



Leicester
City Council

**MEETING OF THE LEICESTER, LEICESTERSHIRE AND RUTLAND POLICE
AND CRIME PANEL**

DATE: WEDNESDAY, 14 DECEMBER 2022

**TIME: 2:00 pm or as soon as possible thereafter upon the closure of
the main panel meeting convening at 1pm.**

**PLACE: Sparkenhoe Committee Room, County Hall, Glenfield,
Leicestershire**

Members of the Panel

Councillor Taylor (Chair)

Councillor Whelband (Vice-Chair)

Councillors Clair, Clarke, Cutkelvin, Graham, Harper-Davies, Loydall, March,
Mullaney, Oxley, Phillimore and Woodman

Independent Members

Ms Parisha Chavda

Ms Salma Manzoor

Members of the Panel are invited to attend the above meeting to consider the
items of business listed overleaf.

For Monitoring Officer

Officer contacts:

Anita James, Senior Democratic Support Officer,

Tel: 0116 4546358, e-mail: committees@leicester.gov.uk

Leicester City Council, 3rd Floor Granby Wing, City Hall, 115 Charles Street

Information for members of the public

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- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

Further information

If you have any queries about any of the above or the business to be discussed, please contact:

Anita James, Democratic Support on 0116 4546358. Alternatively, email committees@leicester.gov.uk, or call in at City Hall.

For Press Enquiries - please phone the **Communications Unit on 0116 454 4151.**

PUBLIC SESSION

AGENDA

NOTE:

This meeting will be webcast live at this link

<https://www.youtube.com/channel/UCWFpwBLs6MnUzG0WjejrQtQ>

An archive copy of the webcast will normally be available on the Council's website within 48 hours of the meeting taking place at the following link: -

<http://www.leicester.public-i.tv/core/portal/webcasts>

1. WELCOME AND INTRODUCTIONS

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

Members will be asked to declare any interests they have in the business on the agenda.

4. CONFIRMATION HEARING FOR APPOINTMENT TO THE ROLE OF DEPUTY POLICE AND CRIME COMMISSIONER **Appendix A**

Following notification from the Police and Crime Commissioner of his intention to appoint the preferred candidate Councillor Ajmer Kaur Mahal to the role of Deputy Police and Crime Commissioner, for the panel to hold a Confirmation Hearing in accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011.

5. PRIVATE SESSION

Panel members to discuss the proposed appointment to the role of Deputy Police and Crime Commissioner and to agree their decision and recommendations to the Police and Crime Commissioner.

To resolve that the press and public be excluded from the meeting during this item of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them or exempt information as contained within Paragraph 3 of Part 1 Schedule 12A to the Local Government Act 1972, being information relating to the financial or business affairs of any particular person (including the authority holding the information) and, further, that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

While there may be a public interest in disclosing the information, namely openness in the deliberations of the Panel in determining its recommendations regarding the proposed appointment, it is felt that, on balance, this is outweighed by other factors in favour of maintaining the exemption, namely enabling a full discussion regarding the merits of the proposed appointment.

6. DATE OF NEXT MEETING

The next ordinary meeting of the Leicester Leicestershire and Rutland Police and Crime Panel is scheduled to 1st February 2023 at 1pm at City Hall.

7. ANY OTHER URGENT BUSINESS

None notified.

Appendix A

LEICESTER, LEICESTERSHIRE AND RUTLAND
POLICE AND CRIME PANEL – 14th December 2022

REPORT OF THE CITY BARRISTER – LEICESTER CITY COUNCIL

Confirmation Hearing Process for the role of Deputy Police and Crime Commissioner

Purpose of Report

- 1.1. This document explains the process to be followed by the Leicester, Leicestershire & Rutland Police and Crime Panel (hereafter referred to as ‘the Panel’) in respect of the proposed appointment of the preferred candidate to the role of Deputy Police and Crime Commissioner.
- 1.2. By way of assistance, the Local Government Association have provided guidance for the process for holding confirmation hearings which can be accessed here, [police-and-crime-panels-on-confirmation-hearings.pdf \(cfgs.org.uk\)](https://www.cfgs.org.uk/policy-and-legal/policy-and-legal-research/policy-and-crime-panels-on-confirmation-hearings.pdf)

