruits.
- 2.6.** The changes to pension schemes from April 2022, outlined below, mean that officers may choose to retire now in order to maximise benefits due under the 1987 Scheme because they perceive that remaining in service may result in a disadvantage to them.
- 2.7.** However, forces are seeking to retain experienced officers to support Uplift generally, to retain officers with specialist skills and experience and to help provide support, coaching and mentoring to recruits who lack wide experience of operational policing.
- 2.8.** Providing a means of allowing officers to 'draw down' their legacy pension lump sum and re-join policing when their knowledge and experience is relevant, will help forces to address these issues.

3. Pension issues

- 3.1.** The Public Service Pensions Act 2013, the primary legislation under which the 2015 CARE Scheme is established, whilst allowing for a Normal Pension Age of 60 for police officers, does not include a power for the regulations of pension schemes established under the Act to include a provision imposing a Compulsory Retirement Age (CRA). Consequently, the Police Pensions Regulations 2015 do not include CRAs, nor maximum pension, supporting longer working lives. Prior to April 2022, the 1987 and 2006 Regulations were still in force, so CRAs could be applied to members of those schemes. After 31 March 2022 those Regulations cease to apply to current service and all officers will be members of the 2015 CARE Scheme so forces cannot be applying CRAs from 1 April 2022 onwards.
- 3.2.** Officers with mixed 1987 and 2015 service will still be able to retire and take their 1987 benefits at the 30-year point. Many may wish to do so given that the rate of conversion of pension to lump sum decreases with age. However, this does lead to a situation described by Staff Associations as the 'Pensions Trap', whereby an officer must continue to work until age 55 in order to receive immediate access to their 2015 Scheme benefits whilst the commutation rate of the 1987 Scheme decreases with age.

Differences between the retirement ages of the 1987 Scheme and the 2015 Scheme

- 3.3.** During the passage through Parliament of the Public Services and Judicial Offices Act, which closed the legacy 1987 and 2006 Schemes, concerns were raised with Home Office about the impact of changes to pension age on members and their retirement expectations and benefits. The police staff associations have raised the issue that former members of the 1987 Scheme who achieve 30 years' pensionable service after 1 April 2022 and are aged under age 55 are currently now in a position where:
- If they retire with favourable commutation rates on 30 years' service, where this is under age 55, reformed scheme benefits are unavailable and are treated as deferred to State Pension Age (SPA).
- But:
- If they remain in service to access reformed scheme benefits as an 'active member' at age 55 when the reduction factor is calculated by reference to age 60, commutation rates in the legacy scheme may be lower than those available at 30 years' service.
- 3.4.** This was not a new issue; this was introduced in 2015 with the reforms by the introduction of a scheme with a minimum retirement age of 55. However, until 1 April 2022 when protected members were moved into the 2015 Scheme, there were no members in the 2015 Scheme aged 55 and above. Therefore, this issue became more acute when protected members were moved into the 2015 Scheme who were already at or near 30 years pensionable service under the 1987 Scheme but need to work longer to reach age 55 in the 2015 Scheme.
- 3.5.** Previous re-joiner schemes were introduced to allow forces to retain officers with specific skills at a time where the police service was recognising a skills shortage. For officers this arrangement was the only mechanism that would allow them access to their pension lump sum at advantageous rates whilst continuing to work as a police officer. The 30+ arrangements were time restricted through the application of regulation A19. As CRA has now been removed and there is no maximum pensionable service, there is no longer a

justification to set a duration nor to require officers to demonstrate specific skills and experience. However, without a similar re-joiner policy officers may suffer a detriment either:

- by receiving a reduced 2015 pension, or
- waiting longer to receive their 2015 pension, or
- working until 55 and receiving a lower 1987 commutation lump sum.

4. Arrangements that forces may choose to adopt

- 4.1.** Retirement and re-joiner arrangements will allow officers who are eligible to retire, the opportunity to draw-down on their legacy scheme benefits and be re-engaged as an officer. This will operate in a similar way to previous re-joiner policies, allowing forces to retain experienced officers without financially disadvantaging the officer.
- 4.2.** These arrangements are designed to provide officers with a wider choice of retirement options to enable them to retire at a time and with benefits which are appropriate to their personal circumstances. The arrangements should be widely available to:

Former members of the 1987 Scheme

All officers with membership of the 1987 Scheme either:

- where they have attained 30 years' pensionable service
- Or
- where they have attained at least 25 years' pensionable service and are aged at least 50

Options for this group are:

