



**Police & Crime Commissioner  
Elections May 2016 &  
Beyond:  
Election Guidance for OPCC Chief  
Executives**

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## Annexes

- Gantt chart of key dates relating to PCC election (date of declaration, date of election, date of pre-election period (from this point onwards referred to as purdah), date incumbent stands down, new PCC start date, date of oath, period of induction . Page 23)
- [Home Office 2012 Candidate Briefings](#)
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- [Role of the PCC & key functions](#)
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- [Role of the APCC](#)
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- APACE lists of PCC, Chief Constable, PCP powers & duties (pages 24-27)
- [Guidance on Role of the Chief Executive](#)
- [Role of the Chief Finance Officer](#)
- [Purdah Guidance](#) (to be updated by APCC January 2016)
- [NPCC Election Guidance](#)
- [Victims' Code](#)
- [Police Reform & Social Responsibility Act 2011](#)
- [Local Government Act 1982](#)
- [Code of Conduct on Publicity](#)
- [Policing Protocol](#)
- [HMIC Preparing for Police & Crime Commissioners Inspection Report, 2012](#)
- [Home Office Financial Management Code of Practice for the Police Forces for England & Wales pg 7 & 20](#)
- [Directory of Civil Service Guidance Volume 2](#) (see page 8 of volume 2)

# 1. Introduction & Purpose of Guidance

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This guidance is designed to support Chief Executives in Police and Crime Commissioner (PCC) Office's during the 2016 PCC elections and beyond. The date of 2016 PCC elections is **Thursday 5<sup>th</sup> May**.

The first section of this guidance provides support to Chief Executives on the pre-election stage including information on the nomination process. Guidance for Offices of Police and Crime Commissioners (OPCC) and police force interaction with candidates and incumbent PCCs is also included.

The second section of this guidance focuses on the post-election period and features separate advice for re-elected and newly elected Commissioners. For those areas with newly elected Commissioners this guidance includes advice on inductions, the swearing of the oath, governance arrangements and planning for the first 100 days in office.

Throughout the entire election process, Chief Executives should be mindful for the potential for OPCC staff morale to be affected during what can be a stressful time. To help manage this issue Chief Executives may wish to establish regular communication with staff and provide reassurance when necessary. Chief Executives should also familiarise themselves with OPCC employment rights in advance of any questions. During this period this guidance may also be a consideration for police forces.

Finally, this guidance has been created alongside, and is cognisant of, separate guidance relating to the 2016 PCC elections from the Electoral Commission, the National Police Chiefs' Council (NPCC) and the Association of Police and Crime Commissioners (APCC).

## 1.1 Devolution

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If the devolution process has been confirmed for your local area, Chief Executives will need to prepare for this separate transition process and seek guidance from the Department for Communities and Local Government (DCLG).

**- Section 1 -**

**Pre-Election  
Guidance**

## 2.Nominations

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### 2.1 Police Area Returning Officer (PARO)

Each policing area will have a dedicated Police Area Returning Officer (PARO), who has overall responsibility for the election of the Police and Crime Commissioner in that area. The PARO will generally be a Chief Executive or a senior officer of one of the councils within the policing area.

The PARO is responsible for giving notice of the election, managing the nomination process, overseeing the conduct of the poll, as well as the calculation and declaration of the result. Any election queries, including complaints, must be directed to the PARO, or the Local Returning Officer, for advice. Returning Officers are responsible for briefing candidates on qualifications and disqualifications regarding their eligibility to stand for election further information on this can be found on the Electoral Commission's website [here](#).

At the earliest opportunity, PCC Chief Executives should establish the contact details of the PARO to help inform OPCC planning and to direct any election specific queries towards this contact (PARO contact details can be found [here](#)). It can also be useful to provide the PARO's details on the OPCC website.

At the point of nomination candidates must sign a nomination paper to confirm that they are not disqualified from standing in the election. [Part 1 of the Electoral Commission's guidance for candidates and agents](#) provides advice on the disqualification criteria.

For further information on the role of the PARO please see the Chapter 6, section 54 of the Police Reform and Social Responsibility Act 2011 and the Electoral Commission website - [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk).