Powers of the Leicester, Leicestershire & Rutland Police and Crime Panel

- 1.3. The Panel have the functions conferred by Schedule 1 Part 10 of the Police Reform and Social Responsibility Act 2011 [Police Reform and Social Responsibility Act 2011 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2011/26/schedule-1/part-10) (Scrutiny of Senior Appointments). This enables them to:
 - (i) Review the proposed appointment, by holding a Confirmation Hearing within three weeks of notification being given. A ‘confirmation hearing’ is a meeting of the Panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment;
 - (ii) Make a report to the Commissioner on the proposed senior appointment;
 - (iii) Include a recommendation to the Commissioner as to whether or not the candidate should be appointed,
 - (iv) Publish the report to the Commissioner made under (ii).

Confirmation Hearing for the role of Deputy Police and Crime Commissioner

1.4 On 30th November 2022 the Panel received formal notification from the Police and Crime Commissioner (hereafter referred to as ‘the Commissioner’) of the proposed appointment to the role of Deputy Police and Crime Commissioner. This appointment is a permanent appointment, and therefore it is subject to the public scrutiny that is required as part of a proposed senior appointment within the meaning of Schedule 1 of the Police Reform and Social Responsibility Act 2011. In order to assist the Panel in reviewing the suitability of the preferred candidate, the Commissioner has provided the following documentation, which has been attached as an Appendix attached to this report:

- Name of the preferred candidate;
- Statement/report from the Commissioner stating why the preferred candidate meets the criteria of role;
- Terms and conditions of appointment.

At the Hearing

- 1.5 The first part of the meeting will be conducted in public and structured as follows:
- a. The candidate will be welcomed to the meeting.
 - b. The Commissioner will have the opportunity to make any comments on the candidate and the proposed appointment.
 - c. The candidate will have an opportunity to present to the Panel their understanding of the role.
 - d. The Panel will have the opportunity to ask questions of the Commissioner and the candidate.
 - e. The candidate will be given opportunity to clarify any answers given during the hearing and ask questions of the Panel about the next stage of the process.
- 1.6 The Panel will ask questions of the candidate which relate to their professional competence and personal independence, the answers to which will enable the Members to evaluate their suitability for the role.

- 1.7 On the Close of the Hearing the Panel will hold a closed session in order to decide on its recommendations to the Commissioner regarding the appointment of the preferred candidate to the role of Deputy Police and Crime Commissioner.

At the end of the Confirmation Hearing session the Panel will discuss the following:

- Whether the candidate has the professional competence to exercise the role.
- Whether the Panel feels that the candidate has the personal independence to exercise the role.

Where a candidate meets the standards expected by the Commissioner for the political appointment of Deputy Police and Crime Commissioner, but there is still cause for concern about their suitability, it may be appropriate to outline those concerns in the Panel's response to the Commissioner.

Where a candidate does not meet the minimum standards, this would suggest a significant failure in the appointments process undertaken by the Commissioner. If the Panel believes that there has been significant failure in the appointments process, the Panel may choose to not recommend the candidate to the role of Deputy Police and Crime Commissioner.

- 1.8 The recommendations relating to the outcomes of the Confirmation Hearing will be communicated to the Commissioner in writing by the next working day. The Panel's democratic support officer will, in consultation with the Chair of the Panel, send a report on the proposed appointment to the Commissioner confirming the Panel's recommendation as to whether or not the candidate should be appointed. Where the Panel is recommending refusal, a summary of the principal reasons will be included. The Panel will normally publish its decision and report five working days after the Confirmation Hearing has taken place. However, the Commissioner may request to the Chair that the Panel bring forward or delay publication of the decision.

- 1.9 In response to the Panel's report, the Commissioner must notify the Panel whether they will accept or reject the Panel's recommendation:

- Where Panel has recommended approval, they will write to the Commissioner accordingly who will respond in accordance with the statutory process.

- Where the Panel has recommended refusal and the PCC decides not to appoint, the Panel's report will normally be published alongside a statement by the PCC setting out a timetable and process to make a new appointment. Where the PCC continues with the appointment, they will normally make a response at the same time as the publication of the Panel's report, focusing on why they felt that the candidate did in fact meet the minimum standards for the post.

