

# POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

## POLICE AND CRIME PANEL

Report Of	POLICE AND CRIME COMMISSIONER
Subject	APPOINTMENT OF A TEMPORARY CHIEF FINANCE OFFICER FOR THE OFFICE OF THE POLICE AND CRIME COMMISSIONER
Date	MONDAY 4 NOVEMBER 2019 – 1:30 p.m.
Author	CHIEF EXECUTIVE OFFICER

### **Purpose of Report**

1. To provide background information to the Police and Crime Panel on the proposal to appoint Mr Paul Dawkins as the temporary Chief Finance Officer (CFO) for the Office of the Police and Crime Commissioner (OPCC).

### **Recommendation**

2. The Panel is asked to endorse the appointment of Mr Paul Dawkins as the temporary Chief Finance Officer for the OPCC.

### **Background**

3. The Police Reform and Social Responsibility Act 2011, Schedule 1, states that a Police and Crime Commissioner must appoint a person to be “responsible for the proper administration of the commissioner’s financial affairs”, referred to as the Chief Finance Officer. Therefore there is a statutory requirement for this post within the Commissioner’s office.
4. The Police and Crime Commissioner must notify the Police and Crime Panel of the proposed appointment of a Chief Finance Officer and must provide the following information:-
  - The name of the person whom the Commissioner is proposing to appoint (‘the candidate’).
  - The criteria used to assess the suitability of the candidate for the appointment.
  - Why the candidate satisfies those criteria.
  - The terms and conditions on which the candidate is to be appointed.
5. Once notified the Police and Crime Panel must hold a Confirmation Hearing to review the proposed appointment following which the Panel must make a report to the Police and Crime Commissioner on the proposed appointment.
6. The report must include a recommendation to the Police and Crime Commissioner as to whether or not the candidate should be appointed. The Police and Crime Commissioner may accept or reject the Panel’s recommendation as to whether or not the candidate should be appointed. The Commissioner must notify the panel of his decision whether or not to accept or reject the recommendation.

### **Temporary Appointment of Chief Finance Officer**

7. The role of Chief Finance Officer became vacant in September 2019 following the departure of the previous incumbent. At that time the Police and Crime Commissioner considered the person specification and role description for the role. These documents were last reviewed in February 2017 when an amendment was made in relation to expanding the criteria for previous work experience. Following that review it was decided that neither document currently required any further amendment. A copy of the person specification and role description is attached at APPENDIX 'A' to the report.
8. The Commissioner has considered whether or not to make a permanent appointment to this key senior role at this current time. In doing so he has taken into account the fact that he does not intend to stand for re-election in May 2020 and subsequently has only 7 months term of office to serve. In light of this, and the length of time required to complete a recruitment process, the Commissioner has felt it would be more appropriate to provide his successor with the opportunity to decide what course of action they may wish to take to appoint a permanent Chief Finance Officer.
9. On a previous similar occasion the role of Chief Finance Officer was temporarily covered by Mr Paul Dawkins, Assistant Chief Officer (ACO) (Finance & Resources) for the Force. During that time the Commissioner felt he had been very ably supported and took the view that this would again provide an appropriate interim arrangement at this time. As such, the Commissioner proposes Mr Dawkins be appointed as the interregnum OPCC CFO until such time that the new PCC, to be elected in May 2020, determines how they wish the CFO duties to be discharged in future.

### **Suitability for the Role**

10. In making his decision to propose Mr Dawkins as the interim CFO the Commissioner took into account the following areas in relation to his skills, knowledge and attributes making him suitable for the role:-
  - political awareness
  - experience and knowledge of managing organisational change and culture
  - examples of improving performance resulting in value for money
  - skills and attributes in leading a team to successfully deliver corporate objectives
  - taking an effective lead in partnership arrangements
  - evidence of using discretion wisely and challenging the status quo
  - demonstrating integrity and transparency of working practices
  - balancing costs, risks and benefits in all decisions and thinking about the wider impact
  - evidence of inspiring others to deliver challenging goals
  - recognising and valuing diversity and challenging intolerance.
11. Mr Dawkins was appointed as the Force Finance Director in April 2000. His portfolio includes corporate finance, information technology, estates, vehicle fleet and procurement & support services. From September 2015 to August 2019 he simultaneously worked across Leicestershire, Nottinghamshire and Northamptonshire Police in the role of Assistant Chief Officer Finance and Resources. During that same period, Mr Dawkins also acted as the interregnum OPCC CFO for Northamptonshire (8 months) and then Leicestershire (4 months). Mr Dawkins therefore has extensive experience of working at Director/CFO level over a sustained period of time for regional Forces and OPCCs. Mr Dawkins is a qualified Chartered Public Finance Accountant and is a Master of Business Administration.

