

**Police, Fire and Crime Commissioner  
for Cumbria**

**Delivering to the Public**



**Peter McCall**

---

**COMMISSIONER, DEPUTY  
COMMISSIONER & OFFICER  
PROTOCOL**

## Document control

This policy applies to all employees of the Office of the Police, Fire and Crime Commissioner for Cumbria.

<b>Date of last review</b>	Reviewed April 2023
<b>Date of next review</b>	April 2026
<b>Owner</b>	Head of Communications and Business Services
<b>Equality Impact Assessment</b>	25/07/2022

## Distribution and Consultation Record

<b>Date</b>	July 2019
<b>Version</b>	V2
<b>Authors</b>	Joanne Head, Governance Manager

## Version Control

1.1	Plan Approval
<b>Approved By</b>	OPFCC Executive Team
<b>Signature</b>	Gill Shearer at Executive Team
<b>Date</b>	26 September 2019
<b>Equality Impact Assessment completed</b>	Date

<b>Version .01</b>	Created March 2016
<b>Department</b>	Office of the Police, Fire and Crime Commissioner
<b>Contact</b>	

<b>Version.02</b>	Created July 2019
<b>Department</b>	Office of the Police, Fire and Crime Commissioner
<b>Contact</b>	Joanne Head, Governance Manager

<b>Version.03</b>	Created July 2022
<b>Department</b>	Office of the Police, Fire and Crime Commissioner
<b>Contact</b>	Joanne Head, Governance Manager

<b>Version.04</b>	Created
<b>Department</b>	
<b>Contact</b>	

## Contents

Distribution and Consultation Record .....	ii
Version Control .....	ii
1 Introduction .....	4
2 Aims .....	4
3 Scope .....	4
4 Approval.....	4
5 Guiding principles .....	4
6 Responsibilities .....	5
7 Roles of the Police, Fire & Crime Commissioner and Employees.....	5
8 Expectations .....	6
9 Procedure for Employees If Things Go Wrong .....	7
10 Procedure for the Police, Fire & Crime Commissioner/Deputy Police, Fire & Crime Commissioner/Appointed Person If Things Go Wrong .....	7

## 1 Introduction

1.1 The relationship between the Police, Fire and Crime Commissioner (Commissioner), Deputy Police, Fire and 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, Fire and Crime Commissioner (OPFCC) is one which is characterised by mutual respect, informality and trust. The Commissioner/Deputy Commissioner/AP and employees of the OPFCC should feel free to speak to one another openly and honestly.

1.2 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.

## 2 Aims

2.1 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 Deputy Commissioner and AP with the Commissioner.

2.2 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.

## 3 Scope

3.1 This Protocol will be applied to all staff employed by the OPFCC, the Commissioner, any appointed Deputy Commissioner and Appointed Persons.

## 4 Approval

4.1 The OPFCC Executive team is responsible for the approval of this policy.

## 5 Guiding principles

5.1 **Legal obligations:** the OPFCC acknowledges that it must comply with the law.

5.2 **Equal opportunities:** the OPFCC is firmly committed to equal opportunities for all employees and will comply with all relevant legislation. The OPFCC will ensure the promotion of equality in all aspects of its operation. The OPFCC commits to consistency of treatment and fairness in the application of its Code of Conduct.

5.3 **Commitment to employees:** the OPFCC recognises that its employees are their most important asset and values their commitment, support and goodwill. The OPFCC provides this Protocol to ensure that employees understand the expectations of them in carrying out the duties of their role and fulfilling their contract of employment.

## **6 Responsibilities**

6.1 The Chief Executive is responsible for ensuring that:

- The Commissioner, Deputy Commissioner and any Appointed Persons are aware of and understand the Protocol and carry out their roles in accordance with it.

6.2 Managers are responsible for ensuring that:

- Employees are aware of and understand the Protocol and carry out their duties and responsibilities in accordance with it.

6.3 Employees are responsible for ensuring that:

- They understand and commit to the expectations of carrying out their duties and responsibilities in accordance with the Protocol.

## **7 Roles of the Police, Fire & Crime Commissioner and Employees**

7.1 The Commissioner, Deputy Commissioner, Appointed Persons and employees are appointed to serve the public. They are indispensable to one another but their responsibilities are distinct. The Commissioner/ Deputy Commissioner / Appointed Person are responsible to the public and serve only so long as their term of office lasts.

7.2 Employees are responsible to the OPFCC. Their job is to give advice to the Commissioner/Deputy Commissioner/Appointed Person whilst carrying out the Commissioner's work under the direction and control of the OPFCC Chief Executive.

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

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

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

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

## 8 Expectations

- 8.1 The Commissioner/Deputy Commissioner/ Appointed Person can expect from employees:
- (a) A commitment to the OPFCC 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.
- 8.2 Employees can expect from the Commissioner / Deputy 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 Commissioner/Deputy 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 Commissioner/Deputy 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 OPFCC.
- (h) That the Commissioner/Deputy Commissioner will at all times comply with their Code of Conduct and associated Declarations signed on appointment.

## **9 Procedure for Employees If Things Go Wrong**

- 9.1 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 OPFCC 's Monitoring Officer, as appropriate to the circumstances. One male and one female manager (where possible) will be identified to whom an initial approach may be made by a concerned employee if necessary.
- 9.2 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 in line with OPFCC policies and procedures.

## **10 Procedure for the Police, Fire & Crime Commissioner/Deputy Police, Fire & Crime Commissioner/Appointed Person If Things Go Wrong**

- 10.1 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 OPFCC'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 another member of the OPFCC Executive Team. Where this is not appropriate is should be raised with the Chair of the Ethics and Integrity Panel.
- 10.2 If the matter cannot be resolved informally, it may be necessary to invoke the OPFCC 's Disciplinary Procedure.



**COMMISSIONER AND OFFICER**  
**PROTOCOL - DECLARATION**

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

**Signed:** ..... **Date:** .....

Police, Fire and Crime Commissioner/ Deputy Police, Fire and Crime Commissioner/Appointed Person/Member of staff of the Office of the Police, Fire and Crime Commissioner for Cumbria

(Delete as not applicable)