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REPORT / SUMMARY DECISION SHEET

PURPOSE: COMMISSIONER DECISION

Timing: Routine

**Title: Restructure of the Office of the Police and Crime Commissioner
(Decision Log Number for Restructure 001/2013)**

**Category of Decision / Business Area Impact: Human Resources and Finance
Department**

Executive Summary: In line with the Early Retirement Policy in the Interest of Efficiency it is considered that Mr Reeves, Chief Executive of the OPCC should be afforded retirement on the grounds of efficiency. As a part of the restructure which was communicated to the staff on Monday 4th February 2013, the post of Assistant Chief Executive has been removed from the structure and the new post of Chief of Staff is now an amalgamation of the previous role of Chief Executive and Assistant Chief Executive role profiles.

Recommendation:

The Commissioner is asked to approve the attached business case.

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.

The above has my approval.

Signature:

C. R. Salmon

Date:

14/5/2013

1. Public Access to Information

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) including the exemptions set out within the Act and other relevant legislation. Where the exemptions or other restrictions are applicable, this form will be edited prior to being made available on the OPCC website within 5 working days of the decision being made by the Police and Crime Commissioner.

2. Officer Approval

**Chief Executive / Assistant Chief Executive / Chief Financial Officer
(Delete as appropriate)**

I have been consulted about the proposal and confirm that financial and legal advice have been taken into account in the preparation of this report. I am satisfied that this an appropriate request to be submitted to the Commissioner

Signature

Date

Report of the Head of Human Resources to the Chief Financial Officer

Early Retirement Policy in the Interest of Efficiency – Local Government Pension Scheme

1. Purpose of Report

In line with the Early Retirement Policy in the Interest of Efficiency it is requested that the Police and Crime Commissioner considers the following business case.

Early Retirement Policy in the Interest of Efficiency

At the Finance & General Purposes Committee meeting on the 19th March 2012, members approved proposals on flexible and early retirement.

This paper recommends a definitive policy on retirement on the grounds of efficiency under the provisions of the:

- Local Government Pension Scheme (Benefits, Membership & Contributions) Regulations 2007 (as amended)
- Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations, 2006 (as amended)
- Local Government Pension Scheme (Administration) Regulations 2008.

An employee may be offered retirement in the efficiency of the service if they:

- are aged 55 or over
- are members of the LGPS
- have 3 or more months membership or have transferred the equivalent pension rights into the LGPS.

An employee will be entitled to immediate payment of unreduced pension benefits and will also receive a severance payment. The Commissioner will award a severance payment based on the redundancy pay calculation multiplied by a factor of 2.5 giving a maximum redundancy payment of 75 weeks (see Appendix 1).

The costs to the employer will be the capital costs associated with an early release of pension benefit plus the cost of the additional severance payment awarded to the employee.

Any “business efficiency” retirement sanctioned by the Commissioner, should be justified by a business case showing the extent to which it:

- improves the effectiveness of the services provided,
- reduces the cost of providing those services or
- is supported by grounds of health or compassion.

based on a payback period of 3 years or less.

The consideration of retirements 'in the interest of efficiency' will originate from the Chief Financial Officer on behalf of the PCC.

There will be certain circumstances in which efficiency retirement may be appropriate and these are detailed in the following paragraphs:

- Where, due to no fault of an individual employee, the work method or job content have altered to the extent that they affect fundamentally the competence of the employee (e.g. technology changes, changes in legislation or organisation, development of professional standards).
- Where an employee has a particular medical condition which, whilst not considered by the Occupational Health Manager to justify retirement on the grounds of ill health, does significantly impede the proper performance of the job.
- When an employee has particular personal or domestic circumstances, which are overwhelming to the extent that the interests of the service suffer.
- Where, through a reorganisation or other reasons, the scope and content of the duties and responsibilities have diminished to the extent that, whilst not justifying redundancy, they nevertheless adversely affect the efficiency of the organisation.
- Where a combination of circumstances, both in the job and the individual are adversely affecting efficiency, but where these circumstances do not involve wilful inadequate performance, which should be more appropriately the subject of disciplinary or capability action.

2. Business Case

Mr Christopher Salmon, the Police and Crime Commissioner for Dyfed Powys Police, has in line with guidance from the Association of Police and Crime Commissioners (APCC) undertaken a review of the staffing arrangements of the Office of the PCC in Dyfed Powys, in line with his vision for the department. In considering his staffing requirements the PCC has instructed a review of his structure including the content of the Chief Executive Officers post and the redundancy of the post of the Assistant Chief Executive Officer (Appendix 2).

Under the statutory requirements the post of the Chief Executive (or equivalent) must remain within the OPCC structure and the role of this person will incorporate the statutory functions of Head of Paid Service and Monitoring Officer. However, the PCC has made a number of changes to this role profile and redesignated the role from 'Chief Executive' to that of 'Chief of Staff'.