12. Independent internal and external audits of the Force's financial/asset management controls and final accounts production, have all indicated strong performance and positive outcomes under Mr Dawkins' leadership and direction. These reports are scrutinised by the Joint Audit, Risk and Assurance Panel (JARAP) and are available to view on the OPCC website.
13. Mr Dawkins is therefore considered to be a suitable candidate for the role.
14. In addition, the CFO role in the OPCC is supported on a day to day basis by the newly established Resources Manager post which in effect, acts as deputy to the CFO role and provides additional capacity and resilience around fiscal and asset management governance.

### **Working Protocol**

15. On the previous occasion when Mr Dawkins undertook the role of interim CFO for the OPCC it was foreseen that a conflict of interest could arise if the CFO for the OPCC and the Force ACO, is the same person. The OPCC therefore put in place safeguards to manage the risk for any conflicts that may occur as a result of this situation. This is outlined in a working protocol document which is attached at APPENDIX 'B' to this report. This document sets out those safeguards.

### **Terms and Conditions of Appointment**

16. The Chief Finance Officer post is a 'chief officer' grade. Mr Dawkins salary will be unchanged from his existing salary within the police and he will continue to attract the same terms and conditions of that post.

### **Conclusion**

17. The role of the Chief Finance Officer within the OPCC is a statutory one. The postholder plays a key role in terms of strategic financial management and statutory financial reporting but also being a part of a team to deliver the Police and Crime Plan.

### **Implications**

Financial:	There are no direct financial implications of this report.
Legal:	It is a legal requirement for the PCC to have a Chief Finance Officer.
Equality/diversity	Equality and diversity implications have been considered in making this interim appointment.
Risks and Impact:	The absence of a suitably qualified person to undertake this role would leave the OPCC vulnerable particularly at a time when key changes are taking place in police budgets.
Link to Police and Crime Plan:	The postholder will contribute towards the strategic direction to deliver the Plan.

### **List of Appendices**

- Appendix A - Role description and person specification
- Appendix B - Working Protocol

### **Background Papers**

Police Reform and Social Responsibility Act 2011.

Chief Finance Officer**PERSON SPECIFICATION**

<b>Area:</b>	Office of the Police & Crime Commissioner	<b>Job Title:</b>	Finance Director (Chief Finance officer and S151 Officer)	<b>Weekly Hours:</b>	37 hours per week minimum
<b>Section:</b>	PCC	<b>Scale:</b>	Chief Officer Grade -	<b>Version:</b>	4
<b>Post No:</b>	PC002	<b>Status:</b>	Permanent	<b>Version Date:</b>	09/10/2017

Please describe, with example(s) in section 7 of your application form how you feel you meet each of the numbered essential criteria, and where possible the desirable criteria, below.

