

Record of Decision

ORIGINATOR: Chief Executive	REFERENCE: OPCC.D.025.20
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TITLE: Extension to the Chief Constables Contract
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OPEN <input checked="" type="checkbox"/> CONFIDENTIAL <input type="checkbox"/>	<i>Reason if Confidential:</i>
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<p><u>PURPOSE OF REPORT</u></p> <p>To inform the Police and Crime Panel of the decision of the Police & Crime Commissioner to extend the term of appointment of Chief Constable Mr Alan Pughsley QPM.</p> <p><u>EXECUTIVE SUMMARY</u></p> <p>Alan Pughsley QPM was appointed as Chief Constable of Kent Police in 2014. Under Police Regulations 2003, Regulation 11, Chief Constables can be offered a contract for five years in the first instance, followed by a further three years, and thereafter a 12-month contract. There is no limit to the number of one-year contracts that can be offered thereafter.</p> <p>In December 2016, Matthew Scott, Police & Crime Commissioner for Kent, extended the Chief Constable's appointment for a further three years to January 2022. In reviewing Mr Pughsley's current contract the Commissioner has decided to offer him three consecutive one-year extensions. This offer has been made and the Chief Constable has accepted. The Chief Constable's current contract runs to the 3rd January 2022. This decision in effect appoints Mr Pughsley as Chief Constable of Kent Police until 3rd January 2025.</p> <p><u>CONSIDERATIONS FOR THREE ONE-YEAR EXTENSIONS</u></p> <p>In making his decision to offer three one-year extensions of contract to the Chief Constable, the Commissioner took a number of considerations into account:-</p> <ul style="list-style-type: none"> • CC Pughsley has shown exceptional leadership of Kent Police since 2014 and has lead Kent Police through some of the most challenging times both financially and operationally. • Kent Police is embarking upon one of the most significant organisational & workforce change 'Op Zenith'. As this is instructed by CC Pughsley, the Commissioner (PCC) sees the retention of this Chief Constable as critical to the successful delivery of this, ensuring consistency and accountability. • The CC continues to enjoy the strongest support from his Force and is valued as a leader in Kent. • During the tenure and leadership of CC Pughsley, HMICFRS have independently assessed Kent Police as progressing from 'Good' to an 'Outstanding' Force. The current gradings of 'Outstanding' 'Outstanding' & 'Good' will in effect be legacy gradings, as the measurement and grading system is about to change. Kent Police is the only force in the country to achieve an 'Outstanding' grading in the category of 'Legitimacy' over a four-year period. • CC Pughsley retains and has extended is National Portfolio responsibilities in the areas of Officer Safety and Undercover policing.
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- CC Pughsley has modernised and equipped his officers and staff to be as efficient and effective as possible.
- CC Pughsley has met all previous financial savings requirements without significant degradation of service to the public.
- CC Pughsley has successfully led on meeting all recruitment uplifts, provided by local tax payers through PCC precepting powers.
- CC Pughsley has led on significant cultural change with the implementation of force wide Culture Boards that receive significant staff engagement and highlighted value by HMICFRS. This cultural change includes personal support for all officers and staff across the protected characteristics through the force support groups and networks.
- CC Pughsley has overseen sustained data quality assurance with regards Crime Recording, the latest HMICFRS grading rated the force as Outstanding.
- The PCC & CC continue to share a joint vision, expressed through the Police & Crime Plan, to cut crime and reduce reoffending and place victims and witnesses at the heart of the justice system.
- Ensures ongoing clarity of leadership for the long-term when considering implications/impact of Corona Virus and EU negotiations.

OTHER LEGAL AND FINANCIAL CONSIDERATIONS

- Precedent was set in June 2018 by Police & Crime Commissioner for Leicestershire when he provided 'five x one-year extensions' to CC Cole. Legal advice received by their solicitors and further supported by our own advice confirms the provision of multiple 'one-year' extensions was legitimate.
- This was tested further with the then Policing Minister Nick Hurd who responded in writing with the following '*...the government believes in importance of local accountability in policing and locally-driven priorities. The appointment or extensions of an appointment for the Chief Constable is properly your decision*' meaning that of the locally elected Police & Crime Commissioner.
- Extending the CC's contract negates the need to run a lengthy and costly recruitment process whilst providing the certainty of leadership to officers, staff and volunteers.
- The terms and conditions that the CC is employed under will not change, and his pay will only increase in line with statutory provisions. As the CC is no longer in the Police pension scheme, this saves a further circa £115,000 in addition to that already saved through the extension of contract in 2016.
- All decisions must be taken in line with the Police Regulations 2003, as amended.

RECOMMENDATION

Not applicable

DECISION

To provide 'three 'x' one-year' contract extensions to the Chief Constable to take his term of office to 3rd January 2025.

Chief Finance Officer:

Comments: The appropriate legal advice has been sought and the reasons for the decision have been clearly articulated so I am satisfied that this is an appropriate decision. The decision enables a financial saving to be made whilst retaining the experience, knowledge and reputation of a highly respected Chief Constable.

Signature:



Date: 21st August 2020

Chief Executive:

Comments: Commissioner, having sought appropriate legal advice and the fact that these exact circumstances have been replicated elsewhere in the country, I am satisfied that this is both a legal and appropriate decision that you can make. The benefits of this appointment are clearly articulated within this decision notice. There are significant financial savings in addition to the retention of a very experienced and highly regarded Chief Constable.

Signature:



Date: 21st August 2020

POLICE AND CRIME COMMISSIONER FOR KENT

Comments:

My decision provides strong and consistent leadership for Kent Police for a further period and will help deliver a safer county for all our urban, rural and coastal communities.

Signature:



Date: 21st August 2020

BACKGROUND DOCUMENTS:

IMPACT ASSESSMENT:

Police and Crime Plan
*(please indicate which objectives
decision/recommendation supports)*

The Chief Constable is responsible for supporting the PCC in delivery of the strategy and objectives set out in the Police and Crime Plan.

Has an Equality Impact
Assessment been completed?

Yes No *(If yes, please include within background documents)*

Will the decision have a
differential/adverse impact on
any particular diversity strand?
*(e.g. age, disability, gender
reassignment, race, religion/belief, sex,
sexual orientation, marriage/civil
partnership, pregnancy/maternity)*

Yes No
This is an extension of the Chief Constables contract, an administrative process in nature. Therefore, it does not have a differential/adverse impact on any particular strand of diversity.