Although the Chief of Staff role remains very much a part of the senior management team of the OPCC staffing structure, the PCC does not see this role being the equivalent status to that of a Chief Officer within Dyfed Powys. The role profile of 'Chief of Staff' has therefore been job evaluated in line with the Police Staff Council 13 Factor Job Evaluation Scheme and the salary banding has been graded as L , which attracts a salary of between £56,580 and £60,390.

As part of the restructure the PCC has also decided to remove the post of the Assistant Chief Executive and the new role of Chief of Staff is now an amalgamation

of the previous role of the Chief Executive and the Assistant Chief Executive role profiles.

Business Efficiency

In line with the Early Retirement Policy and in the Interest of Efficiency it is considered that Mr Reeves, Chief Executive under the OPCC should be afforded retirement on the grounds of efficiency as he is :-

- are aged 55 or over - [REDACTED]
- is a member of the LGPS
- has 3 or more month's membership or have transferred the equivalent pension rights into the LGPS.

This can be offered under the category:-

- Where, through a reorganisation or other reasons, the scope and content of the duties and responsibilities have diminished to the extent that, whilst not justifying redundancy, they nevertheless adversely affect the efficiency of the organisation.

Justification for the Decision

It is considered that offering Mr Reeves 'early retirement on the grounds in the interest of efficiency is appropriate due to the following reasons:-

- The restructure of the Office of the Police and Crime Commissioner (OPCC) has changed not only the scope and content of Mr Reeves current role of the Chief Executive, but has also reduced the status in comparison with Chief Officers in the Police Force and significantly reduced the amount of salary the post affords.
- The new role of 'Chief of Staff' does not match and slot to the previous Chief Executive role and as such places Mr Reeves in an at risk situation. This however, does not necessarily justify redundancy as Mr Reeves would be eligible to be considered for redeployment to the new role.
[REDACTED]
[REDACTED]
[REDACTED]
- The cost of retirement of Mr Reeves on efficiency is attached at (Appendix 3), the payback period would be achieved within a 3 year period.

3. Impact Consideration

Implication	Impact Considered (Yes/No)	Impact Identified (paragraph reference)
Legal	Yes	Paragraph 2
Financial	Yes	Paragraph 2
Race and Equality	Yes	None
Human Rights	Yes	None
Environmental and Sustainability	Yes	None
Risk Analysis	Yes	None
National Park Implications	Yes	None

4. Appendices

Appendix 1 – Discretionary Payments Scheme matrix table

Appendix 2 – Police Authority Structure (Pre PCC) and the Office of Police and Crime Commissioner Structure (Post PCC).

Appendix 3 – Keith Reeves Financial Costs.

5. Background papers

Finance and General Purposes Committee paper dated 19th March 2012 – “Flexible and early retirement policy – Local Government Pension Scheme.”

6. Contact details

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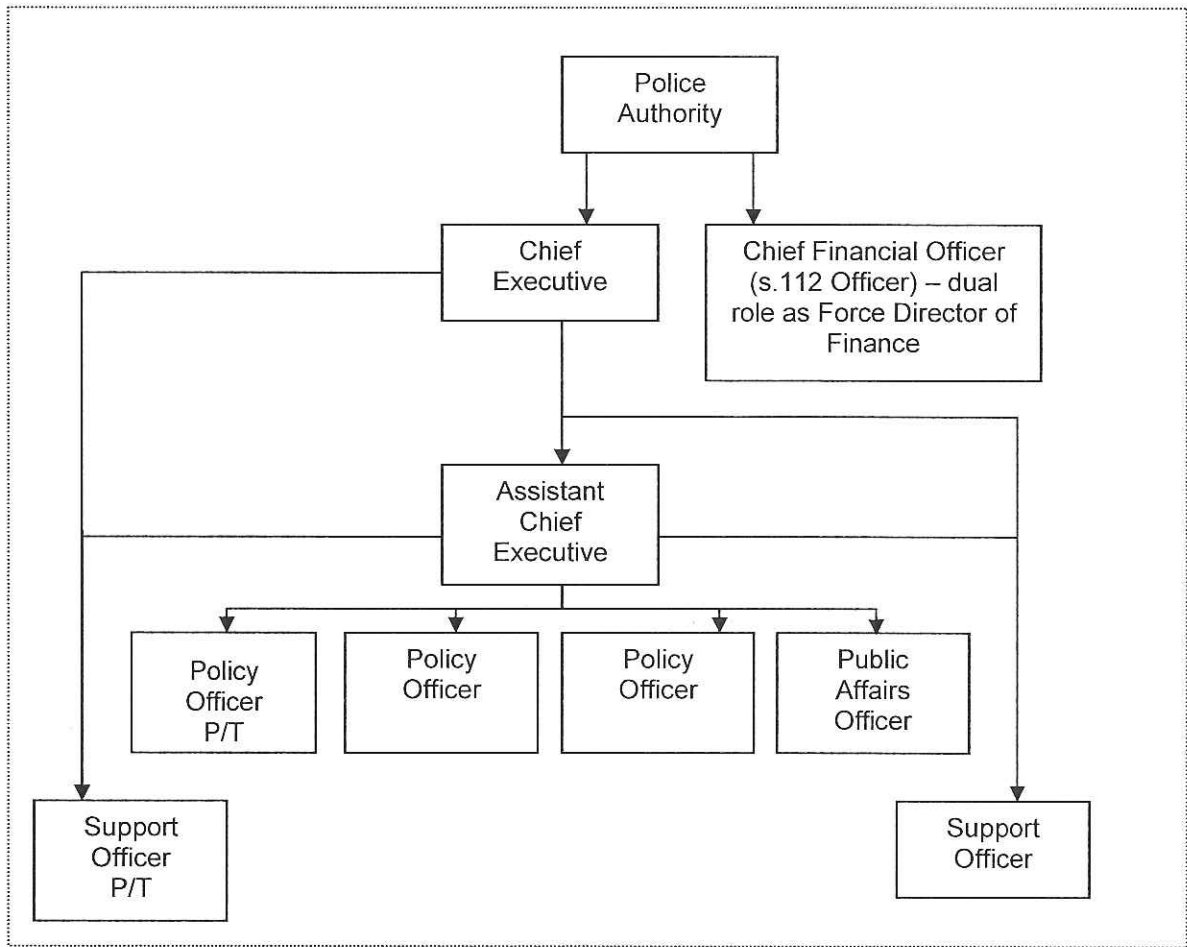
Telephone: Internal 23050, External 01267 226400