<b>Criteria</b> <i>Justifiable as necessary for safe and effective performance of the job.</i>	<b>Essential</b> <i>A clear definition of the necessary criteria.</i>	<b>Desirable</b> <i>Where available, elements that contribute to improved / immediate performance in the job.</i>
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<b>Education:</b>	1. CCAB qualified, with significant post qualification experience and evidence of continuous professional development.	13. Educated to degree level. 14. Relevant post graduate management qualification.
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<b>Work Experience:</b>	2. Proven experience of operating at assistant director level or above in either the private or public sector. 3. Demonstrate a track record of creating strategic plans, both finance and non-finance, and successfully managing delivery against them. 4. Demonstrate a track record of managing a commissioning regime that had a proven impact on the success of an organisation. 5. Demonstrate experience and knowledge of operating within the public sector, with a clear grasp of the challenges and opportunities of working within a publicly accountable organisation. 6. Demonstrate a significant track record of successfully achieving outcomes against a resource-constrained background.	15. Demonstrate expertise in the process of setting a public authority's budget. 16. Proven experience of operating as a Section 151 officer (or similar) or deputy 17. Demonstrate a track record of successfully developing and implementing a performance regime 18. Demonstrate knowledge of the role and functions of police and crime commissioners and the police service. 19. Demonstrate successful operation in a commissioning environment. 20. Experience of the management outsourced suppliers 21. Demonstrate experience of successfully working in partnership with senior stakeholders at local, regional and national level.
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<p><b>Personal / Interpersonal Skills, Aptitudes:</b></p>	<p>7. Demonstrate strong oral and written communication skills.</p> <p>8. Demonstrate the building of effective partnership relationships with a range of stakeholders, including operating within a political environment to achieve mutually agreed outcomes.</p> <p>9. Demonstrate a disciplined approach to organising self and other resources in a changing and challenging environment.</p> <p>10. Demonstrate a track record of working flexibly in order to achieve outcomes, as part of a large and/or small team.</p>	<p>22. Demonstrate experience of successfully working through influence, rather than through direction and control, in order to achieve outcomes.</p> <p>23. Demonstrate effective presentation skills, particularly being able to relay complex information to a variety of audiences, both expert and non-expert.</p>
<p><b>Other Skills:</b></p>	<p>11. Proven ability to analyse complex data and relay it (orally and in writing) to a variety of audiences, both expert and non-expert.</p> <p>12. Proven research skills that have assisted in the development of an organisation</p>	

**ROLE DESCRIPTION**

<b>Job title:</b>	Finance Director (Chief Finance Officer and S151 Officer)
<b>Post no:</b>	PC002
<b>Scale:</b>	Chief Officer Grade
<b>Responsible to:</b>	Chief Executive
<b>Responsible for:</b>	Resources Manager (Deputy Section 151 Officer); Assurance and Compliance Officer, Commissioning Manager,. Commissioning Officer
<b>Contacts:</b>	Police and Crime Commissioner, Deputy Police and Crime Commissioner, Chief Constable and their Chief Officer Team, Home Office, HM Treasury, Department for Communities and Local Government, HMIC, Audit Commission, Internal and External Auditors, Police and Crime Panel, Joint Audit Risk and Assurance Panel members, senior staff and officers in Leicestershire Police, other forces, and in the counties, City and district councils of the Leicestershire Police area.
<b>Role:</b>	<p>To support the Police and Crime Commissioner (PCC) with strategic advice (finance, commissioning and other) in order to enable the delivery of his/her objectives, particularly as set out in the Police and Crime Plan.</p> <p>To fulfil the statutory obligations and duties set out in Sections 112 to 114 of the Local Government Finance Act 1988 and paragraph 6 of Schedule 1 to the Police Reform and Social Responsibility Act 2011, and as prescribed by the Home Office Financial Management Code of Practice and other relevant legislative provisions and guidance.</p>

<b><u>Duties</u></b>	<b><u>Responsibilities</u></b>
<b><u>Operational:</u></b>	<ol style="list-style-type: none"> <li>1. Be the statutory Chief Finance Officer to the Police and Crime Commissioner for the proper administration of its financial affairs (Section 151 Local Government Act 1972, and Section 112 to 114 of the Local Government Finance Act 1988, the Localism Act, and paragraph 6 of Schedule 1 to the Police Reform and Social Responsibility Act 2011.</li> <li>2. Contribute proactively to the strategic leadership of the Office of the Police and Crime Commissioner to enable the delivery of the objectives of the Office as primarily set out in the Police and Crime Plan.</li> <li>3. Ensure the provision of a sound finance function, which delivers well researched and evidenced advice to the Police and Crime Commissioner, in conjunction with Chief Constable's finance function when appropriate</li> <li>4. Advise the PCC and Chief Executive on the robustness of the PCC and Force budget and the adequacy of financial reserves as well as reporting when expenditure is likely to exceed resources available.</li> <li>5. Represent the Police and Crime Commissioner in dealing with the Force and outside agencies in respect of financial and other strategic matters.</li> <li>6. Assess the implications of future funding projections for the delivery of the objectives of the Police and Crime Commissioner, and put in place arrangements for the creation of a balanced medium term financial strategy</li> <li>7. Proactively investigate, with the Chief Constable's finance function where appropriate, opportunities to develop and deliver improved productivity and efficiency across the Force, and to identify new funding opportunities from Government and other sources.</li> <li>8. Support in the development and maintenance of the Police and Crime Plan, including research and engagement as appropriate.</li> <li>9. Develop and deliver appropriate mechanisms and resources to monitor and challenge the financial performance of Leicestershire Police in order to support the Police and Crime Commissioner in his/her duty of holding the Chief Constable to account for financial performance and the Police and Crime Plan.</li> </ol>

