



Mr Evan Morris
Chair, Police & Crime Panel for Cheshire
c/o Cheshire East Council
Democratic Services and Governance
Municipal Buildings
Earle Street
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Dan Price
Police & Crime Commissioner
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Date: Friday 05 July 2024

Our Ref: PCC/20240705

Your Ref:

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Dear Mr Morris,

PROPOSED APPOINTMENTS OF DEPUTY POLICE & CRIME COMMISSIONER

In accordance with the provisions of Section 18 of the Police Reform and Social Responsibility Act 2011, I am writing to inform you, as Chair of the Police & Crime Panel, of my proposed appointments of Deputy Police & Crime Commissioner for Cheshire.

The process for appointing a Deputy Police & Crime Commissioner is detailed in Schedule 1 of the Police Reform and Social Responsibility Act 2011. As specified in Schedule 1 of the Act, I set out below the required information for the Panel's consideration, namely:

- (a) the name of the person whom the commissioner is proposing to appoint;*
- (b) the criteria used to assess the suitability of the candidate for appointment;*
- (c) why the candidate satisfies those criteria; and*
- (d) the terms and conditions on which the candidate is to be appointed.*

Firstly, I can advise that I wish to appoint both Gemma Southern and Jane Whalen as Deputy Police & Crime Commissioner for Cheshire, to be appointed on a job share arrangement. It is clear that both Gemma and Jane satisfy all the criteria set out in the attached 'Person Specification and Job Profile' for the role of Deputy Police & Crime Commissioner for Cheshire.

Both Deputy Police & Crime Commissioners will be a member of staff within the Office of the Police & Crime Commissioner. Each will deputise for me, predominantly in respect of their respective portfolios, and exercise any function of my role as required, with the exception of those functions that I am unable to delegate pursuant to the relevant legislation: i) issuing a Police & Crime Plan; ii) appointing or suspending the Chief Constable; and iii) calculating a budget requirement.

The terms and conditions for both Gemma and Jane as Deputy Police & Crime Commissioner will provide each a part-time (0.5 FTE) fixed term appointment to end no later than the sixth day after the day of the poll at the next ordinary election of a Police & Crime Commissioner (that is, the day on which my current term of office ends). Remuneration will be on a salary of £51,000 per annum (pro rata), which is set at the equivalent of approximately 65% of my salary. For completeness, each Deputy Police & Crime Commissioner will work 2.5 days per week for a salary of £25,500 per annum. The salary will

increase in accordance with any future pay award agreed by the Police Staff Council and expenses will be paid in accordance with the Home Secretary's determination in relation to expenses for Police & Crime Commissioners.

The remuneration and expenses for both appointments will be contained within the existing budget for the Office of the Police & Crime Commissioner and, therefore, will have no significant financial implications. As the appointments will enhance the resilience and capacity of my role, I believe this will provide value for money and comply with the CIPFA / SOLACE framework in respect of '*delivering good governance in Local Government*'.

I believe that the appointments of Deputy Police & Crime Commissioner (to be appointed on a job share arrangement) will support the development and subsequent delivery of my Police & Crime Plan. I wish to emphasise that this will not duplicate resources, but rather the two appointments will enhance both resilience and capacity. In addition, such appointments will enable both Gemma and Jane to contribute effectively to my role of Police & Crime Commissioner, by providing greater flexibility and support, with two advisors working in a complimentary manner to enable me to undertake my statutory functions with a greater degree of efficiency and effectiveness.

In accordance with Section 11(1) of Schedule 1 of the Police Reform and Social Responsibility Act, I would be grateful if arrangements may be made to hold a confirmation hearing to review my proposed appointments and make a recommendation as to whether Gemma Southern and Jane Whalen should be appointed as Deputy Police & Crime Commissioner for Cheshire.

I look forward to receiving the Police & Crime Panel's report in relation to my proposed appointments of Deputy Police & Crime Commissioner for Cheshire.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Dan Price', written in a cursive style.

Dan Price
Police & Crime Commissioner



OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR CHESHIRE

DEPUTY POLICE & CRIME COMMISSIONER

PERSON SPECIFICATION AND JOB PROFILE

Salary	£51,000 per annum.
Term	Fixed term appointment to end no later than the sixth day after the day of the poll at the next ordinary election of a Police & Crime Commissioner (that is, the day on which the Commissioner's current term of office ends).
Hours	Hours of working will be determined upon appointment.
Political Restriction	This is not a politically restricted post.

1. INTRODUCTION

The overall responsibility of the Police & Crime Commissioner is to maintain an efficient and effective police service and to play a leading role in both crime prevention and community safety in the Constabulary area.

To assist the Police & Crime Commissioner, Dan Price is seeking to appoint a Deputy Police & Crime Commissioner. The role of Deputy Police & Crime Commissioner was created by statute in 2011. The post-holder will report directly to, work in conjunction with and be answerable to the Police & Crime Commissioner.

2. OVERALL PURPOSE

To directly support the Police & Crime Commissioner to discharge the statutory duties and undertake a deputising role with delegated responsibilities.