Officer to Contact:

Kamal Adatia

City Barrister & Head of Standards

Monitoring Officer

Leicester City Council

E-mail: Kamal.Adatia@leicester.gov.uk

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE POLICE & CRIME PANEL

PAPER MARKED

Report of	OFFICE OF THE POLICE & CRIME COMMISSIONER
Date	THURSDAY 30TH NOVEMBER 2022
Subject	APPOINTMENT OF DEPUTY POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE
Author	LIZZIE STARR, INTERIM CHIEF EXECUTIVE, OFFICE OF THE POLICE AND CRIME COMMISSIONER FOR LEICESTER, LEICESTERSHIRE AND RUTLAND

Purpose of Report

1. To provide background information to the Police and Crime Panel on the appointment process leading to the selection of Councillor Ajmer Kaur Mahal from Leicestershire representing Glen Ward, Harborough District Council, as the preferred candidate for the role of Deputy Police and Crime Commissioner (DPCC).

Recommendation

2. That the Panel endorses the appointment of Councillor Ajmer Kaur Mahal as the Deputy Police and Crime Commissioner for Leicester, Leicestershire and Rutland.

Background

3. The Police Reform and Social Responsibility Act 2011 (the Act) provides, under section 18(1), that the Police and Crime Commissioner (PCC) for a police area, may appoint a person as the DPCC for that area.
4. The PCC can arrange for them to exercise any of their functions save for
 - the issuing of a Police and Crime Plan,
 - appointing the Chief Constable,
 - suspending the Chief Constable,
 - calling upon the Chief Constable to retire or resign
 - calculating a budget requirement under section 43 of the Local Government Finance Act 1992.
5. An outcome of Part 1 of the PCC Review conducted by the Home Office concluded that to enhance resilience and capacity of PCCs, legislation will come forward to mandate the appointment of a DPCC.
6. To assist the PCC, provide capacity and resilience, and address the recommendations of the PCC Review Part 1, the Police and Crime Commissioner wishes to appoint a DPCC.
7. The PCC has therefore notified the panel of his intention, in accordance with the Act.

8. Councillor Mahal has declared that she is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. She has declared that to the best of her knowledge and belief she is eligible for appointment and is not subject to a relevant disqualification.
9. Attached at **Appendix A** are the relevant extracts from the Act which have been provided to Councillor Mahal.

Process

10. A DPCC is required by the Act to be a member of staff within the Office of Police and Crime Commissioner (OPCC). The DPCC for Leicester, Leicestershire and Rutland will be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC's staff. The PCC informed the Panel of his decision to appoint a Deputy on 17th November 2022. A copy of the decision notification sent on 30th November is attached at **Appendix B**.
11. There is no formal job description and person specification for a Deputy PCC. However, for completeness, it is the intention of the PCC to work with colleagues to develop a Job Description during the remainder of this financial year which will coincide with a new personal development review process being introduced into the OPCC. A PCC can decide to appoint a DPCC based on his/her individual needs and requirements in order to support them in their role.
12. The PCC has considered the priority areas he wishes his DPCC to focus on.

Criteria used to assess the suitability of Candidate

13. The PCC has considered very carefully the set of criteria he is looking for in selecting a suitable individual for this important role. These have been identified as:
 - Significant experience of building effective partnership relationships;
 - Understanding of and engagement with national, regional, and local communities, partners and stakeholders;
 - Experience of community campaigning and advocacy;
 - Alignment with the ethical and social aspirations of the Commissioner, in particular the importance of neighbourhood and community cohesion and diversity;
 - Shared values in respect of the role of the police service and its accountability to the public;
 - Ability to complement the experience and background of the Commissioner

Candidate Proposed

14. The PCC has selected Councillor Mahal as his preferred candidate based on her skills, aspirations and experience. Extensive discussions have taken place between the PCC and Councillor Mahal.
15. The PCC is confident that Councillor Mahal has a skill set that not only fulfils the criteria outlined above but also compliments his own skills and experience. He is confident that Councillor Mahal will fulfil the role of DPCC with passion, professionalism and integrity.