### 2.2 When Nominations Will Be Announced

The list of candidates who will be standing at the election will be announced by the PARO on **7 April 2016**. Chief Executives should liaise with their local PAROs to receive a copy of Statement of Persons Nominated.

### 2.3 What Candidates Need To Do

In accordance with the amendments to Schedule 3 to the 2012 Police and Crime Commissioner Elections Order, PCC candidates must submit nomination papers, including 100 signatures of registered electors from within the policing area, and pay a £5,000 deposit to their local PARO by 4pm on the nineteenth working day before the poll. This will be 4pm

on 7<sup>th</sup> April 2016. To reaffirm this is not an OPCC responsibility. Any queries, questions or requests for advice should be directed to the PARO.

#### 2.4 Deputy Police & Crime Commissioners (DPCC)

Section 18 (10) of the Police Reform and Social Responsibility Act 2011, makes clear that DPCCs are considered to be PCC staff, while Section 65 (1) of the same Act confirms a person is disqualified from election or holding office as a Police and Crime Commissioner if they are a member of the PCC's staff. Any DPCCs wishing to stand for election would have to resign from the OPCC. This resignation should be submitted to Chief Executives at the point that their intention to stand is declared, at the latest DPCCs must step down nineteen working days (7<sup>th</sup> April 2016) prior to election to comply with the submission of nomination rule (the Police and Crime Commissioner Elections Order 2012). Chief Executives should discuss the notice period with any Deputy PCC wishing to stand for election at the earliest opportunity. Deputies must also conform to the same rules as other candidates during the election.

#### 2.5 Candidate Manifesto/Priorities/Vision

To help ensure an effective transition, Chief Executives may wish to review and collate candidate's manifestos, priorities and visions during the pre-election period. This information can be used to inform planning for newly elected PCCs, including draft 'high level' strategies ready for discussion or to implement from day one. Chief Executives and OPCCs may also wish to create 'high level' draft/outline Police and Crime Plans for incoming PCCs.

Further guidance on using this information is provided later in this document (see 5.3).

The Cabinet Office issued advice for PAROs or OPCCs about publishing the candidate addresses on their own websites. The Cabinet Office do not believe this would be supported by legislation. The law provides for the Government to provide such information on the <https://www.choosemypcc.org.uk/> website (with paper copies available on request) but makes no provision for other bodies (which are not the candidate / party) to publish candidate address information. Any such publication could be seen as a donation and one that is impermissible - even though it covers all candidates in an area. It is fine to list candidates on a PARO or OPCC website and they would very much encourage links to the <https://www.choosemypcc.org.uk/> website so people can see the election addresses.

## 2.6 Risk Management

In preparation for the PCC elections, Chief Executives should establish a process to identify, monitor and respond to risks during the pre-election period. Risks to consider include not sharing information with candidates, not sharing information equally with candidates, inaccurate comments from candidates, or others, regarding the police force and the OPCC and risk to the OPCCs statutory functions during this period. Chief Finance Officers also have a duty, expressed in the Home Office Financial Management Code of Practice, in consultation with the Chief Executive, for risk management. It should be noted that OPCCs may have commissioning contracts that are due to expire at the end of the financial year. Chief Executives and Chief Finance Officers should follow due process regarding their commissioning responsibilities.

A risk register can assist Chief Executives with managing such risks and resources should be deployed within OPCCs to sustain this process. The risk register should also be shared with the force and reviewed regularly.

## 2.7 Social Media

In some areas it may be that the PCC has their own personal social media accounts which they administer, whilst the OPCC has separate accounts. Chief Executives should ensure incumbent PCCs wishing to stand for re-election are aware of who owns what in relation to social media stationery and OPCC websites. This will make clear how OPCC social media accounts will remain neutral during purdah. Chief Executives will need to manage social media accounts to ensure compliance with the Local Government Act 1982 and the APCC's purdah guidance.

Section 53 of the Police Reform and Social Responsibility Act 2011 states that the Electoral Commission must take such steps as it considers appropriate to raise public awareness about the PCC election and how to vote in it. During the election period OPCC social media and websites may be used to provide basic information on the election and links to other sites with further information. For example, consideration may be given to providing basic PCC election information on the following:

- The date of the election;
- Contact details of who is responsible for administering the election locally (PARO);
- Where to find information on how to vote (i.e. the Electoral Commission); and
- Where to find information on who is standing in your area (i.e. government website address to be confirmed by the Cabinet Office)

OPCCs must not promote candidates.