To contribute to the development of the Police & Crime Commissioner's police and crime initiatives and take a strategic lead on the implementation of specific elements, which are seen by the Police & Crime Commissioner as being critical to the delivery of his Police & Crime Plan.

3. KEY ACCOUNTABILITIES

The Deputy Police & Crime Commissioner will be allocated specific lead responsibilities and will deputise for the Police & Crime Commissioner on the basis set out in the Police Reform and Social Responsibility Act 2011.

4. NATURE AND SCOPE OF THE ROLE

- The post holder is responsible to the Police & Crime Commissioner for the satisfactory performance of all aspects of the post.
- The post holder is responsible for the development and maintenance of effective working relationships with partners.
- The post holder's freedom to act is prescribed by the appropriate Statutes and Regulations by which the Office of the Police & Crime Commissioner is bound.
- The post holder provides personal support and advice directly to the Police & Crime Commissioner and will be expected to assist in the resolution of complex issues and problems and will be also expected to make a significant contribution to challenging developments in the police and crime environment.

5. DECISION MAKING FUNCTIONS

The post holder will work within a broad framework of duties but will be supervised by the Police & Crime Commissioner. The post holder will be required to demonstrate strategic leadership, initiative and discretion required to ensure the delivery of the responsibilities and main tasks within the job profile.

6. KEY RESPONSIBILITIES

- To act as a key & trusted member of the Commissioner's senior leadership team, operating as a strategic advisor.
- In the event of either the Commissioner's position becoming vacant or the Commissioner becomes incapacitated, the Deputy will act as Police & Crime Commissioner in accordance with the terms of the legislation (and subject to approval of the Police & Crime Panel).
- To contribute to the development of the Commissioner's police and crime initiatives, taking a strategic lead on the implementation of specific elements, which are seen by the Commissioner as being critical to the delivery of his manifesto.
- Take the lead on behalf of the Commissioner on the development and monitoring of key strategies ensuring the Commissioner can achieve his strategic aims.
- Report on the progress of the key strategies to the Commissioner and identify issues for escalation or further scrutiny.
- Support the Commissioner in his chairing of the Local Criminal Justice Board by taking a pro-active role in the development of a more strategically focused and outcomes driven process.
- Support the Commissioner in effectively holding the Chief Constable to account for the delivery of the Police & Crime Plan.

- Undertake and lead on ad-hoc project work to support the Commissioner and the wider OPCC team.
- Take an active part in supporting the Commissioner in his engagement with the communities of Cheshire and in wider consultation in respect of the Police & Crime Plan and precept.
- Chair/attend meetings on behalf of the Commissioner as well as attending public engagements.
- To act as an ambassador for the Commissioner and engage with relevant community groups, public bodies, elected representatives and organisations to better understand the policing needs of the community.
- Develop, promote and maintain effective working relationships with key internal and external partners.
- Help to brief senior local stakeholders including MPs, councillors, criminal justice partners and other groups on the Commissioner's policy and future proposals.
- Act as a spokesperson on behalf of the Commissioner to the media where appropriate.
- On behalf of the Commissioner, generate policy proposals and respond to national policy developments. This will include engaging with other Police and Crime Commissioners and the APCC.
- Assist the Commissioner to work with organisations and individuals at regional and national levels.

7. KEY WORKING RELATIONSHIPS

- With the Commissioner, Chief Executive, Chief Finance Officer and staff of the Office of the Police & Crime Commissioner.
- With Chief Officers, senior officers and managers of Cheshire Constabulary.
- With external bodies such as criminal justice partners, local authorities and the voluntary sector.
- With the various and diverse communities of Cheshire.

8. PERSON SPECIFICATION

Experience & qualifications

- Broad understanding and experience of the diverse geographic, social and economic nature of Cheshire.
- Sound experience of working with diverse communities and working to secure improved outcomes for local people.

- Must have a full driving licence.

Additional knowledge & experience

- Knowledge and understanding of the operation of the police service and the criminal justice system.
- Knowledge of the process of government in terms of local authorities and UK Governments.
- Experience of working with Government and/or local authorities.
- Good communication and problem solving skills as contributing effectively and chairing of meetings is very likely to be a key part of the job.
- A commitment to continuous professional development for themselves and the staff within the Office of the Police and Crime Commissioner.
- A good level of ICT skills.
- Excellent personal skills.
- Good leadership skills including an ability to inspire, motivate and create the right working climate.
- Well-developed influencing and negotiating skills.
- The ability to work to enhance collaborative working.

Qualities

- Able to secure credibility, respect and recognition from peers and stakeholders.
- Shares the Commissioner's aspirations, values and commitment.
- Able and confident in taking personal responsibility for the success or failure of leading major projects.
- Is committed to the seven principles of public life (Nolan Principles) and the Code of Ethics.
- A flexible approach to hours of working and a commitment to be available for frequent weekend and evening duties.

Disqualifications and Restrictions

In accordance with the provisions the [Police Reform & Social Responsibility Act 2011](#), there are a number of restrictions and disqualifications that would prevent an individual from becoming the Deputy Police & Crime Commissioner.