16. Key considerations for the PCC in making his selection is that Councillor Mahal has the following experience and competence:

- **Extensive experience within the business sector** e.g. Currently Director at LLEP and sits on Investment panel. The Leicester and Leicestershire Enterprise Partnership leads economic prosperity across the Leicester and Leicestershire area. Board member of Leicestershire Asian Business Association. Vice President and lead for women & political affairs. Attended Better Business for All meetings at Chamber of Commerce fighting for better regulations on behalf of small and medium sized businesses in Leicester.
- **Extensive experience within charitable organisations** e.g. Fellow of the Royal Society of Arts. (FRSA) (Formerly known as Society for the Encouragement of Arts, Manufactures and Commerce. Has volunteered initially starting in the Oadby and Wigston area later raising funds for Kidney Care Appeal (2005). Continues to support a wide range of charities. Former member of Women in Philanthropy in Leicester.
- **Advocate for underrepresented communities;** e.g. Board member of (IBTC) Indo British Trade Council. International member of WICCI as a Non-Resident Indian. Women's Indian Chamber of Commerce & Industry, (WICCI) boosts and builds women's entrepreneurship and businesses.
- **Supported groups and communities thereby enabling them to be more confident and to foster positive change; e.g.** Member of the Conservative Women's Organisation (CWO) for over a decade. Current regional President of East Midlands CWO. Current Vice-Chairman (2022-23) and Armed Forces Champion at Harborough District Council.
- **Mentored and coached key individuals in the communities and businesses;** (multiple private examples)
- **Experience of working within business sector and dealing with sensitive and complex issues;** e.g. At LOROS Hospice Former Trustee 9 years' experience of overall Governance, Strategy, and oversight of the Charity. Attended Clinical Governance meetings, advocating for terminally ill patients, Chaired Equality & Diversity meetings.
- **County Councillor with a portfolio which includes Community Safety;** e.g. Former Parish Councillor Great Glen Parish Council. Recreation & Planning committee member. Ensuring any grants approved meet standards expected from projects and as member of the Cabinet Sub-committee member has delivered various projects within the Harborough District.
- **Experienced in scrutiny, accountability and oversight** e.g. Deputy Chairman for the Leicester, Leicestershire and Rutland Area Conservatives with a remit for Fundraising and Membership. Treasurer for Leicestershire Area Conservatives. Audit and Governance committee member and Scrutiny Performance panel member at Harborough District Council.
- **Driven to raise standards and integrity in public life** e.g. As member of Harborough Conservative Association and a councillor and armed forces champion and more recently Vice-Chairman at Harborough District council fully aware of responsibilities and in line with the Nolan Principles.
- **Interests in protecting the most vulnerable in society** e.g. Vice-Chairman for 2022-23 at Harborough District Council ensuring due diligence for members of the Armed Forces. Advocates for women and children wherever possible and passionate about mental health issues. Is signed up to the Royal Voluntary Service as a Volunteer Responder and assisted in the national vaccination programme.

Terms and Conditions of Appointment

17. The Deputy PCC is a member of the PCC's staff and therefore this requires the post-holder to receive terms and conditions aligned with those colleagues within the Office of the OPCC.
18. A summary of the terms and conditions are attached at **Appendix C**.
19. Councillor Mahal will take up the role of DPCC for Leicester, Leicestershire and Rutland with effect from 21st November 2022. The employment status will be subject to the confirmation hearing. The intervening period prior to the Confirmation Hearing will be utilised as an induction and familiarisation process for Councillor Mahal.
20. The Police and Crime Commissioner has discussed with Councillor Mahal the portfolio of responsibilities he wishes to delegate to her. Although not an exhaustive list, the following is the current identified portfolio which may be subject to change going forward:
 - Governance - supporting the PCC with the internal/external governance arrangements
 - Partnership - to support and harness a collaborative approach to community safety
 - To champion OPCC response to Violence against Women and Girls
 - To champion OPCC response to hidden crime such as Domestic Abuse
 - To champion the OPCC response to Business Crime
 - To take an active oversight in Commissioning
 - To champion the OPCC response to Missing Children and Adults
 - To champion the OPCC response to Child Sexual Exploitation
 - To be the appropriate authorising officer on behalf of the PCC

Conclusion

21. The appointment of the DPCC has been identified as a critical role for the PCC. The PCC has carefully considered the skills and abilities he requires to complement his own approach and balanced those against the community and organisational needs.
22. The PCC has selected Councillor Mahal as his DPCC. This report identifies the legislative requirements for appointing a Deputy, together with the criteria used to assess the suitability of the selected candidate and the reasons why the Commissioner has selected Councillor Mahal. In addition, this report also informs the Panel on the terms and conditions on which she will be appointed.