Chief Executives may also consider publishing, via a dedicated candidate's webpage, information they have provided to candidates to help promote transparency and ensure equal access to requested information (see 3.3).

### Summary

- Establish contact with Police Area Returning Officer (PARO).
- Direct candidates to liaise with PARO for guidance on any queries relating specifically to elections.
- Deputy PCCs intending to stand for election as PCC should, at the latest, step down nineteen working days prior to election (**7<sup>th</sup> April 2016**) and before they sign their nomination.

## 3. Interaction with Candidates

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### 3.1 Purdah

The Local Government Act 1986 and the Code of Conduct on Publicity contains express prohibitions that apply to PCCs in terms of not using public funds for overt political activity. The Code of Conduct on Publicity introduces particular restrictions that apply during purdah, this being from when the PARO publishes the Notice of Election. This will take place at the end of March, however, Chief Executives will wish to liaise with the relevant PARO on when the PARO intends to publish this Notice and hence, in their area, when such limitations come into force.

Chief Executives may wish to consider postponing or bringing forward any governance meetings that their PCC is requested to attend during the purdah period e.g. Police and Crime Panels, Local Criminal Justice Boards and Community Safety Partnerships. Chief Executives should also be mindful of Local Authority elections taking place at the same time. The same advice may be applied to any PCC announcements during this period.

Some activity can be classed as 'business as usual'. For example, the signing of Section 22A collaboration agreements during purdah is considered to be business as usual, providing there is no fanfare or announcements in the press.

Chief Executives should make clear to OPCC staff the limitations placed on them under the Police Reform and Social Responsibility Act 2011, in terms of political restrictions and supporting candidates. Schedule 16 part 3 (200) of the Act, confirms that all OPCC staff are politically restricted, except the Deputy PCC. The Code of Practice on Local Authority Resources prevents the use of public resources for party political purposes, which includes both the staff of the OPCC and police force, as well as the facilities and equipment of the OPCC and police force. These restrictions apply to Deputies during working hours when they are being paid as members of the PCC's staff, and to politically restricted members of staff at all times, even when not at work.

It should also be noted that Chief Executives should explain these limitations and restrictions to all PCC commissioned services.

The APCC's purdah guidance provides further information and guidance.

### 3.2 Candidate Briefing Packs & Familiarisation Event

For the 2012 PCC elections the Association of Chief Police Officers created guidance for police officer and staff interaction with candidates. This guidance has since been superseded by the NPCC for the 2016 PCC election. The NPCC's guidance notes how candidates must be treated even-handedly; for example in meeting information requests from candidates, each candidate should receive the same level of detail and right of access. This advice is supported independently by the APCC's purdah guidance. To ensure equal access to information Chief Executives may wish to consider producing 'candidate briefing packs' and/or inviting all candidates to a 'candidate familiarisation event'.

The deadline for nominations is 7<sup>th</sup> April 2016, and so this will leave only 19 working days until the election. Therefore, putative candidates may approach OPCCs prior to close of nominations. Chief Executives should be mindful that it is only as and when the Statement of Persons Nominated is published by the PARO that there will be certainty as to who are the candidates. Chief Executives will wish to liaise closely with the PARO over this.

Chief Executives will need to establish locally when to host familiarisation events i.e. post or pre declaration. It should be noted that all putative or actual candidates (depending upon the timing hereinafter referred to a "candidates") should be invited to these events.

Chief Executives should approach police forces in order to jointly arrange a familiarisation event. Organising an event jointly will not only avoid duplication, it will allow Chief Executives to be fully aware of what requests candidates are placing on the police force and could help inform future planning when the PCC is elected (see 3.5 for guidance on working with the police force during the election).

Briefing packs and familiarisation events can provide those standing for election with the opportunity to access useful information and ask questions of the police and the OPCC.

