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DYFED-POWYS
POLICE AND CRIME
COMMISSIONER

REPORT / SUMMARY DECISION SHEET

PURPOSE: COMMISSIONER DECISION / INFORMATION / BRIEFING – REF. xxxxx

Timing: 27th July 2016

Title: Chief Constable Remuneration Policy Decision

Category of Decision / Business Area Impact: Recruitment/Finance

Executive Summary:

The PCC is recruiting a new Chief Constable (CC) after the incumbent has announced his retirement. As part of the recruitment process, the existing Chief Officer Remuneration Policy has been reviewed and amended. The new amended policy relates to the CC only but it is expected that when the new CC is appointed, he/she will issue a similar policy applicable to all chief officers.

The new policy changes the removal/relocation expenses such that they may only be made in accordance with Regulation 35 of the Police Regulations 2003 as amended by the Secretary of State, with the overall limit of such expenses being capped at £35,000. Previously there was no overall cap.

The car scheme remains unchanged with the CC eligible for an official vehicle from the Home Office Framework up to a purchase price of £35,000 (excl VAT) or to receive an allowance of £6,105.48 per annum to compensate the CC for the use of his/her private car in connection with official duties.

The private healthcare provision remains unchanged with the CC able to seek reimbursement of the cost of comprehensive private health screening annually.

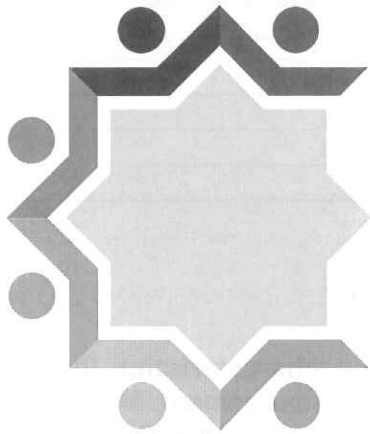
Police and Crime Commissioner for Dyfed-Powys

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Nolan Principles for Conduct in Public Life.

Signature:

Date:

1/8/2016



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**Police and Crime Commissioner of
Dyfed-Powys
Chief Constable Remuneration Policy**

VERSION CONTROL

Version	Date	Author	Reason for Change
1	28/07/16	Jayne Woods	To reflect the requirements of the Commissioner

EQUALITY IMPACT ASSESSMENT

Section 4 of the Equality Act 2010 sets out the **protected characteristics** that qualify for protection under the Act as follows: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; Sexual Orientation.

The **public sector equality duty** places a proactive legal requirement on public bodies to have regard, in the exercise of their functions, to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is unlawful under the Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The equality duty applies to all protected characteristics with the exception of Marriage and Civil Partnership, to which only the duty to have regard to the need to eliminate discrimination applies.

Carrying out an **equality impact assessment** involves systematically assessing the likely or actual effects of policies on people in respect of all the protected characteristics set out above.

An equality impact assessment should be carried out on any policy that is **relevant** to the public sector equality duty. An equality impact assessment template is available [here](#).

HUMAN RIGHTS ACT

CERTIFICATE OF COMPLIANCE

This policy has been drafted in accordance with the Human Rights Act and has been reviewed on the basis of its content and the supporting evidence and it is deemed compliant with that Act and the principles underpinning it.

Name:

Department:

Signed:

Freedom of Information Act 2000

Section 19 of the Freedom of Information Act 2000 places a requirement upon the Office of the Police and Crime Commissioner (OPCC) to publish all policies on the OPCC website. Policies are why we do things and procedures are how we do them. A case-by-case review of procedures must be undertaken to protect law enforcement and health and safety considerations. Where a combined policy and procedure document is being produced the OPCC is legally required to publish the policy section and assess the procedure part to ensure no sensitive information is published.

There is a requirement therefore to review this document to establish its suitability for publication. Please identify below whether the document is suitable for publication in its entirety or not. Where it is believed that disclosure will be harmful please articulate the harm that publication would cause and highlight the relevant sections within the document. Where it is perceived that there is harm in disclosure the document should be forwarded to the FOI Unit for review.

