

PFCC Decision Report

Report reference number: 128-23
Classification: Not protectively marked
Title of report: Recruitment to Fixed Term Posts
Area of county / stakeholders affected: PFCC's Office
Report by: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer) Chief Officer: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer) Date of report: 11 September 2023 Enquiries to: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

1. Executive Summary

Following discussion and agreement in principle at the PFCC's Senior Management Team (SMT) meeting on 25 May 2023, this report sets out proposals to recruit to the two residual posts within the PFCC's intended restructure on a fixed term basis, utilising reserves, whilst capacity is created to go through the process necessary establish the roles on permanent basis.

2. Recommendations

- 1) That the PFCC approves recruitment to the following posts for a period of 20 months:
 - 1.0 FTE Complaints Manager (PO4)
 - 1.0 FTE Staff Officer to the PFCC (PO1)
- 2) That funding of up to £196,753 be utilised from the PFCC's reserves to meet the costs of these appointments.

3. Background to the proposal

The PFCC's office was last restructured in 2020. Subsequent to this, the former Head of Finance identified when coming into post that seven posts within the PFCC's establishment that were previously budgeted as though funded through the core staffing

budgets are actually funded through funds devolved from the Home Office, Ministry of Justice and other external sources. This effectively built a structural underspend into the budget at budget setting time. Using the learning from a post-implementation review of the new structure, this created a further opportunity to review and propose how best to utilise existing staffing budgets that are not required to fund posts resourced from external sources in order to meet current demands and pressures and to deliver the new Police and Crime Plan.

Following the collation of proposals made by the Management Team, on 17 September 2021, SMT approved proposals to recruit to the following additional roles to be funded from core staffing budgets:

- 2 FTE Complaints Reviewing Officers, one of which is to be temporary (to be funded through reserves) and one permanent, with the aim of clearing the backlog of complaint reviews by July 2023. This allowed SMT to keep the situation under review and extend the temporary contract as necessary, but only committed the organisation at that stage to one permanent role going forward from the point at which the backlog is cleared and we only need to keep pace with new work coming in.
- 0.6 FTE permanent ICV Scheme Manager, in order to comply with the Home Office Code of Practice on Independent Custody Visiting and free up three days per week of Scrutiny Officer time to fulfil their core role.
- 1 FTE permanent Policy Officer, in order to respond to the only feedback received during the consultation on the previous year's restructure that we were not able to accommodate within the budget at that time. This role assists with our internal policy development work as well as researching best practice and developing our lobbying position in respect of key issues. There is a clear link here to the delivery of the new Police and Crime Plan, which includes numerous commitments to lobbying around certain issues. This role also adds capacity to formulate responses to the huge volume of consultations we continue to receive, and to monitor more effectively legislative changes that need to be reflected in our Constitutions; keep up to date with changes to regulations and statutory guidance, and help us keep pace with the progress of new Bills through the Houses etc.

All of these arrangements are now in place.

Following the SMT meeting on 17 September 2021, the PFCC indicated that he was willing to consider a growth bid for additional staffing resources, to the level of the aggregate percentage increase proposed to be applied to policing and fire and rescue budgets. The Head of Finance calculated the total value of this increase at that time to be £52,864 per annum. The Management Team was therefore invited to put forward proposals for growth in the PFCC's staffing establishment, within these funding parameters.

Following the completion of that process, SMT considered a further report on 23 November 2021, which proposed, amongst other things, to:

- Replace the former Head of Finance post (which was, at that point, due to be vacated) with a qualified Finance Manager role, operating at a lower level than the previous Head of Finance role but at a higher level than the Financial Scrutiny Officer role that existed under the previous structure. This post would be

designated as the Deputy Section 151 Officer in order to increase resilience in this area.