Suggested information for inclusion in these packs or events includes:

- The police and crime landscape – national, regional and local focus
- The role of the PCC - summary of key functions: Police and Crime Plan, Budget, Commissioning
- The role of the Chief Executive and OPCC - monitoring officer functions and the role of Chief Finance Officer
- The role of the Chief Constable – summary of key functions
- The role of the Police and Crime Panel - summary of key functions
- Partnership working - statutory partners and their responsibilities, PCC's responsibility to ensure an effective and efficient criminal justice system
- Governance Framework - operational independence and the PCC's working relationship with the Chief Constable
- 2016 budgets, finances and commissioning snapshot
- Police force - key challenges, useful information.
- Legacy issues
- National bodies - e.g. APCC, NPCC, APACE, Independent Police Complaints Commission, PACCTS, Her Majesty's Inspectorate of Constabulary
- Local pressures

Further relevant documents for consideration in briefing packs are contained within the Annex section of this guidance.

By proactively providing information, Chief Executives can potentially reduce the number of queries they receive, avoid duplication and improve transparency at the same time.

However, if a candidate does individually seek information from the OPCC or police force, Chief Executives should apply a transparent approach and ensure this information is shared with all candidates as all responses to requests should be published. Chief Executives should be clear with candidates, public and press that sharing information equally will take place to ensure confidence in the fairness and transparency of the election.

To help Chief Executives monitor the number of requests they receive and provide resilience against accusations of not sharing information equally, OPCCs should consider creating a record of all requests and information shared. This will provide an audit trail.

### 3.3 OPCC Website

Chief Executives should also consider creating a dedicated webpage on OPCC websites to publish information shared with candidates and requests for additional information. This approach can demonstrate to the public and candidates the OPCC's efforts to ensure transparency and consistency. Candidates are members of the public and so confidential documents should remain so and not be disclosed nor published.

### 3.4 Candidates That Currently Hold Office

Chief Executives should be mindful of ensuring all candidates, including incumbents standing for re-election, Deputy PCCs and any Police and Crime Panel members seeking election, are treated equally.

Chief Executives should ensure the OPCC is not involved in supporting incumbent PCCs in their election campaign. The APCC's purdah guidance highlights how PCCs should not use their public office to seek to influence the outcome of the election. However, Chief Executives must also be mindful of the 'business as usual approach' and ensure the PCC is supported in performing their statutory duties.

There is a risk where an incumbent PCC is planning to stand for re-election and their Deputy PCC is on the OPCC staff. Whilst the Deputy PCC is not politically restricted, this does not permit them to work on their PCC's campaign in paid work time. The mitigating/controlling actions to counter this risk will include Chief Executive's keeping a careful record of the Deputy PCC's paid hours and what they were engaged in.

### 3.5 OPCC & Police Force Interaction With Candidates

During the election candidates may directly approach both OPCCs and police forces with requests for meetings, information and to request media opportunities.

At the earliest opportunity to help manage such requests and to ensure transparency and equal access for all candidates, Chief Executives should agree a local protocol on candidate interaction with the police force.

The protocol could include:

- Establishing a single point of contact (SPOC) for interaction with candidates, for example the OPCC Chief Executive.
- All candidate requests for information should be directed to OPCCs SPOC.
- Jointly developing candidate briefing packs and delivering a familiarisation event.
- Ensuring regular communication between the OPCC and the police force.

- Information for OPCC staff and police officers on the restrictions relating to publicity and communications and how to respond to individual requests from candidates.

To manage the local protocol, Chief Executives may seek to hold strategic meeting between staff from the OPCC and the police force. Appointing an OPCC SPOC is supported in the 2016 NPCC guidance which suggests the OPCC Chief Executive acts as a SPOC to manage candidate requests. All candidates should be offered equal access to ensure consistency and to safeguard individual OPCC/police force staff or officers from any suggestion of bias or interference in the election process.

### 3.6 Communication with the Media

When handling media communications, NPCC's 2016 guidance recommends:

- A response by the Chief Executive may be appropriate when factually incorrect information is released or where it is necessary to correct misunderstandings that would undermine confidence in the OPCC and the police force. The factually correct information can be shared by the Chief Executive publically in a neutral manner.
- A response may not be appropriate when a claim is based on that individual's interpretation of information.
- The above guidance should apply when both OPCC's and police force's use social media to respond to queries or comments.