18 Delegation of functions by police and crime commissioners

Relevant extract from [Section 18](#) of the Police Reform and Social Responsibility Act 2011:

- (3) *But a police and crime commissioner may not—*
- (a) *appoint a person listed in subsection (6) as the deputy police and crime commissioner;*
- (6) *The persons referred to in subsections (3)(a) are—*
- (a) *constable (whether or not in England and Wales);*
 - (b) *a police and crime commissioner;*
 - (c) *the Mayor's Office for Policing and Crime;*
 - (d) *the Deputy Mayor for Policing and Crime appointed by the Mayor's Office for Policing and Crime;*
 - (e) *the Mayor of London;*
 - (f) *the Common Council of the City of London;*
 - (g) *any other person or body which maintains a police force;*
 - (h) *a member of the staff of a person falling within any of paragraphs (a) to (g).*

8 The Deputy Police & Crime Commissioner

Relevant extracts from paragraph 8, [Schedule 1](#), of the Police Reform and Social Responsibility Act 2011

- (2) *None of the following may be appointed as the deputy police and crime commissioner—*
- (a) *a person who has not attained the age of 18 on the day of the appointment;*
 - (b) *a person who is subject to a relevant disqualification;*
 - (c) *a Member of the House of Commons;*
 - (d) *a member of the European Parliament;*
 - (e) *a member of the National Assembly for Wales;*
 - (f) *a member of the Scottish Parliament;*
 - (g) *a member of the Northern Ireland Assembly.*

S65 Disqualification from election or holding office as police and crime commissioner: police grounds

Relevant extracts from [Section 65\(1\)](#) of the Police Reform and Social Responsibility Act 2011

- (1) *A person is disqualified from being elected as, or being, a police and crime commissioner if the person—*

- (a) *is disqualified from being a member of the House of Commons under section 1(1)(d) of the House of Commons Disqualification Act 1975 (members of police forces for police areas in the United Kingdom);*
- (b) *is a member of—*
 - (i) *the British Transport Police Force;*
 - (ii) *the Civil Nuclear Constabulary;*
- (c) *is a special constable appointed—*
 - (i) *under section 27 of the Police Act 1996 for a police area or the City of London police area;*
 - (ii) *under section 25 of the Railways and Transport Safety Act 2003 (British Transport Police Force);*
- (d) *is a member of staff of the chief officer of police of any police force maintained for a police area;*
- (e) *is a member of staff of—*
 - (i) *a police and crime commissioner;*
 - (ii) *the Mayor's Office for Policing and Crime;*
- (f) *is the Mayor of London;*
- (g) *is a member of the Common Council of the City of London or a member of staff of that Council in its capacity as a police authority;*
- (h) *is a member (including a member who is chairman or chief executive), or member of staff, of—*
 - (i) *the British Transport Police Authority;*
 - (ii) *the Civil Nuclear Police Authority;*
 - (iii) *the Independent Police Complaints Commission;*
 - (iv) *the Serious Organised Crime Agency;*
 - (v) *the National Policing Improvement Agency;*
- (i) *holds any employment in an entity which is under the control of—*
 - (i) *a local policing body;*
 - (ii) *any body mentioned in paragraph (h);*
 - (iii) *the chief officer of police for any police force maintained for a police area or the City of London police area;*
 - (iv) *the chief officer of police for any police force mentioned in paragraph (b).*

S66 Disqualification from election or holding office as police and crime commissioner: other grounds

Relevant extracts from [Section 66](#) of the Police Reform and Social Responsibility Act 2011

- (1) *A person is disqualified from being elected as, or being, a police and crime commissioner unless the person satisfies the citizenship condition (see section 68).*

- (3) *A person is disqualified from being elected as, or being, a police and crime commissioner if—*
- (a) *the person is the subject of—*
 - (i) *a debt relief restrictions order under paragraph 1 of Schedule 4ZB to the Insolvency Act 1986;*
 - (ii) *an interim debt relief restrictions order under paragraph 5 of that Schedule;*
 - (iii) *a bankruptcy restrictions order under paragraph 1 of Schedule 4A to that Act;*
 - (iv) *a bankruptcy restrictions interim order under paragraph 5 of that Schedule;*
 - (b) *a debt relief restrictions undertaking has effect in respect of the person under paragraph 7 of Schedule 4ZB to that Act;*
 - (c) *the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or*
 - (d) *the person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).*

S68 Citizenship condition

Relevant extracts from [Section 68](#) of the Police Reform and Social Responsibility Act 2011

- (1) *This section applies for the purposes of section 66.*
- (2) *A person satisfies the citizenship condition if the person is—*
- (a) *a qualifying Commonwealth citizen,*
 - (b) *a citizen of the Republic of Ireland, or*
 - (c) *a citizen of the Union.*
- (3) *For the purposes of this section, a person is a qualifying Commonwealth citizen if the person is a Commonwealth citizen and—*
- (a) *is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or*
 - (b) *is a person who requires such leave but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.*
- (4) *But a person who does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases) is not a qualifying Commonwealth citizen by virtue of subsection (3)(a).*
- (5) *In this section the expression “citizen of the Union” is to be construed in accordance with Article 20(1) of the Treaty on the Functioning of the European Union.*