- Make one of the existing Scrutiny Officer roles full time (thereby increasing the total Scrutiny Officer capacity by 0.4 FTE, from 1.2 to 1.6 FTE).
- Create a new role of Governance and Standards Officer (at 0.95 FTE), reporting to the Strategic Head of Policy and Public Engagement and assuming responsibility for administering the decision report process, maintaining the consultation tracker and undertaking initial complaints handling (including logging requests for complaint reviews and supporting the PFCC to consider complaints against the Chief Constable). This post holder would also provide administrative support to police misconduct hearings and appeals and support the Deputy PFCC in their scrutiny of Essex Police's Professional Standards Department on behalf of the PFCC.
- Create a new, full-time role of Complaints Manager. This role will be responsible for supporting the PFCC to fulfil all their statutory functions with regards to complaints (including complaints against the Chief Constable and complaint reviews), will hold a caseload, and line manage the Complaints Reviewing Officers. This will increase the total capacity dedicated to managing complaints from 2.0 FTE in the current structure (including current agency resources) to 3.0 FTE, reducing back to 2.0 FTE once the current backlog of complaint reviews is cleared.
- Create a new, full-time role of Staff Officer to the PFCC, which would play a key role in helping to manage the PFCC's diary and ensuring that he and the Deputy PFCC are appropriately briefed for and supported at all key external meetings and engagements, in liaison with nominated lead officers and subject matter experts within the office. They would assist the wider SMT in drawing out the links between such engagements and in briefing both into the PFCC from the wider SMT and back out again. There is also an opportunity for line management of the PA to the PFCC to transfer to this post holder, in order for them to work closely together in terms of management of the PFCC's diary and correspondence etc.

At this meeting the Management Team was authorised to work these proposals up in readiness for implementation, including the preparation of job descriptions for evaluation and papers to support consultation with affected staff at the earliest opportunity. Whilst job descriptions and full job evaluation questionnaires have been completed for each of these posts in order to allow them to be evaluated, other demands and pressures on the Head of Paid Service since this time means that there has not been sufficient capacity to work up the full set of consultation documents needed to support the implementation process in its entirety.

In the meantime, the replacement of the Head of Finance role with the new Finance Manager role was achieved through the later resignation of the former Head of Finance. This post was recruited to in October 2022. The additional Scrutiny Officer capacity is currently filled on a temporary basis using underspends from vacancies and the saving achieved through the replacement of the Head of Finance role with the Finance Manager post. Similarly, in March 2023, temporary funding from the 2022/23 underspend was approved through decision report 044-23 to allow recruitment to the Governance and Standards Officer role for an initial fixed term of one year, in order to allow this role to support in the implementation of the PFCC's Accessibility Strategy and actions required to ensure compliance with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018. This post has now been recruited to and will be filled with effect from 18 September 2023.

This leaves only the Complaints Manager role and the post of Staff Officer to the PFCC yet to be recruited to. It was therefore agreed in principle at the PFCC's Senior Management Team (SMT) meeting on 25 May 2023 that these posts would be recruited to on an initial, fixed term basis using funding available within reserves in order to build the capacity required within the team and test the efficacy of the proposals until capacity can be created for the Head of Paid Service to conduct the process required to place these arrangements on a permanent footing.

4. Proposal and associated benefits

The creation of these posts is intended to achieve a number of objectives including:

- To address current resource challenges and build resilience and capacity in key areas of the business. In particular, the proposals summarised in this report are designed to provide more capacity and consistency in administrative support to the PFCC, Deputy PFCC and CEO whilst both freeing up existing and creating additional senior level support to make more of the meetings and engagement undertaken, particularly by the PFCC and Deputy PFCC, through better preparation and follow-up driven by clear ownership.
- To ensure that the PFCC's office is adequately resourced to support the PFCC to discharge all of their statutory duties, especially in respect of complaints.
- To respond to feedback from staff (gathered through exit interviews, day-to-day supervision and team meeting arrangements, the consultation undertaken in relation to the previous restructure and the post-implementation review of the previous restructure), thus increasing staff morale by demonstrating that we are a listening organisation and that staff are able to influence decisions affecting them (an area that scored lower than others in the last staff survey).

As set out in section 3 above, recruiting to these posts on an initial, fixed term basis will achieve the above objectives whilst capacity is hopefully created for the restructure to be formally consulted on and established on a permanent basis. It will also allow the efficacy of the proposals to be tested before they are implemented permanently.

5. Options analysis

The PFCC could chose not to recruit to one or both of the posts identified in above, but this would fail to deliver the benefits and objectives set out within section 4 of this report.

The PFCC could also chose to delay recruitment to one or more of the identified posts until the necessary staff consultation has been undertaken to enable this to happen on a permanent basis. Given current capacity issues and competing demands, it is unlikely that this will be possible until at least Quarter 4 of 2023/24 – and quite possibly later, dependent largely on the outcome of ongoing devolution negotiations across Greater Essex - so would cause a considerable further delay and as such is not recommended.