The APCC's purdah guidance, the Local Government Act 1986 and the Code of Conduct on Publicity will also apply to media communications.

### Summary

- Establish when the Notice of Election will be published by the PARO and hence when the pre-election publicity restrictions will apply and communicate to the police force and OPCC staff.
- Ensure a consistent approach for interaction with all candidates and agree a local protocol with the police force.
- OPCC staff are politically restricted and must be reminded of this. The Deputy PCC is a member of the OPCC staff but is not politically restricted.

**- Section 2 –**

# Post-Election Guidance

## 4. Re-elected Police & Crime Commissioners

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### 4.1 Re-Elected PCCs

Re-elected PCCs will be familiar with the process and demands that immediately follow PCC elections. However, it may prove beneficial for Chief Executives to have a plan in place for what can be a busy period. This will ensure the transition from the pre-election to post election period is as smooth as possible.

Plans should feature arrangements for the swearing of the oath, media interviews, upcoming key decisions, opportunities to reform governance arrangements, revisions to the Police and Crime Plan, publishing the Annual Report and diary commitments such as attendance at upcoming public events.

A re-elected PCC may seek to re-appoint a Deputy. It should be noted the serving Deputy PCC's term of office must end no later than the day when the current PCCs term of office finishes. Therefore, if re-elected, the PCC must follow the statutory appointment process for a Deputy PCC.

The appointment process for a Chief Executive and Chief Finance Officer does not apply unless there is a change in personnel.

### Summary

- Plan for the post election period to include the oath, media interviews and upcoming key decisions and events.
- Re-appoint Deputy PCC if required.

## 5. Newly Elected Police & Crime Commissioners

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### 5.1 Handover Of Power

The term of a person elected as a PCC at an ordinary election begins on the seventh (calendar) day after the day of the poll and ends with the sixth (calendar) day following the subsequent poll. The term for incumbent PCCs should cease on **11<sup>th</sup> May 2016** and the newly or re-elected PCC should commence in office on **12<sup>th</sup> May 2016**. The swearing of the oath can take place on this day too, although newly elected PCCs can swear the oath at any time within 2 months of the day after the election (Part 1, Section 70 (2) of the Police Reform and Social Responsibility Act 2011).

The Institute for Government has issued guidance on government transitions (“Transitions: Lessons Learned: *Reflection’s on the 2010 UK General Election – and looking ahead to 2015*”, 2011). The report recommends that the formal handover of power from one leader to another, in this case a PCC, should be phased over several days.

In line with the above recommendation, Chief Executives may wish to seek the outgoing PCC’s views on offering the newly elected PCC support and make the proposition to incoming PCCs.

Alternatively, Chief Executives can act as the main source of advice, information and guidance for newly elected PCCs.

### 5.2 The Oath

The Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order prescribes the form of words that the newly elected Police and Crime Commissioners will be required to declare before they take office. It must be done within 2 months of the election or they can’t get paid. See the explanatory note: <http://www.legislation.gov.uk/uksi/2012/2553/memorandum/contents>

The oath should be witnessed as specified in s.70(3) of PRSR2011: <http://www.legislation.gov.uk/ukpga/2011/13/section/70>

*“(3) Any declaration made under this section must be made before —  
(a) the appropriate officer;*

*(b) a justice of the peace or magistrate in the United Kingdom, the Channel Islands or the Isle of Man, or  
(c) a commissioner appointed to administer oaths in the Senior Courts.”*

The “appropriate officer”, means the head of paid service of the local authority designated for that police area by the Home Secretary.

### 5.3 Induction Pack

PCCs will want to start work as soon as possible. Prior to the arrival of the newly elected PCC, Chief Executives should consider creating induction packs and ‘day one’ briefings. Information from the PCC’s manifestos can be used to help inform this work. Chief Executives should be mindful of Civil Service best practice which suggests advice shared with an outgoing elected official should not be shared with an incoming elected official (see annex for details).