<p><b>Operational:</b></p>	<ol style="list-style-type: none"> <li>10. In conjunction with relevant experts, develop commissioning arrangements, processes and monitoring regimes for evaluating and implementing alternative approaches to service delivery that meet the Police and Crime Commissioner's aims and objectives as primarily set out in the Police and Crime Plan.</li> <li>11. Work with the Police and Crime Commissioner and, where applicable, other local policing bodies, forces and partner organisations, to improve delivery through collaboration.</li> <li>12. Ensure the development, implementation and monitoring of an effective audit, risk and assurance framework, including the Joint Audit Risk and Assurance Panel, in conjunction with the Office of the Chief Constable where appropriate.</li> <li>13. Oversee the preparation of statutory and other accounts to meet all applicable accounting standards and codes of practice.</li> <li>14. Oversee the Treasury Management and banking function undertaken by the Force including the preparation of annual treasury management strategies and policies and the reporting of treasury management performance to the Police and Crime Commissioner.</li> <li>15. Provide advice in relation to the safeguarding of assets, including insurance and risk management.</li> <li>16. Arrange for the issue of the precept, completion of associated government returns and the receipt of precept from billing authorities.</li> </ol>
<p><b>General</b></p>	<ol style="list-style-type: none"> <li>17. Actively promote equality of opportunity, work towards eliminating discrimination and promote good relations between all groups of people</li> <li>18. Undertake such other duties commensurate with the post as may be required for the safe and effective performance of the job.</li> <li>19. This role description should develop along with the changing demands of policing reflected in the PCC's objectives and priorities.</li> <li>20. Be flexible in terms of working location and hours, being prepared to, when required, work and travel locally and nationally to fulfil the duties of this role.</li> </ol>



**Additional Information:**

Contract Type: Permanent

Date of last Job Evaluation Exercise: 18/7/2012

Training Requirements:

PDR Activities and Behaviours:

Car User:

Yes / No	Yes	Allowance {per mile / day etc}:	45p per mile
Yes / No	Yes	Authority to £ Value:	Per Corporate Governance Framework
Yes / No	Yes	Total Number & Level:	4 staff ranging from

Budgetary Management:

People Management:

Post Funding Method:

Owner/source of Funding:

IT Systems Required:

Skills Required:

Health tests required:

Risk Assessment:

Job Evaluation:

Yes / No	
Yes / No	Yes

Security Check Level:

(strikethrough checks NOT required) RV, SC, EV1, DV, NPPV1, NPPV2, NPPV3

Additional Information:

**OFFICIAL****Joint Assistant Chief Officer/ Chief Finance Officer Protocol****Introduction**

1. This document has been produced by the Assistant Chief Officer (Finance & Resources) for Leicestershire Police and the Office of Leicestershire Police and Crime Commissioner (OPCC) to give assurance to the Joint Audit, Risk & Assurance Panel and the public about the role of the OPCC Chief Finance Officer.
2. The Police and Crime Commissioner receives the police grant from the Home Office and is responsible for setting the police budget and holding the police force, and Chief Constable (CC), to account. His Chief Finance Officer is responsible for the proper administration of financial arrangements and advising him on those processes.
3. The Assistant Chief Officer (ACO) (Finance & Resources) is responsible for the strategic management of all financial matters for Leicestershire Police force, including the Section 151 Officer (Local Government Act 1972) role.
4. The Force ACO has been requested by the PCC for Leicestershire, due to an unforeseen vacancy, to temporarily fulfil the role of CFO for Leicestershire OPCC. A conflict of interest could arise if the CFO for the OPCC and the Force ACO, is the same person. That OPCC has therefore put in place safeguards to manage the risk for any conflicts may occur as a result of this request. This documents sets out those safeguards.