Suitability for publication

Suitability for publication	Yes/No	Date	Signature
Document is suitable for publication in its entirety	Yes	28/07/2016	Jayne Woods
Document is suitable for publication in part, I have identified those sections which I believe are not suitable for disclosure and have articulated below the harm which would be caused by publication.			
Harm – in publication			

FOI review – to be completed by FOI Unit

Suitability for publication	Yes/No	Date	FOI Decision Maker
Document is suitable for publication in its entirety			
Document is suitable for disclosure in part and relevant redactions have been applied. A public facing version has been created.			
Once review has been undertaken FOI decision maker to return document to policy author. Any future changes to the document should be brought to the attention of the FOI Unit, as appropriate.			

Chief Constable Relocation, Car Scheme and Private Healthcare Policy

1. POLICY STATEMENT

1.1. In drawing up the relocation package for the Chief Constable, the Commissioner has given careful consideration to the current PNB salary framework, its banding and internal differentials, the recruitment packages offered by a range of other Commissioners and the salary ranges of other senior posts in the Public Sector.

1.2. This policy is written in accordance with Police Regulations.

2. POLICY AIM

2.1. To facilitate the recruitment of a high quality Chief Constable a relocation package is available to successful candidates who relocate their home upon appointment.

3. APPLICABILITY

3.1. This policy applies to the Chief Constable.

PART 1 - Chief Constable Relocation Policy

4. REMOVAL/RELOCATION EXPENSES

4.1 The Commissioner will pay removal/relocation expenses in accordance with Regulation 35 in that regard; the overall limit on the total value of reimbursements is no more than £35,000 (excluding any recoverable VAT). It should be noted that personal tax liability on amounts received above current HMRC limit of £8,000 and that any tax due above that limit will be reimbursed within the overall limit detailed above.

4.2 Payment is dependent on the accommodation to which the Chief Constable is moving, being within the counties of either Carmarthenshire, Ceredigion, Pembrokeshire or Powys or, provided the prior consent of the Commissioner has been given to live outside of the Force area but within a reasonable commuting distance of Dyfed Powys Police Headquarters (30 miles or 1 hour commuting distance).

PART 2 – Chief Constable Car Scheme

1. ALLOCATION OF CAR

- 1.1. A car of a make and type deemed to be operationally suitable will be available under this scheme to the Chief Constable. What constitutes an operationally suitable car will be determined by the Commissioner following consultation with the Chief Constable and Chief Finance Officer.
- 1.2. The make of vehicle must be available on the Home Office Framework and may be purchased subject to a limit on purchase price of up to £35,000 excluding VAT.
(Note: due to the cars being available for private use, VAT is not recoverable by the Commissioner).
- 1.3. The vehicle will be appropriate for the conduct of the Force's business.
- 1.4. Chief Constables with an existing car loan from the Commissioner will be required to repay the loan in full before entering the scheme.
- 1.5. The purchase limit above does not include the cost of any operationally necessary fittings e.g. satellite navigation, airwave radio, hands free preparation, blue lights etc.

2. FUEL

- 2.1. All fuel for the vehicle must be paid for by means of a fuel card issued for the purpose. A full and accurate record of business miles must be kept in the vehicle mileage log book provided.
- 2.2. The top copy of the mileage log book must be submitted on a monthly basis to the finance department. The Chief Constable will be required to consent to the private mileage charge being deducted from salary.

3. WITHDRAWAL OF FORCE CARS

- 3.1. The car will be replaced, as recommended by the Fleet Manager.
- 3.2. Immediately upon the date of termination of appointment the Chief Constable concerned must return the car, together with all keys, to the Commissioner at the Force Headquarters.
- 3.3. The Chief Constable will indemnify the Force for all costs associated with the recovery of the vehicle in the event that the post holder fails to return the vehicle by the specified date.

4. PRIVATE USE OF A FORCE CAR

- 4.1. The private use of a Force car is permitted by the Chief Constable to whom the vehicle is allocated. Such use is defined as including home to office travel and any other use made of the vehicle not connected with the Force's business. Any driver who holds a full valid driving licence, and with the Chief Constable's consent may drive the vehicle and the vehicle insurance will operate in the event of a claim in such circumstances. All costs of fuel, maintenance, insurance and road fund licence for private mileage will be borne by the Chief Constable to whom the vehicle is allocated via a monthly deduction from salary.