The following areas should be considered for inclusion in PCC induction packs:

- PCC statutory responsibilities
- Chief Executive / monitoring officer responsibilities / appointment process
- Chief Finance Officer / responsibilities / appointment process
- Chief Constable / responsibilities / appointment process ( including end of contract/retirement date)
- Police and Crime Panel (PCP) role and responsibilities
- Information on the PCP and members (please note many areas will have local government elections at the same time. Consequently PCPs may also be in a state of transition)
- 100 days forward look (including swearing the oath and upcoming key meetings)
- The existing Police and Crime Plan, a draft of an initial Police and Crime Plan for the new PCC and requirements for publishing a new plan
- Guidance and requirements on Annual Reports
- OPCC structure and staff introductions
- Police force structure and officer and staff introductions
- Police force strategy(s), performance and assessment of policing demand
- Recent significant HMIC reports and recommendations
- Governance arrangements
- Financial regulations and standing orders relating to contracts
- A snapshot of PCC and police force finances
- Existing procurement programmes, significant tenders, contract expiry and renewal dates
- A snapshot of PCC and police force estates

- A snapshot of the current political landscape in the local elected policing area
- Information on key partners
- Collaboration arrangements
- Information on inherited PCC victims' and restorative justice commissioned services
- Meeting with Union representatives
- Inherited / on-going complaints and role of IPCC
- Other significant information not shared in the Candidate Briefing Packs

Again, after consulting the PCC's election manifesto materials (see 2.5); Chief Executives may also consider seeking the PCC's views on the following areas:

- Introduction meeting with the PCP
- Deputy PCCs (possible recruitment exercises and the statutory requirements linked to this appointment).
- Recruitment/ OPCC office restructuring and location
- Branding (website and social media)
- Training Needs (media/social media training)
- Diary arrangements for 'meet and greets' (media, key partners)
- Commissioning and de-commissioning
- Community engagement
- Governance options (see below)
- Funding and budgets
- Engaging with public, partners and partnerships (Voluntary, Independent Custody Visitors and Criminal Justice Boards)
- Administrative preferences (briefing format, personal organisation, etc)

#### 5.4 Governance Structure

Chief Executives may seek the PCC's views on the following governance areas:

- Governance frameworks
- Code of practice between PCC and police force
- Policing Protocol
- Decision making
- Performance Scrutiny Monitoring
- Audit Committee
- Association of Police and Crime Commissioners and sub groups
- Representation on local partnerships

## 5.5 Budget Planning & Commissioning for 2016/17

Chief Executives and Chief Finances Officers may once again find it beneficial to consult the PCC's original manifesto and provide guidance on funding sources, Police Grant, the Police Property Act Fund and funding for commissioning of victims' services, restorative justice and other initiatives.

This guidance should consider any legacy issues related to funding, the policing precept, commissioning, decommissioning, conditions that apply to the various funding streams and options for commissioning.

## 5.6 Lessons Learnt

The 2016 PCC election will provide Chief Executives with a valuable opportunity to record learning and best practice.

As such, Chief Executives may wish to document their experiences of both the pre and post-election periods to provide learning and inform guidance ahead of future PCC elections.

### Summary

- The term for incumbent PCCs should cease on **11th May 2016** and the newly or re-elected PCC should commence in office on **12th May 2016**.
- Chief Executives will be the main source and coordinator of advice, information and guidance for newly elected PCCs.
- Chief Executives should consider creating induction packs and seeking PCC's views on key issues as soon as possible.
- Establish a lessons learnt log.

## 6. Acknowledgements

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This guidance has been produced between staff from Merseyside Police and Crime Commissioner's Office and the Association of Police and Crime Chief Executives in consultation with all Police and Crime Commissioner Chief Executives.

The guidance has also been shared with representatives from the following bodies for comment: the Association of Police and Crime Commissioners, Association of Electoral Administrators, the Cabinet Office, the Electoral Commission, the Home Office, the Local Government Association and the National Police Chiefs' Council.

For enquiries relating to this guidance please contact Merseyside Police and Crime Commissioner's office – [info@merseysidepcc.info](mailto:info@merseysidepcc.info) or 0151 777 5155. Alternatively, please contact APACE - [apacecoordinator@gmail.com](mailto:apacecoordinator@gmail.com)

**Original Guidance Authors:** Edward Smithwick, Mark Sayer, Charlotte Watkinson and Jo Liddy.

This guidance was first published in January 2016 and updated in April 2016. It will be updated and republished as necessary.