Redundancy

(Based on the table issued by the Department of Trade and Industry with effect from 1st October, 2006 and enhanced in accordance with The Local Government (Early Termination of Employment) (Discretionary Compensation {England and Wales} Regulations, 2006)

Age	Service (years)																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
17*	2½																			
18	2½	4																		
19	2½	4	5																	
20	2½	4	5	6½																
21	2½	4	5	6½	7½															
22	2½	4	5	6½	7½	9														
23	4	5	6½	7½	9	10	11½													
24	5	6½	7½	9	10	11½	12½	14												
25	5	7½	9	10	11½	12½	14	15	16½											
26	5	7½	10	11½	12½	14	15	16½	17½	19										
27	5	7½	10	12½	14	15	16½	17½	19	20	21½									
28	5	7½	10	12½	15	16½	17½	19	20	21½	22½	24								
29	5	7½	10	12½	15	17½	19	20	21½	22½	24	25	26½							
30	5	7½	10	12½	15	17½	20	21½	22½	24	25	26½	27½	29						
31	5	7½	10	12½	15	17½	20	22½	24	25	26½	27½	29	30	31½					
32	5	7½	10	12½	15	17½	20	22½	25	26½	27½	29	30	31½	32½	34				
33	5	7½	10	12½	15	17½	20	22½	25	27½	29	30	31½	32½	34	35	36½			
34	5	7½	10	12½	15	17½	20	22½	25	27½	30	31½	32½	34	35	36½	37½	39		
35	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	34	35	36½	37½	39	40	41½	
36	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	36½	37½	39	40	41½	42½	

37	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	39	40	41½	42½	44
38	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	40	41½	42½	44	45
39	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	40	42½	44	45	46½
40	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	40	42½	45	46½	47½
41	5	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	40	42½	45	47½	49
42	6½	9	11½	14	16½	19	21½	24	26½	29	31½	34	36½	39	41½	44	46½	49	51½
43	7½	10	12½	15	17½	20	22½	25	27½	30	32½	35	37½	40	42½	45	47½	50	52½
44	7½	11½	14	16½	19	21½	24	26½	29	31½	34	36½	39	41½	44	46½	49	51½	54
45	7½	11½	15	17½	20	22½	25	27½	30	32½	35	37½	40	42½	45	47½	50	52½	55
46	7½	11½	15	19	21½	24	26½	29	31½	34	36½	39	41½	44	46½	49	51½	54	56½
47	7½	11½	15	19	22½	25	27½	30	32½	35	37½	40	42½	45	47½	50	52½	55	57½
48	7½	11½	15	19	22½	26½	29	31	34	36½	39	41½	44	46½	49	51½	54	56½	59
49	7½	11½	15	19	22½	26½	30	32½	35	37½	40	42½	45	47½	50	52½	55	57½	60
50	7½	11½	15	19	22½	26½	30	34	36½	39	41½	44	46½	49	51½	54	56½	59	61½
51	7½	11½	15	19	22½	26½	30	34	37½	40	42½	45	47½	50	52½	55	57½	60	62½
52	7½	11½	15	19	22½	26½	30	34	37½	41½	44	46½	49	51½	54	56½	59	61½	64
53	7½	11½	15	19	22½	26½	30	34	37½	41½	45	47½	50	52½	55	57½	60	62½	65
54	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	51½	54	56½	59	61½	64	66½
55	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	55	57½	60	62½	65	67½
56	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	59	61½	64	66½	69
57	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	60	62½	65	67½	70
58	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	60	64	66½	69	71½
59	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	60	64	67½	70	72½
60	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	60	64	67½	71½	74
61+	7½	11½	15	19	22½	26½	30	34	37½	41½	45	49	52½	56½	60	64	67½	71½	75



INTERIM STRUCTURE