**Rationale for Arrangement**

5. The PCC Leicestershire's primary responsibility is to secure the maintenance of an effective and efficient Police Force, being accountable to both the electorate and the Police and Crime Panel in that county.
6. He has a requirement under the Police Reform and Social Responsibility Act 2011 to provide financial accountability and governance and the CFO is a critical role in assisting, with the Force ACO, to jointly deliver this.
7. This joint role of the ACO covering the PCC CFO role brings financial and operational temporary benefits, including:
  - Continued accountability and governance;
  - Effective and streamlined decision making;
  - The provision of consistent expert advice;
  - Temporary reduced costs by having one staff member fulfilling both roles.
8. The Force ACO is the Section 151 Officer for the Force and will carry out this role as CFO for Leicestershire OPCC.

### **Risk and Mitigation**

9. The PCC's CFO may face a conflict of interest in carrying out dual roles namely an inability to provide independent advice, particularly on holding the Chief Constable of Leicestershire Police to account on financial matters.
10. To mitigate this risk the OPCC has sought details of where this has been considered previously in other areas and devised the following control framework:
  - The Strategic responsibilities of both the PCC and CC are set out in the Policing Protocol Order 2011. This makes clear that the PCC is ultimately accountable to the public for the management of the police fund while the CC has day to day responsibility for managing their allocated budgets.
  - The Leicestershire OPCC Corporate Governance Framework 2013/14 sets out how powers and delegations will be exercised by the PCC, Chief Executive, Chief Constable and CFO. It acts as an important safeguard and form of assurance to ensure good governance by both the PCC and CC.
  - All role descriptions, as defined within the Governance Framework, have been developed with consideration to the Home Office Financial Management Code of Practice for the Police Service in England and Wales (FCMP).
  - S36 of the Police Reform and Social Responsibility Act 2011 places a requirement on a CC to provide a PCC with all relevant information. In ensuring this requirement is met, the s151 status of the CFO requires him to act in the public interest should any pressure be placed on him to do anything otherwise. Section 114 of the Local Government Finance Act 1998 requires the s151 officer to report on any unlawful expenditure or unbalanced budgets.
  - The Code of Ethics, produced by the College of Policing in its role as the professional body for policing. It sets and defines the exemplary standards of behaviour for everyone who works in policing.
  - In addition to the above the 'Role of the Chief Financial Officer in Local Government', a publication by the chartered Institute of Public Finance and Accountancy, outlines five principles which the CFO, as a professionally qualified accountant, should adhere to. All these principles are underpinned for the person carrying out these joint roles to act ethically.
  - The ACO is employed by the Chief Constable. The work that he will do as CFO for the PCC will be scrutinised by their Chief Executive and challenged appropriately.
  - Finance is discussed at both local and regional strategic and operational meetings. The PCC CFO will be presenting at these meetings and any decisions or actions from his work will be jointly discussed and agreed.
  - Advice or further inspection can be sought by the PCC from either HMIC or Internal/external auditors should they not be satisfied with the advice received from the joint ACO/CFO.

- At any point should the arrangement not be satisfactory it can be terminated by either the PCC, CC or CFO. This would result in the PCC needing to appoint another CFO.
11. The workload of the ACO (Finance and Resources) will be significantly increased as a result of covering these additional responsibilities and need to be prioritised to deliver on his ACO requirements and obligations.
  12. The PCC for Leicestershire has considered this and the temporary CFO role will be supported where required by the Chief Executive (OPCC). It must be noted that this is not envisaged to be a long term arrangement at this stage.

**Contact**

Enquiries regarding this protocol should be directed to the Office of the Police and Crime Commissioner at [police.commissioner@leics.pcc.pnn.gov.uk](mailto:police.commissioner@leics.pcc.pnn.gov.uk)