**GANTT CHART - PCC PRE/POST ELECTION 2016 GANTT CHART OF KEY EVENTS**

PERIOD	ACTIVITY	TIMESCALES									
		DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	
PRE-ELECTION	APACE PCC Election Guidance Applies										
	Nomination Process Commences										
	Final Date Nominations Must Be Submitted / Final Date DPCC Can Stand Down If Contesting Election					07/04/2016					
	Purdah Applies										
ELECTION	05/05/2016						05/05/2016				
POST-ELECTION	Election Result Declared						From 05/05/2016				
	Incumbent PCC's Term Ends						11/05/2016				
	Newly Elected PCC's Term Begins						12/05/2016				
	Oath To Be Sworn										
	Induction Phase Begins* (new PCC's only)										

## PCC Functions within the Police Reform & Social Responsibility Act 2011

Function	Reference
Secure the maintenance of an efficient and effective police force for that area	s1(6)

Strategic Planning	
Prepare a draft and issue a police and crime plan	s5 (Regs)
Review the police and crime plan, particularly in the light of (i) any report or recommendations made by the police and crime panel; and (ii) any changes in the strategic policing requirement	s5(9)

Holding to account	
Hold the chief constable to account for: <ul style="list-style-type: none"> <li>the functions of the chief constable, and of persons under the direction and control of the chief constable.</li> <li>the exercise of the duty to have regard to police and crime plan</li> <li>the exercise of the duty to have regard to strategic policing requirement</li> <li>the exercise of the duty to have regard to codes of practice issued by Secretary of State</li> <li>the effectiveness and efficiency of the chief constable's arrangements for co-operating with other persons</li> <li>the effectiveness and efficiency of the chief constable's arrangements for engagement with local people</li> <li>the extent to which the chief constable achieves value for money</li> <li>the exercise of duties relating to equality and diversity</li> <li>the exercise of duties in relation to the safeguarding of children and the promotion of child welfare</li> </ul>	s1(7) s1(8)(a) s1(8)(b) s1(8)(c) s1(8)(d) s1(8)(e) s1(8)(f) s1(8)(g) s1(8)(h)

Partnership working	
To provide or arrange for the provision of— (a) services to secure crime and disorder reduction; (b) services to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour; (c) services specified by the Secretary of State	s143 ASBP&CA'14
Have regard to the relevant priorities of each responsible authority	s10(1)
Act in co-operation with responsible authorities	s10(2) (CDA Regs)
Make arrangements with criminal justice agencies for the exercise of functions so as to provide an efficient and effective criminal justice system for the area	s10(3)
Prepare a community remedy document for the area	S101 ASBP&CA'14
Enter into collaboration agreements	s22A PA'96
Keep collaboration agreements under review	s22C PA'96
Provide advice and assistance to a body outside the UK	s26 PA'96

People	
Appoint, manage complaints regarding, suspend and remove the chief constable	s38 and sch8 (Regs)
Appoint a chief executive and chief finance officer (and may appoint other staff, including a Deputy Police and Crime Commissioner)	sch1 para6 to 8

<b>Information and Engagement</b>	
Publish specified information in the time or manner specified	s11 (Regs)
Produce an annual report	s12
Provide the police and crime panel with any information which the panel may reasonably require	s13
<p>Make arrangements for obtaining</p> <ul style="list-style-type: none"> <li>• the views of people about matters concerning the policing of the area,</li> <li>• their co-operation with the police in preventing crime and anti-social behaviour in that area;</li> <li>• the views of victims of crime in that area about matters concerning the policing of that area.</li> <li>• the views of <ul style="list-style-type: none"> <li>(a) the people in that police area, and</li> <li>(b) the relevant ratepayers' representatives,</li> </ul> on the proposals of the police and crime commissioner for expenditure before the first precept for a financial year is issued by the police and crime commissioner</li> </ul>	<p>s96(1) and (2) PA'96 (Regs)</p> <p>S96(1B) PA'96</p>