- I. Retire at 30 years' service with 1987 benefits. Where this is before age 55, payment of 2015 Scheme benefits will be the individual's SPA. 2015 benefits can be accessed from age 55 with an actuarial reduction from SPA.
- II. Remain in service until age 55 maintaining final salary link for 1987 benefits and retire then or after. 2015 benefits can be accessed from age 55 with an actuarial reduction from age 60. 1987 Commutation rates will reduce with age.
- III. Continue in service until age 60, or above. Benefits can be taken unreduced from both Schemes. 1987 Commutation rates will reduce with age.
- IV. **Leave service with immediate access to legacy scheme benefits, receive a commutation lump sum, take a month's break in service with pension in payment from date of retirement to date of re-joining (assuming abatement is applied). The officer may re-join as a member of the 2015 Scheme to serve until at least age 55 as at ii above but having received a commutation lump sum calculated on a more favourable rate. Actuarial reduction rates reduce between 55 and 60.**

Former members of the 2006 Scheme

All officers with membership of the 2006 Pension Scheme where they have attained age 55.

Options for this group are:

- i. Retire at age 55 and take immediate payment of both 2006 and 2015 benefits (2015 actuarially reduced for early payment from age 60).
- ii. Continue in service until age 60, or above, when benefits can be taken unreduced from both Schemes. The lump sum is likely to increase in line with pay awards.
- iii. **Leave service at age 55, take a month's break in service, receive an automatic lump sum of 4x pension and re-join as a member of the 2015 Scheme. Pension will be paid from date of retirement to date of re-joining (assuming abatement is applied. Members will need to consider if the benefit of access to the lump sum outweighs the loss of the final salary benefit link to the 2006 Scheme).**

4.3. Those former members of the 1987 Scheme who leave aged under 55 with under 30 years' pensionable service will lose valuable benefits when they access their pension:

- Weighted accrual – benefits are increased until at 30 years' service, when a member will receive benefits based on 45ths of pensionable service
- Final salary link – pension benefits linked to the highest average pensionable pay in the last 3 years of service
- Full commutation. The lump sum will be capped to $2.25 \times$ pension

It may therefore not be in the long-term financial interest of the member to retire before attaining 30 years' pensionable service. Similar issues arise for former 2006 Scheme members leaving at age 55, where 2006 Scheme benefits will cease to be linked to salary. Members should be encouraged to seek Independent Financial Advice.

4.4. Those who re-join will be appointed at their former rank and pay level, but treated as a new entrant in terms of allowances, such as replacement allowances which would no longer be payable and re-joiners will no longer be eligible for certain allowances such as rent/ housing allowances that may have previously applied prior to retiring. They will receive other allowances paid to new entrants, such as London allowances and SE allowances.

4.5. Participants will continue to be eligible to apply for promotion, Therefore, if they are promoted, they will be eligible for the salary for the rank to which they are promoted, taking account of previous reckonable service. But it should be noted that their abated legacy scheme pension will not be increased in line with any such promotion, as the final salary link to their former service no longer applies after the initial 'retirement'. Any salary increase will be reflected in accrual in the 2015 Scheme entitlement.

Pension implications of the guidance

4.6. To protect officers' protected pension ages, all participants must stay in retirement for at least one month before being re-engaged, as a shorter period of retirement could in some instances result in tax charges for both the officer and the retaining force. This includes protected pension age re-employment conditions, which is further explained in [appendix one](#).

- 4.7. Under [Regulation K4](#) of the Police Pension Scheme 1987 and [Regulation 52](#) of the Police Pension Scheme 2006, forces may in their discretion abate the pension on re-employment, however where they choose not to apply this discretion, they are required under [Regulation 5, Sub Paragraph 10](#) of The Police Pension Fund Regulations 2007 to pay an additional amount equivalent to the pension paid to the member into the pension Scheme each year.
- 4.8. Abatement applies irrespective of age and does not only apply as re-employment condition. There is no age limit on abatement, and this continues for the full period of re-employment by a Force in any capacity. When the re-employment ends, the pension will be reinstated to the full amount with any applicable increases.
- 4.9. It is likely that a discretion not to abate would be made only in exceptional circumstances given the requirement for the force to pay the equivalent amount into the pension Scheme. However, on making that discretion forces should be aware of [PO-25374](#) which says that there must not be a blanket policy to abate and that each case should be considered to consider exceptional circumstances. Further information on abatement is explained in [appendix two](#).
- 4.10. It should be noted that the decision to abate will be made by the force who is paying the pension. This may not necessarily be the new employer.
- 4.11. Officers will upon re-joining be auto enrolled into the 2015 Scheme and periods of service in the Scheme will be aggregated (provided the break is less than 5 years) to provide benefits under that Scheme on future retirement.
- 4.12. Eligibility for an injury award (and other injury benefits) is retained.
- 4.13. Ill health retirement and death in service benefits (4x pensionable pay) are available for members of the 2015 Scheme, but access to ill health retirement benefits will be based on 2015 Scheme service only and after completion of 2 years' service.
- 4.14. Where the break in service is less than five years, there is no requirement for a medical on re-joining the 2015 Scheme.
- 4.15. Members retiring before October 2023 will retire with the benefits, they have accrued in the 1987 and 2015 Scheme currently held. A choice will be offered of Scheme membership for the Remedy Period 2015 – 2022 later, following the implementation of legislation, expected in October 2023.

