

Approved By: Charles Garbett A/Chief Executive	Classification of Paper: Not Protectively Marked
Report to PCC <i>(delete as appropriate)</i>	Report reference number (To be inserted by report author) PCC/0032/13
Date of Decision Date of Report 20 th June 2013 <i>(delete/insert as appropriate)</i>	Area of County/Stakeholders affected <i>(insert area affected or county wide and key partners affected by the decision)</i> Countywide
Title of report: Delegation of the functions of the PCC to the Deputy PCC	
Report by: Charles Garbett A/Chief Executive	
Enquiries to: Jerry Drewett Operating Manager	

1. Purpose of report

- 1.1. To arrange for the Deputy Police and Crime Commissioner (DPCC) to exercise any function of the Police and Crime Commissioner.
- 1.2. The arrangement for the exercise of the functions that may be delegated to the DPCC referred to in paragraph 1.1, excludes those prohibited by law.

2. Recommendations

- 2.1 Approve the arrangement whereby the DPCC may exercise those functions of the PCC that may be delegated by the power vested in the Police Reform and Social Responsibility Act 2011.

3. Benefits of Proposal

- 3.1 This arrangement will permit the DPCC to fulfil the full functions of a deputy.
- 3.2 The DPCC will be able to fully represent the PCC at meetings, both public and with partners, taking the appropriate decisions and where necessary making commitments.
- 3.3 Provide continuity to the Office of the PCC in the absence of the PCC due to other commitments e.g. meetings, leave *et al.*
- 3.4 The consequences of not proceeding would be the reverse of the above.

4. Background and proposal

- 4.1 The Police Reform and Social Responsibility Act 2011 established Police and Crime Commissioners in every police area in England and Wales (there are special arrangements for London).
- 4.2 Section 18(1) provides for the delegation of the Police and Crime Commissioner's functions. It states:

S18(1) The Police and Crime Commissioner for a police area may –
(a) Appoint a person as the deputy police and crime commissioner for that police area, and
(b) Arrange for the deputy police and crime commissioner to exercise any function of the police and crime commissioner.

- 4.3 The section goes on to make exclusions as to what functions cannot be delegated to the deputy.
- 4.4 In pursuance of ss(3)(b), the DPCC cannot exercise the following functions listed in ss(7):
 - Issuing a police and crime plan
 - Appointing the chief constable, suspending the chief constable, or calling upon the chief constable to retire or resign
 - Calculating a budget requirement

5. Police and Crime Plan

- 5.1 There are a number of strands to the police and crime plan where the DPCC will take the lead. The delegation of functions will permit the DPCC to expedite those strands by exercising the functions of the PCC, without the need to defer to the PCC.

6. Police Operational Implications

6.1 There are no operational implications.

7. Financial Implications

7.1 The Financial Regulations provide procurement competition procedures and authorisation levels, which includes authority levels and functions for the PCC. This decision will permit the DPCC to exercise those functions of the PCC included within Financial Regulations.

8. Legal Implications

8.1 There are no legal implications.

9. Staffing and other resource implications

9.1 There are no staffing or resource implications.

10. Equality and Diversity implications

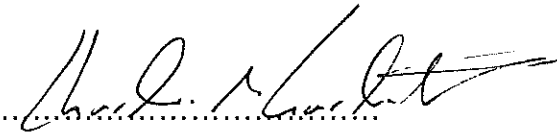
10.1 There are no equality and diversity implications.

11. Background papers

11.1 None.

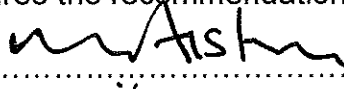
Report Approval

The report will be signed off by the Chief Executive and CFO and the PCC Solicitor where legal implications arise.

Chief Executive/M.O 
Chief Financial Officer
PCC Legal Advisor (As necessary)

Decision

I agree the recommendations to this report



PCC/Deputy PCC

I do not agree the recommendations to this report because

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PCC/Deputy PCC

Publication

Reasons for non-publication (state 'None' if applicable)

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Signed/Print name

Report for publication

YES

NO

[NOT PROTECTIVELY MARKED]

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

[NOT PROTECTIVELY MARKED]