Implications

Financial	This new post will be included with the financial consequences being an additional £58k including on-costs.
Legal	The legislation enables the Commissioner to appoint a Deputy and it is a legislative requirement that the Commissioner informs the Panel of his decision to appoint. The legal requirements are being met.
Equality Impact	The Commissioner has considered equality and diversity in this appointment.

Risks and Impact	The Panel has previously highlighted the risks associated with not appointing a Deputy in order to support the work of the Commissioner. This issue has been reflected in the decision made by Mr Matthews in making this decision.
Link to Police and Crime Plan	The Deputy will support the Commissioner in the delivery of the whole Plan.

List of Appendices

- Appendix A – Relevant Legislation
- Appendix B – Decision to appoint a Deputy Police and Crime Commissioner
- Appendix C – Summary of terms and conditions

Background Papers

Police Reform and Social Responsibility Act 2011.

Persons to Contact

Lizzie Starr, Interim CEO
Elizabeth.starr@leics.police.uk

Extract – paragraph 8 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 The deputy police and crime commissioner

8 (1) This paragraph applies to a person appointed under section 18 by a police and crime commissioner to be the deputy police and crime commissioner.

(2) None of the following may be appointed as the deputy police and crime commissioner—

- (a) a person who has not attained the age of 18 on the day of the appointment;
- (b) a person who is subject to a relevant disqualification;
- (c) a Member of the House of Commons;
- (d) a member of the European Parliament;
- (e) a member of the National Assembly for Wales;
- (f) a member of the Scottish Parliament;
- (g) a member of the Northern Ireland Assembly.

(3) The terms and conditions of a person who is appointed as the deputy police and crime commissioner must provide for the appointment to end not later than the day when the current term of office of the appointing police and crime commissioner ends.

(4) Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the deputy police and crime commissioner.

(5) In this paragraph “current term of office”, in relation to the appointment of a deputy police and crime commissioner by a police and crime commissioner, means the commissioner’s term of office which is running at the time the appointment is made.

(6) For the purposes of this paragraph, a person is subject to a relevant disqualification if the person is disqualified from being elected as, or being, a police and crime commissioner under—

- (a) section 65(1) (police officers, police-related employment etc.), other than paragraph (e)(ii); or
- (b) section 66(1), (3) (a) (iii) or (iv), (3)(c) or (3)(d) (citizenship, bankruptcy, criminal convictions & corrupt or illegal election practices).

Relevant disqualification

Section 65(1) Police Reform and Social Responsibility Act 2011

Disqualification from election or holding office as police and crime commissioner: police grounds

(1) A person is disqualified from being elected as, or being, a police and crime commissioner if the person—

(a) is disqualified from being a member of the House of Commons under section 1(1)(d) of the House of Commons Disqualification Act 1975 (members of police forces for police areas in the United Kingdom);

(b) is a member of—

- (i) the British Transport Police Force;
- (ii) the Civil Nuclear Constabulary;

- (c) is a special constable appointed—
 - (i) under section 27 of the Police Act 1996 for a police area or the City of London police area;
 - (ii) under section 25 of the Railways and Transport Safety Act 2003 (British Transport Police Force);
- (d) is a member of staff of the chief officer of police of any police force maintained for a police area;
- (e) is a member of staff of—
 - (i) a police and crime commissioner;
 - (ii) *the Mayor's Office for Policing and Crime*;
- (f) is the Mayor of London;
- (g) is a member of the Common Council of the City of London or a member of staff of that Council in its capacity as a police authority;
- (h) is a member (including a member who is chairman or chief executive), or member of staff, of—
 - (i) the British Transport Police Authority;
 - (ii) the Civil Nuclear Police Authority;
 - (iii) the Independent Police Complaints Commission;
 - (iv) the Serious Organised Crime Agency;
 - (v) the National Policing Improvement Agency;
- (i) holds any employment in an entity which is under the control of—
 - (i) a local policing body;
 - (ii) any body mentioned in paragraph (h);
 - (iii) the chief officer of police for any police force maintained for a police area or the City of London police area;
 - (iv) the chief officer of police for any police force mentioned in paragraph (b).