5. Process requirements for forces

- 5.1. Unlike previous re-joiner schemes, to avoid significant administrative burdens for forces it is proposed that these arrangements should not require a complicated application process. The removal of the CRA means that forces are not able to restrict officers who meet health requirements from continuing to serve in any police role. Therefore, it is recommended that forces adopt the following process:
- The guidance should be used in accordance with force recruitment policy and should be supported by an Equality Impact Assessment.
 - The re-joiner guidance can be applied to all eligible officers as outlined above.

- Officers should provide at least 3 months' notice prior to intended retirement date.
- Re-appointment should be subject to the normal fitness requirements for new entrants.
- Re-appointment will take place after a minimum of one month in retirement without exception. Whilst there are instances where this may not be an essential requirement, providing a minimum one-month break reduces any risk of challenge.
- Re-joiners are subject to different probationary periods depending on the time out of force. Those who left policing less than one year before their re-appointment as a police officer are subject to a six-month probationary period. Those who left policing more than one year before their reappointment, or who re-join at a different rank to that which they previously served at are subject to a 12-month probationary period. In all instances, chief officers have the discretion to extend probation as they see fit.
- Participants will have to be re-attested after a break in service.
- Re-vetting may also be needed depending on the status of an officer's security clearance.
- When they return to service, they will be auto enrolled into the CARE pension Scheme. 2015 membership can be reactivated after a gap of up to 5 years, and 2 periods of service can be aggregated. Any benefits are not payable until age 55.
- In considering an officer's health, forces must keep in mind their obligations under the Disability Discrimination Act, including the duty to make reasonable adjustments.
- Forces are reminded that the requirement for medical screening or examination are discretionary. As pointed out above, officers can now remain in service as there is no longer a CRA. [Regulation 36 of the 2015 Scheme](#) provides details on how eligibility for ill health benefits should operate.
- Forces may wish to review applications from individuals subject to sanctions which would disrupt or undermine further service. This might include circumstances where:
 1. they have live disciplinary sanctions which have not yet been withdrawn from their service record or are facing conduct proceedings for serious breaches.

Or

 2. are subject to Unsatisfactory Performance or Attendance Procedures
- Any appointment under these arrangements can have no specific end date in line with the removal of CRA.

Part-time service

- 5.2.** If an individual wishes to participate and re-join on a part-time basis, this will need to be agreed in advance in accordance with the force's normal policy on agreeing part-time working arrangements.
- 5.3.** In previous re-joiner schemes, there has been partial abatement to provide a level of pay and pension equal to the level in payment at the time of retirement. Under this new re-joiner arrangement, the normal approach would be to abate any pension (see below) so the individual would receive pay only for the hours worked – not pay plus pension.

6. Cost implications

- 6.1.** Clearly the appointment of re-joiners on the maximum of their pay scale will be more expensive than appointment of a new entrant on the minimum of the constable pay scale. However, it may be argued that the benefits a re-joiner brings in terms of knowledge, skills and experience may outweigh the additional costs. In addition, there is a growing requirement to retain skills and experience to support the development of new entrant constables, of which, as a result of Uplift, there will be a high proportion of all constables in the next few years.
- 6.2.** There are high costs in providing the recruitment, training, and support for new entrants which are not recouped if they leave early in service. Compared to a new entrant constable, re-joiners will not require the same level of training, induction, and support.
- 6.3.** When an officer retires, they become eligible for a police pension (based on their scheme membership, service and contributions prior to retirement). However, in common with other public service pension schemes, their pension may be subject to abatement (reduction) on resuming service in the same occupation they had before retirement. The decision on whether to abate the pension either fully or in part, remains with the Scheme Manager of the Force responsible for paying the pension, as they will resume service at the salary level for the rank they held before their retirement meaning that they will not receive pension payments until they retire.
- 6.4.** It is recognised that there may be circumstances where forces seek to retain officers with specific skills or expertise where they might otherwise retire to access their legacy scheme benefits. In order to support retention, forces may consider it justified to pay some or all the pension due to the officer in addition to salary and allowances. This could include officers in roles which qualify for Targeted Variable Payments (TVP). In such cases, the above provisions will apply and an amount equivalent to the pension paid will have to be paid in addition from the operations account into the force pension account. Forces should take into consideration the potential public perception of police officers receiving both pay and pension while continuing to work as an officer.
- 6.5.** Where forces have a policy to abate pension in some cases and not in others, they should ensure that there is an objective justification for such action and that equality considerations are taken into account and monitoring of the application of abatement or non-abatement is in place.
- 6.6.** Where discretion has not been exercised under Regulation K4 of the Police Pension Scheme 1987, [Regulation 5, Sub Paragraph 10](#) of The Police Pension Fund Regulations 2007 requires

the police pensions authority to pay an additional amount equivalent to the pension paid to the member into the pension scheme each year.

