

Report to: Appointments and Remuneration Committee
Agenda : 7
Date: 25 June 2013
Subject: Qualification Requirements for Chief Officers
Sponsor: Committee Chairman
For: Decision

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1. Purpose of paper

- 1.1 British Transport Police, supported by the Authority are embarking upon a major organisational restructuring to enable it to meet the strategic challenges set by the McNulty review, the future rail operating context and demands of stakeholders. These contextual demands have been previously articulated in other papers submitted to Members of the Authority through the Strategy and Planning Committee and Full Authority and it is not intended within this paper to repeat that information.
- 1.2 The reorganisation will create the need for fundamental changes to the cultural behaviour of the Force, require greater devolved management and innovative leadership. In order to provide stability, it is timely to review the Authority's position in relation to succession planning in respect of the Senior Command Team within the context of recent changes afforded by the creation of Police and Crime Commissioners and previous decisions of the British Transport Police Authority.

2. Background

- 2.1 The Police Reform and Social Responsibility Act 2011 created the role and responsibilities of Police and Crime Commissioners. Sections 38-40 of the Act made regulations governing the appointment, suspension and removal of Assistant, Deputy and Chief Constables by the PCC's subject to schedule 8 of the Act (which provides guidance on the process to be adopted) and Section 50 of the Police Act 1996 which states that "the Secretary of State may make regulations as to the government, administration and conditions of service of police forces" including "qualifications for appointment and promotion of members of police forces". In practical terms this has included a requirement for successful attendance at the Police National Assessment Centre (PNAC) and the Strategic Command Course (SCC) or its predecessor the Senior Command Course.

However, since 22 November 2012 this requirement has been enshrined in regulation for Home Office forces¹.

- 2.2 British Transport Police Authority took the view in 2007 not to adopt this guidance for use within the Force. It was and remains a decision at the discretion of the Authority. Currently two of the senior commander team have not attended PNAC but one of these officers has successfully attended the SCC. The Ministry of Defence Police Force are an NDPB in the same manner as the BTP and it is understood they have advertised for a Chief Officer outside the Section 50 guidance.
- 2.3 The role and future of PNAC and the SCC is under review by the College of Policing and may be subject to change in the future. Millie Banerjee is a member of the Board of the College of Policing and is of the view that clarity of the role, purpose and content of the SCC or PNAC may not be known for sometime.
- 2.4 The Home Office has confirmed that all ACPO rank officers in Home Office forces have completed both courses, meaning there is no precedent for the Authority's situation. The Home Office view was that as those already in ACPO posts had been promoted on merit and performed successfully there was no basis to require the stated qualifications for future prospects. Future ACPO appointments were the key issue and a cogent justification would be required if the Authority was not minded to apply the same standard.
- 2.5 The ARC is asked to make a recommendation to the full Authority that the current position of BTPA in not requiring successful completion of PNAC and the SCC for candidates to Assistant/Deputy/ Chief Constable vacancies as and when they arise is maintained whilst the review of the courses is underway. This should be reconsidered once the review being undertaken by the College of Policing is complete or the ARC meeting in June 2014 whichever comes first.

3. Impact assessment

- 3.1 The non-requirement of candidates to have the PNAC and SCC qualifications should provide the Authority with a wider field of candidates.

4. Recommendations

- 4.1 Members are asked to recommend to the Full Authority
 - 4.1.1 that the current decision of the Authority not to require successful attendance at PNAC and SCC for candidates to Assistant/Deputy/Chief Constable

¹ Police Regulations 2003 Regulation 11 as amended by the Home Secretary's determination published in Home Office Circular 21/2012

vacancies within the Force as and when they arise should be maintained, and

- 4.1..2 that this decision should be reviewed by the Appointments and Remuneration Committee in June 2014.