5. HOLIDAY USE OF A FORCE CAR

- 5.1. Post holders to whom a Force car has been allocated are permitted to use the car during annual and public holidays, subject to the following conditions: -
 - A car may be used for annual holidays taken outside the United Kingdom
 - The Chief Constable will be responsible for any costs or charges involved and also for the costs of car ferry, motorail or equivalent services and any other charges associated with taking the car abroad.

- The cost of fuel used during the holiday periods must be borne by the post holder, as indicated in paragraph 4.

6. MAINTENANCE

- 6.1. It is the responsibility of the Chief Constable to whom the car is allocated to ensure it is maintained in a clean condition and in good mechanical working order. The Chief Constable is responsible for keeping the car clean internally and externally and for conducting routine checks on tyre pressures, oil etc. The Chief Constable will report all damage or defects immediately to the Fleet Manager.
- 6.2. For the purposes of this document, the car shall be regarded as being in the ownership of the Commissioner. The user has the additional responsibility of satisfying any special requirements placed on the use of the car by the Commissioner.
- 6.3. The monthly charge payable by the Chief Constable includes an element covering routine maintenance and replacement tyres associated with the private use of the vehicle. However, any additional costs incurred due to deliberate abuse or wilful neglect will also be charged to the Chief Constable.
- 6.4. All cars are covered by warranty, which should be used in all circumstances. Services/maintenance will be arranged by the Fleet Manager.

7. INSURANCE

- 7.1. The Commissioner's cars are covered by the Commissioner's vehicle insurance arrangements. Any driver who holds a full valid driving licence, and with the Chief Constable's consent may drive the vehicle and the vehicle insurance will operate in the event of a claim in such circumstances. All new vehicles will be equipped with an immobiliser which prevents the blue lights and horn from being activated, without the use of a specific key.
- 7.2. Chief Constables will be required to make a contribution towards the costs of insuring the vehicle for private use.
- 7.3. All drivers must hold a current driving licence.
- 7.4. All accident damage will be reported immediately to the Fleet Manager using the relevant form and all third party claims will be dealt with by legal services.

8. COLLISIONS

- 8.1. If involved in a collision, the driver of the Commissioner's fleet vehicle must:
 - obtain name(s) and address(es) of other driver(s) involved;
 - note their vehicle registration number(s) and make of vehicle(s);
 - try to ascertain the name/address of their insurers;
 - note names and addresses of independent witnesses and make a rough diagram of the accident;
 - if there is injury to any person or animal, or damage to another vehicle or other property, give driver's name and address, the name and address of the owner of the vehicle being driven and the registration number of the vehicle to anyone who has reasonable grounds for requesting the information;
 - not discuss whose fault the collision was or admit any liability. If this instruction is not adhered to it may create difficulties for the Force in handling the claim.
 - If the collision occurs whilst the car is being driven by a police officer using blue lights and horns, then the accident must be treated as a police vehicle accident and reported as soon as is practicable, to a police officer in the locality where it occurred. In these circumstances, the collision should be the subject of a detailed report to the Fleet Manager, as soon as possible.

9. RECORDS

- 9.1. It is a requirement of these arrangements that each individual to whom a Commissioner car is allocated should maintain a record of business mileage for income tax purposes.
- 9.2. Any mileage not recorded as business mileage will be considered to be private mileage. A monthly mileage return must be submitted by the 7th day of the month to enable payroll to calculate the appropriate private mileage contribution due from the post holder.
- 9.3. Failure to deliver a form by the relevant date will result in an estimate of private mileage being made by payroll.
- 9.4. Membership of the scheme implies that the Chief Constable consents to this arrangement, with any appropriate adjustments being made in the following month.
- 9.5. In addition, it is important that the Commissioner can identify who was driving the car at any given time. It will be assumed that the Chief Constable is the driver, unless the log book allocated to the car denotes otherwise. It is important therefore that, if the car is driven by anyone other than the post holder to whom the vehicle is allocated, the log book is completed accordingly, e.g. the Chief Constable's spouse, or another officer of the Force.