Section 66 Police Reform and Social Responsibility Act 2011 (relevant parts)

Disqualification from election or holding office as police and crime commissioner: other grounds

(1) A person is disqualified from being elected as, or being, a police and crime commissioner unless the person satisfies the citizenship condition (see section 68).

(3) A person is disqualified from being elected as, or being, a police and crime commissioner if—

(a) the person is the subject of—

(iii) a bankruptcy restrictions order under paragraph 1 of Schedule 4A to that Act;

(iv) a bankruptcy restrictions interim order under paragraph 5 of that Schedule;

(c) the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or

(d) the person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).

Citizenship condition (Section 68 Police Reform and Social Responsibility Act 2011

68 Citizenship condition

(1) This section applies for the purposes of section 66.

(2) A person satisfies the citizenship condition if the person is—

- (a) a qualifying Commonwealth citizen,
- (b) a citizen of the Republic of Ireland, or
- (c) a citizen of the Union.

(3) For the purposes of this section, a person is a qualifying Commonwealth citizen if the person is a Commonwealth citizen and—

- (a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or
- (b) is a person who requires such leave but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(4) But a person who does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases) is not a qualifying Commonwealth citizen by virtue of subsection (3)(a).

(5) In this section the expression “citizen of the Union” is to be construed in accordance with Article 20(1) of the Treaty on the Functioning of the European Union.

NOTIFICATION OF DECISION TO APPOINT A DEPUTY POLICE AND CRIME COMMISSIONER

1. The Police Reform and Social Responsibility Act 2011 (the Act) provides, under section 18(1), that the Police and Crime Commissioner for a police area may appoint a person as the Deputy Police and Crime Commissioner for that area.
2. Under section 18(10) of the Police Reform and Social Responsibility Act 2011 (“the Act”) the Deputy Police and Crime Commissioner (DPCC) is a member of the PCC’s staff.
3. Making use of the power in Section 18 (1) I have decided to propose the appointment of Councillor Ajmer Kaur Mahal to the post of Deputy Police and Crime Commissioner for Leicestershire.
4. Councillor Ajmer Kaur Mahal has declared that she is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. She has declared that to the best of her knowledge and belief she is eligible for appointment and is not subject to a relevant disqualification. Attached at **Annex A** are the relevant extracts from the Act which have been provided to Cllr Mahal.
5. A DPCC is required by the Act to be a member of my staff. The DPCC for Leicestershire will be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC’s staff.
6. I will notify this decision to the Police and Crime Panel. In accordance with the Act I will provide to them:
 - the name of the person I propose to appoint, who for the purposes of the legislation is known as the ‘candidate’;
 - the criteria used to assess the suitability of the candidate for the appointment;
 - why the candidate satisfies those criteria; and
 - the terms and conditions on which the candidate is to be appointed.
7. Cllr Mahal will then be subject to the confirmatory hearing process required by Schedule 1 to the Act. I understand that the confirmatory hearing will take place within three weeks of this notification.
8. The Police and Crime Panel are required to publish a report to me on the proposed appointment in which they must include a recommendation as to whether or not the candidate should be appointed. I will consider the report once published and decide whether to accept or reject the panel’s recommendation on Cllr Mahal’s proposed appointment. Until the conclusion of this process, Cllr Mahal remains the candidate for the appointment.

Police and Crime Commissioner for Leicestershire

Deputy Police and Crime Commissioner - summary of terms and conditions of appointment

Under Section 18(10) of the Police Reform and Social Responsibility Act 2011 (“the Act”) the deputy police and crime commissioner (DPCC) is a member of the PCC’s staff.

The DPCC will be employed by the PCC and be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC’s staff.