7. Summary

- 7.1.** When applied to force policies, this advice note allows officers to remain in service whilst accessing their lump sum at a time where they may have anticipated having access when they joined the police. For officers in the 1987 Scheme this will potentially avoid the financial impact of commutation rate changes.
- 7.2.** Many forces already operate a re-joiner arrangement like this, and this guidance does not require changes to regulations to be implemented.
- 7.3.** In view of the removal of CRA, and the concept of maximum pensionable service officers can remain in service without needing to apply extensions or meet special conditions. The impact of this guidance will allow them to remain working but avoid the financial impact of delaying access to lump sum benefits available under legacy schemes.
- 7.4.** The application of this advice note has been supported by Staff Associations.

Protected Pension Age

Members taking a pension and/ or lump sum benefit before normal minimum pension age are liable for a tax charge, unless they retire on the grounds of ill health. From 6 April 2010, the normal minimum pension age was increased from age 50 to age 55.

However, individuals paying into a scheme that allowed members to take their benefits without consent before the age of 55 were entitled to keep their earlier normal minimum pension age, providing that they were a member of that scheme on 5 April 2006. This is known as the member's Protected Pension Age (PPA).

The Police Pension Scheme 1987 has a protected pension age of 50 with at least 25 years' service, therefore benefits can be paid from age 50 without additional tax charges. There is no requirement for a member to register this protection with HMRC, it applies automatically.

PPA can be lost in the circumstances outlined below and is automatically lost where the main purpose (or one of the main purposes) for early entitlement to benefits is to avoid paying tax or national insurance contributions.

Loss of Protected Pension Age – Re-Employment

A protected pension age can be lost if the member does not comply with certain rules on or after retirement. If a member is re-employed by a sponsoring employer or by a body or person connected to a sponsoring employer, the member may lose their PPA and become subject to tax charges.

Effect of Losing Protected Pension Age

If protected pension age is lost the following tax charges apply:

- Commutation lump sums are subject to a full tax charge of 55% of the total amount.
- Pension payments are subject to 40% tax up to normal minimum pension age of 55 (no PAYE is payable).

Keeping a Protected Pension Age

If one of the following conditions¹ is met, a PPA may be kept upon re-employment:

- a break in employment of at least six months
- a break in employment of at least one month and scheme rules provide that benefits may be abated
- a break in employment of at least one month and the re-employment is materially different² (for a minimum period of six months).

A member re-employed from operational to support staff would keep their PPA following a one month break as this is materially different, but being re-employed as a police officer would not unless there is a one-month break and the pension paying authority make the necessary abatement checks.

¹ [Finance Act 2004, Paragraph 22, Sub Paragraph 7F](#)

² "To be a materially different employment, the duties and/or the level of responsibility in the new employment must be different from those in the old employment." HMRC Pensions Tax Manual [PTM062230](#)

Abatement

What is abatement?

Abatement is the ability of the Police Pension Authority to reduce or stop a member's pension if that member is re-employed by any Police Authority in any capacity after retiring. This is known as 'in-service abatement'.

Additionally, Police Pension Authorities have the discretion to apply abatement in cases where retired members are re-employed to any employing public sector organisation without going through an open competition. This form of abatement is called 'inter-service abatement'. Where forces decide not to abate for specific roles, these should be subject to open competition.

While there is a requirement to abate pensions under the re-employment conditions of the protected pension age, abatement applies irrespective of age and does not only apply as re-employment condition. There is no age limit on abatement, and this continues for the full period of re-employment by a Force in any capacity. When the re-employment ends, the pension will be reinstated to the full amount.

Abatement does not apply in the Police Pension Scheme 2015.

Why does abatement apply?

Government policy requires public sector pensions to be abated in certain circumstances when a public servant is re-employed following retirement. The purpose of abatement is to protect public funds.

If an Authority decide not to apply abatement, they are responsible for paying an amount equivalent to the amount that would be abated into the pension fund until the member's new employment ends.

Each force should have a policy on abatement and how they will apply this to their employees, this policy should reflect the ombudsman ruling in [PO-25374](#) that this should not be a blanket policy and each case should be considered on the facts of the case.

What do I need to do?

A member who retires with a police pension and is re-employed by a police force will need to declare their new employment to their former force or pension provider if this is different.

Overpayments will be recovered so it is in the member's interests to declare employment as soon as possible to avoid having to repay amounts to the pension scheme.