10. BREAKDOWN

- 10.1. All cars will have full breakdown cover.

11. OTHER VEHICLE USE

- 11.1. Chief Constables with Commissioner cars will be expected to allow other members of the Force to utilise the vehicle from time to time for operational police-related duties (not routine business travel)
- 11.2. Advance notification will be provided to the Chief Constable if the vehicle is required and demand will be coordinated/managed by the Fleet Manager who will also be responsible for arranging the hire of a suitable replacement vehicle for the post holder's use.
- 11.3. Where replacement vehicles are utilised a mileage log sheet specific to the replacement car must be completed. In such circumstances only the cost of fuel will be reimbursed.

12. TAXATION

- 12.1. A statement will be issued of the estimated tax position of each individual for P11d purposes. It is a matter for the individual to check their precise tax situation with HM Revenue and Customs. The Commissioner does not accept any responsibility for any personal income tax liabilities for users of the scheme or for any changes in tax legislation which may affect an individual's income tax position.

13. CHARGES

- 13.1. The vehicle provided to the Chief Constable will be modified for police use and can be recalled to support operational policing requirements. Therefore, for taxation purposes, it is regarded as an asset rather than a "company car". However, since the vehicle is available for the private use of the Chief Constable, he/she will incur a personal tax liability.
- 13.2. Private mileage will be charged at the prevailing income tax rate
- 13.3. Chief Constables will be required to provide an initial estimate of total annual private mileage from which a monthly charge will be calculated. Chief Constables will consent to the same being deducted from salary. It is vital that monthly mileage returns are submitted by the specified date. Any significant underestimation will result in additional personal tax liability for the post holder.

- 13.4. The Fleet Manager will advise the payroll section once the vehicle has been collected by the Chief Constable. Deductions from salary will commence from the first available payday after collection. Where it is not possible to make a salary deduction on the pay day of the month in which the vehicle is collected the deduction in respect of the first month (pro rata) will be collected the following month in addition to the deduction due for that month.

14. GENERAL POINTS

- 14.1. The Chief Constable is liable for the payment of any fines, charges or penalties for the vehicle during the period of use except when such charges are incurred when the vehicle has been recalled for police use.
- 14.2. Nothing in the above agreement will preclude an officer from choosing to receive the Chief Constable mileage allowance. However, in such circumstances the officer will not be eligible to participate in this scheme.
- 14.3. Chief Constable with a Commissioner car moving from an eligible post to another eligible post will take the vehicle with them.
- 14.4. Officers provided with a vehicle will be expected to use the car for all business journeys and as a general rule will not be entitled to claim 1st class rail travel.
- 14.5. Commissioner cars adapted for Police use will be fitted with discreet blue lights or flashing headlights as appropriate.
- 14.6. It is generally accepted that the Chief Constable will retain the vehicle until it is disposed of in accordance with the criteria set out above.
- 14.7. Disposal of vehicles will be arranged by the Fleet Manager through auction or by any other method approved from time to time by the Chief Finance Officer or Director of Finance.

PART 3 – Private Healthcare

1. The Commissioner will reimburse on an annual basis the cost of comprehensive private health screening.

4. RELATED POLICIES, PROTOCOLS, PRACTICES OR SERVICE AGREEMENTS

- 4.1. External:
- a. Police Regulations.
 - b. Income Tax (Earnings and Pensions) Act, 2003 (“ITEPA”)

5. MONITORING

- 5.1. The Chief Financial Officer and/or the Director of Finance will provide assurance to the Commissioner that the policy is being adhered to and monitored for its effectiveness and identified inefficiencies.

6. REVIEW

- 6.1. This policy will be reviewed and updated periodically by the Chief Finance Officer on behalf of the Commissioner, to ensure it remains up to date for any changes to legislation and other guidance.

7. WHO TO CONTACT ABOUT THIS POLICY

Jayne Woods – Chief Finance Officer (ext 23296)