The main terms and conditions of appointment are:-

1. The DPCC will be required as a condition of appointment to make a declaration of eligibility that the appointment is held subject to the requirements of the Act and is not subject to a relevant disqualification¹.
2. Allowances – travelling and subsistence allowance will be paid at the rates applicable to the PCC’s staff. Allowances paid will be disclosed quarterly under the Elected Local Policing Bodies (Specified Information) Order 2012 (as amended) and in accordance with the Home Secretary’s determination, attached as an appendix to this summary.
3. Hours of work and salary – 5 days per week, 37 hours per week for which £58,800 per annum will be paid with provision for attendance on days and at times reasonably required by the PCC which will involve work outside normal office hours. No overtime will be paid. Salary reviews will be in line with those made to the Commissioner’s salary which is set by the Home Secretary.
4. Holiday entitlement – 27 days annual leave pro rata plus public and bank holidays.
5. Sickness absence – SSP is payable from the fourth qualifying day in any period of incapacity for work.
6. Pension – entitlement to join the Local Government Pension Scheme (LGPS).
7. Termination – the appointment as DPCC may be terminated at any time by the PCC and will terminate in any event upon the PCC ceasing to hold office for any reason, including reaching the end of the term of office under which the appointment is made. Three months’ notice is required by either party to terminate the contract of employment. The appointment will end if the appointee becomes disqualified under the Act. Unless otherwise terminated, the DPCC will be contracted up to and including the subsequent PCC election.
8. Conduct – Any PCC code of conduct will apply and in addition the DPCC will be subject to the complaints process under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.
9. Performance review and appraisal – the DPCC will receive regular performance reviews and appraisals from the PCC.
10. The DPCC will be subject to appropriate security vetting checks and clearances and will be required to sign the Official Secrets Act 1989.

¹ Defined in para. 8(6) of Schedule 1 to the Act

Appendix

Expenses

Secretary of State for Home Department's determination on police and crime commissioner expenses.

Paragraph 3 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 ('the 2011 Act') provides that a police and crime commissioner (PCC) is to be paid authorised allowances. 'Authorised allowances' means allowances, in respect of expenses incurred by the commissioner in the exercise of the commissioner's functions, which are of the kinds and amounts determined by the Secretary of State. A determination under paragraph 3 may make different provision for different cases.

Authorised allowances

The purpose of authorised allowances is to reimburse expenses incurred by PCCs in carrying out their duties, not to provide a general gratuity for undertaking the role. Commissioners are paid a salary determined by the Secretary of State on the advice of the senior salaries review board.

The kinds of allowances determined by the Secretary of State for the purposes of paragraph 3 of Schedule 1 to the 2011 Act are allowances in respect of:

- Travel expenses
- subsistence expenses
- exceptional expenses reasonably incurred by a PCC in the exercise of the commissioner's functions.

The amounts of such allowances determined by the Secretary of State are set out in the below table:

Table of PCC authorised allowance amounts		
Type of expense	Key restriction	Rates
Train	In course of business	Reimbursed up to standard class rates
Mileage allowances	Only if necessary	As per HMRC rates
Taxis	Only where public transport not available	Cost of taxi fare
Foreign travel	Prior authority from chief executive and for business purposes	Economy class for flights
Hotel accommodation	Business purposes and agreed in advance Value for money and best use of public funds - lower priced suitable accommodation	No explicit limitation on star standard of hotel accommodation
Subsistence (UK and foreign)	Only paid for evening meals and, where applicable, breakfast (not lunch)	Breakfast £10 Dinner £30
Exceptional expenses not falling within any of the other types	Reasonable incurred in carrying out business of the authority	As approved by the chief executive

Chief Executive Approval:

The Commissioner's Chief Executive should subject all of the commissioner's and any deputy's claims for expenses to rigorous verification and auditing.

Any claims for exceptional expenses incurred by the commissioner or deputy in the exercise of the commissioner's functions will require the approval of the commissioner's chief executive. Where possible, prior approval will be sought. In considering whether to grant this approval the chief executive shall take into account the following factors:

- a. whether there are exceptional circumstances warranting additional support
- b. whether the Commissioner could reasonably have been expected to take any action to avoid the circumstances which gave rise to the expenditure or liability
- c. whether the Commissioner's performance of their Commissioner functions will be significantly impaired by a refusal of the claim

Publishing allowances

Under paragraph 1(d) of the Schedule to the Elected Local Policing Bodies (Specified Information) Order 2011, PCCs are required to publish the allowances paid to them and to their deputies in respect of expenses incurred by the commissioner or deputy in the exercise of the commissioner's functions.

PCCs and their deputies should publish a breakdown of their expenses including:

- their name, force area, financial year, month, date, claim reference numbers, expense type (e.g. travel, accommodation), short description, details, amount claimed, amount reimbursed, amount not reimbursed, and the reason why a claim was not reimbursed
- for travel and subsistence claims: date, place of origin, place of destination, category of journey, class of travel, mileage, length of hotel stay, category of hotel stay.