<b>Finance</b>	
Enter into agreements for supply of goods and services	s1 Local Authorities (Goods and Services) Act 1970; s15
Keep the police fund	s21 (Pension Regs)
Receive grants for police purposes	s46 PA'96
Receive grants for capital expenditure	s47 PA'96
Receive national security grants	s48 PA'96
Receive grants from local authorities	s92 PA'96
Accept gifts or loans	s93 PA'96
Borrow monies	s94 PA'96
Issue a precept	s39 Local Government Finance Act 1992 (Regs)
Receive emergency financial assistance	s155 Local Government and Housing Act 1989
<p>Do anything calculated to facilitate the exercise of their functions, including:</p> <ul style="list-style-type: none"> <li>• entering into contracts and other agreements</li> <li>• acquiring and disposing of property (including land)</li> <li>• borrowing money</li> </ul>	sch1 para 14
To assess, decide and pay, any valid claim for compensation in respect of property that has been damaged, destroyed or stolen in the course of a riot.	s1, Riot Compensation Act 2016

## Chief Constable's Functions within the Police Reform & Social Responsibility Act 2011

Function	Reference
To direct and control the police force and its civilian staff, in such a way as is reasonable to assist the relevant PCC to exercise the PCC's functions	s2(3) and (5)
<b>Operational functions (decisions)</b>	
Not listed here as set out in other legislation	s2(4)
<b>Information and Engagement</b>	
Make arrangements for obtaining the views of people within each neighbourhood about crime and disorder in that neighbourhood	s34
Make arrangements for providing people within each neighbourhood: <ul style="list-style-type: none"> <li>information about policing there</li> <li>information about how policing is aimed at reducing crime and disorder</li> <li>regular meetings</li> </ul>	s34
Give PCC such information the PCC requires, in the form required	s36
Provide the Secretary of State information as required, in the form required	s44 PA'96
<b>Value for money</b>	
Secure good value for money	s35
<b>Partnership working</b>	
Formulate and implement strategies for reducing crime and disorder, etc, with other responsible authorities, having regard to the police and crime plan	s6 CDA'98 (CDA Regs)
Enter into collaboration agreements	s22A PA'96
Keep collaboration agreements under review	s22B PA'96
Provide mutual aid	s24
Provide special police services	s25
<b>People</b>	
Appoint, manage complaints regarding, suspend and remove deputy and assistant chief constables	ss39 to40 and sch8 (Regs)
Appoint a chief finance officer (and other staff)	sch2 para 4 to 6
Appoint special constables	s27 PA'96
Appoint police cadets	s28 PA'96
<b>Contractual ability</b>	
Do anything calculated to facilitate the exercise of their functions, including: <ul style="list-style-type: none"> <li>entering into contracts and other agreements with PCCs consent</li> <li>acquiring and disposing of property (apart from land) with PCCs consent</li> </ul>	sch2 para 7(2)
Enter into contracts of employment	sch2 para 7(4)
NB A Chief constable may not borrow money except within treasury management	sch2 para 7(3)

**PCP Functions  
within the Police Reform & Social Responsibility Act 2011**



<b>Function</b>	<b>Reference</b>
Review and report on every issue of the PCC's police and crime plan	s28(3)(a) (Regs)
Review and report on the PCC's annual report	s28(4)
Review senior appointments (Deputy PCC, chief executive and chief finance officer)	s28(5), sch1 para9 to 11
Review (and if necessary veto) chief constable appointments	s28(5) and sch8
Review and report on PCC's proposals to remove a chief constable	sch8 para15
Review (and if necessary veto) PCC's level of precept	s28(5) and sch5
Review or scrutinise decisions made and actions taken by the PCC	s28(6)
Publish any reports and recommendations made	s28(7) to (9)
Suspend the PCC on their being charged	s30 (Regs)
Appoint an Acting PCC if necessary	s62
Initial handling and informal resolution of complaints against PCC / DPCC	sch7 para3 (Regs)

These functions must be exercised with a view to supporting the effective exercise of the functions of the PCC	s28(2)
A police and crime panel may not exercise any functions other than those conferred by this Act.	sch6 para4(6)

<b>Supporting powers</b>	
Require reasonable information	s13
Require the relevant PCC and their staff to attend to answer questions	s29(1)
Require a response in writing to a report or recommendation	s29(3)
Request the relevant chief constable to attend on the same occasion as the PCC to answer any question	s29(6)