6. Consultation and engagement

The proposals set out in this paper reflect proposals put forward by the Management Team and feedback gathered from staff and the Corporate Management Team through the post-implementation review of the last restructure.

7. Strategic links

Recruitment to the posts listed above is intended to ensure that the PFCC's office is appropriately resourced to deliver the Police and Crime Plan, the Fire and Rescue Plan and the Local Business Case for Joint Governance, as well as other strategic priorities.

8. Operational implications

There are no operational implications for either Essex Police or the Essex County Fire and Rescue Service arising from this decision.

9. Financial implications

The cost associated with recruiting to these roles has been calculated as set out below:

Post	Grade	Cost – First 12 months	Cost – Subsequent 8 months	Total Cost
Complaints Manager	PO4	£66,359	£42,826	£109,185
Staff Officer	PO1	£53,389	£34,179	£87,568
				£196,753

As set out above, it was agreed in principle at the PFCC's Senior Management Team (SMT) meeting on 25 May 2023 that these posts would be recruited to on an initial, fixed term basis using funding available within reserves. As such, these proposals are achievable within existing resources and presume no permanent overall growth in the office budget at this stage. Any longer-term investment will need to be dealt with through the 2025/26 budget setting process and in accordance with the adopted restructuring policies.

10. Legal implications

There are no legal implications arising directly from this decision report, although the recommendations presented above will assist in ensuring that the PFCC effectively discharges their statutory obligations, particularly with regard to complaint reviews.

Establishment of these posts on a permanent basis, if required, will be managed in accordance with current employment legislation, as set out in various HR policies and procedures.

11. Staffing implications

These posts will be offered as acting up / secondment opportunities to existing staff as development opportunities, as well as being offered externally.

The proposed duration of these fixed-term roles mean that any new colleagues appointed externally will not accrue employment rights, and as such the PFCC will not incur exit costs or other liabilities at the end of the contracts.

Selection to the new roles will be by interviews.

12. Equality and Diversity implications

It is not felt that the proposals contained within this decision report will have a disproportionate impact on staff in relation to any of the protected characteristics as defined in the Equality Act 2010, namely age, disability, sex, gender reassignment, marriage or civil partnerships, pregnancy and maternity, race, religion or belief and sexual orientation. However, an equality impact assessment will be completed as part of the associated staff consultation documents, and any adverse impact identified mitigated as appropriate, should it be proposed to establish these arrangements permanently at the end of the 20-month period.

13. Risks and mitigations

There is a risk that we will not be able to recruit successfully to the new roles, particularly on a fixed term basis. In order to mitigate against this, the advertisements will be proactively shared on Essex Police's and the PFCC's websites, as well as via the PFCC's social media channels. Recruiting managers will also share the advertisements through their own professional networks. Should the roles still not be filled, the advertising strategy and / or role profiles will be reviewed as required.

14. Governance Boards

As set out in section 3 above, it was agreed in principle at the PFCC's Senior Management Team (SMT) meeting on 25 May 2023 that these posts would be recruited to on an initial, fixed term basis using funding available within reserves. These proposals have also been the subject of extensive discussions via the PFCC's Corporate Management Team (CMT).

15. Links to Future Plans

As set out above, should these roles prove fit for purpose, it is proposed that they will be established on a permanent basis through the 2025/26 budget setting process and in accordance with the relevant HR policies and procedures.

16. List of Background Papers and Appendices

- [REDACTED]
- [REDACTED]
- Decision report 044-23 – Recruitment of Governance Officer (1 Year Fixed Term)

Report Approval

The report will be signed off by the OPFCC Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign:



Print: P. Brent-Isherwood

Date: 11 September 2023

Chief Finance Officer

Sign:



Print: Janet Perry

Date: 14 September 2023

Publication

Is the report for publication?

YES

NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

Subject to redaction, as detailed below

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

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet?

YES

2. Of Appendix?

YES

NO

NO

If 'YES', please provide details of required redaction:

The two SMT reports identified as background papers are protectively marked OFFICIAL-SENSITIVE – PERSONNEL, so are not suitable for publication.

Decision report 044-23 has already been published.

Date redaction carried out: 18/09/2023

Treasurer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign: 

Print: Janet Perry

~~Chief Executive~~/Treasurer

Date signed: ..01 October 2023.....

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

PFCC

Date signed: 15/09/2023

I do not agree the recommendations to this report because:

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Sign:

Print:

PFCC/Deputy PFCC

Date signed: