



Cumbria Office of the Police and Crime Commissioner

**Police & Crime Commissioner,
Deputy Police & Crime Commissioner
And Officer Protocol**

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Introduction

The relationship between the Police & Crime Commissioner (Commissioner), Deputy Police & Crime Commissioner (Deputy Commissioner), an Appointed Person (AP) and employees is an essential ingredient in the successful working of this organisation. The relationship within the Office of Cumbria Police & Crime Commissioner (OPCC) is one which is characterised by mutual respect, informality and trust. The Commissioner/Deputy Commissioner/AP and employees of the Office of the Police & Crime Commissioner should feel free to speak to one another openly and honestly.

Nothing in this Protocol is intended to change this relationship nor relate to officers or employees under the direction and control of the Chief Constable. The purpose of this Protocol is rather to help the Commissioner/Deputy Commissioner/AP and employees to perform effectively by giving clearer guidance on their respective roles and expectations and about their relationship with each other. The Protocol also gives guidance on what to do on those rare occasions when things might go wrong. Responsibility for the operation of this Protocol in the case of employees lies with the Chief Executive and in the case of the DPCC and AP with the PCC.

The Protocol must be read and operated in the context of any relevant legislation and national and local Codes of Conduct and any procedure for confidential reporting.

Roles of the Commissioner and Employees

Respective roles can be summarised as follows:

The Police & Crime Commissioner, Deputy Police & Crime Commissioner, Appointed Persons and employees are servants of the public and they are indispensable to one another. But their responsibilities are distinct. The Police & Crime Commissioner/ Deputy Police & Crime Commissioner / Appointed Person are responsible to the public and serve only so long as their term of office lasts.

Employees are responsible to the Office of the Police & Crime Commissioner. Their job is to give advice to the Police & Crime Commissioner/Deputy Police & Crime Commissioner/Appointed Person whilst carrying out the Police & Crime Commissioner for Cumbria's work under the direction and control of the Office of the Police & Crime Commissioner's Chief Executive.

Mutual respect between the Police & Crime Commissioner/Deputy Police & Crime Commissioner/Appointed Person and employees is essential to good local governance and successful public administration.

Police & Crime Commissioner/ Deputy Police & Crime Commissioner / Appointed Person

Subject to the overriding legal duties of the Police & Crime Commissioner for oversight of policing, as framed in the Police Reform and Social Responsibility Act 2011, the Police & Crime Commissioner/Deputy Police & Crime Commissioner have three main areas of responsibility:

- determining the policy of the Office of the Police & Crime Commissioner and giving it leadership;
- representing the Office of the Police & Crime Commissioner externally; and
- acting as advocates on behalf of the public of Cumbria in matters affecting the legal responsibilities of the Police & Crime Commissioner.

Importantly, it is of course not the role of the Commissioner or Deputy Commissioner to involve themselves in the day-to-day management of the Office of the Police & Crime Commissioner or the Constabulary.

Employees

The role of employees is to give advice and information to the Police & Crime Commissioner/Deputy Police & Crime Commissioner/Appointed Person and to implement the policies determined by the Office of the Police & Crime Commissioner for Cumbria. Certain employees e.g. Monitoring Officer, Chief Financial Officer (Section 151 Officer) and the Statutory Chief Officers have responsibilities in law over and above their obligations to the OPCC that they must be allowed to discharge.

Expectations

The Police & Crime Commissioner/Deputy Police & Crime Commissioner/ Appointed Person can expect from employees:

- (a) A commitment to the OPCC as a whole and not to any political group
- (b) A working partnership
- (c) An understanding of and support for respective roles, workloads and pressures
- (d) Timely response to enquiries and complaints
- (e) Professional advice, not influenced by political views, partiality or preference, which does not compromise the political neutrality of employees.
- (f) Regular, up-to-date information on matters and to an extent that can reasonably be considered appropriate, proportionate and relevant to their needs, having regard to any individual responsibilities that they have and positions that they hold.
- (g) Awareness of and sensitivity to the political environment
- (h) Respect, dignity and courtesy
- (i) Training and development in order to carry out their role effectively
- (j) Integrity, mutual support and appropriate confidentiality
- (k) Not to have personal issues raised with them by employees outside the agreed procedures
- (l) That employees will not use their relationship with the Commissioner/Deputy Commissioner/AP to advance their personal interests or to influence decisions improperly
- (m) That employees will at all times comply with their relevant professional Codes of Conduct.

Employees can expect from the Police & Crime Commissioner / Deputy Police & Crime Commissioner / Appointed Person:

- (a) A working partnership
- (b) An understanding of and support for respective roles, workloads and pressures
- (c) Strategic leadership and direction, where appropriate
- (d) Respect, dignity and courtesy
- (e) Integrity, mutual support and appropriate confidentiality
- (f) Not to be subject to bullying or to be put under undue pressure. The Police & Crime Commissioner/Deputy Police & Crime Commissioner should have regard to the seniority of employees and the capacity of the organisation in determining what are reasonable requests, having regard to the power-relationship between the Police & Crime Commissioner/Deputy Police & Crime Commissioner and employees, and the potential vulnerability of employees, particularly at junior levels.
- (g) That the Commissioner/Deputy Commissioner will not use their position or relationship with employees to advance their personal interests or those of others or else to influence decisions improperly. The Commissioner/Deputy Commissioner will not provide a reference for an appointment with the OPCC.
- (h) That the Commissioner/Deputy Commissioner will at all times comply with their Code of Conduct and associated Declarations signed on appointment.

If Things Go Wrong

Procedure for employees

From time to time it may occur that the relationship between the Commissioner/Deputy Commissioner/Appointed Person and employees becomes strained or even breaks down. Whilst it will always be preferable to resolve such matters informally, whether through conciliation by an appropriate senior manager, employees will have recourse to the Grievance Procedure or to the Office of the Police and Crime Commissioner's Monitoring Officer, as appropriate to the circumstances. One male and one female manager will be identified to whom an initial approach may be made by a concerned employee if necessary.

In the event of a grievance or complaint being upheld, such a matter will be referred to the Chief Executive who will decide on the course of action to be taken on the grievance or complaint following consultation with the Chair of the Joint Audit and Standards Committee.

Procedure for the Police & Crime Commissioner/Deputy Police & Crime Commissioner/Appointed Person

In the event that the Commissioner/Deputy Commissioner/AP is dissatisfied with the conduct, behaviour or performance of an employee, and in view of the small size of the OPCC's establishment, the matter should normally be raised with the Chief Executive directly. Where the employee concerned is the Chief Executive, the matter should be raised with the Chair of the Joint Audit and Standards Committee. If the matter cannot be resolved informally, it may be necessary to invoke the Office of the Police and Crime Commissioner's Disciplinary Procedure.

Appendix 1



COMMISSIONER AND OFFICER PROTOCOL - DECLARATION

I agree to conduct myself in accordance with and abide by the Police & Crime Commissioner and Officer Protocol whilst conducting duties of the Office of the Police and Crime Commissioner for Cumbria.

Signed: **Date:**

Police & Crime Commissioner/ Deputy Police & Crime Commissioner/Appointed Person/Member of staff of the Office of the Police & Crime Commissioner for Cumbria

(Delete as not applicable)