

Protocol on PCC and Staff Relations

Introduction

1. The purpose of this protocol is to guide the PCC and staff* of the Office of the PCC (OPCC) and the Force in their relations with one another. It reflects the principles underlying the respective rules of conduct which apply to both the PCC and staff.
2. The outcome should be to enhance and maintain the integrity (real and perceived) of the PCC, the OPCC, and the Force by demanding the highest standards of personal conduct.
3. Staff will need to work closely with the PCC across a range of roles from commissioning to policy development. This relationship has to function without compromising the ultimate responsibilities of officers to the PCC and the Force as a whole, and with due regard to such technical, financial, professional and legal advice that officers can legitimately provide.
4. This protocol seeks to support and assist the working relationships between the PCC and officers by setting out the mutual expectations and responsibilities that are more likely to promote and enhance the reputation and standing of the Office of the PCC and the Staffordshire Police Force.

Role and Responsibilities

PCC

5. The PCC must:-
 - (a) be guided by the Seven Principles of Public Life;
 - (b) comply with the OPCC rules and procedures;
 - (c) ensure that any facilities provided for his/her use are used strictly for the intended purpose and for no other purpose; and
 - (d) comply with any relevant statutory provisions.

NOTE: It is the responsibility of the PCC to ensure that they have proper advice. If in any doubt in terms of the law, general propriety, conflicts of interest, etc, then the Chief Executive should be consulted.

** the use of the term 'staff' in this protocol applies to the staff of the OPCC, Police Staff under the direction and control of the Chief Constable, and police officers*

Staff

6. OPCC staff (with the exception of the Deputy PCC) are required to be politically neutral in their dealings with the PCC. All are expected to uphold the highest standards of conduct and integrity in relation to:-
- (a) official conduct;
 - (b) sensitivity over disclosure of information and confidentiality;
 - (c) political neutrality;
 - (d) relationships with members, associates, officers in other PCC offices, local authorities and contractors;
 - (e) outside commitments, personal business interests, interests in contracts etc and any other situation in which personal interests, including those of the officer's family or close associates, are, or could be, in conflict with the interests of the PCC, the Office of the PCC or Staffordshire Police;
 - (f) all staff should safeguard the principle of operational independence by the Force, noting that the PCC holds the Chief Constable to account but does not seek to influence the direction and control of policing in Staffordshire (* Paragraphs 35 & 36 of the Policing Protocol Order 2011)
 - (g) equality issues;
 - (h) hospitality and gifts;
 - (i) use of financial resources; and
 - (j) sponsorship.
7. Staff are responsible to their line manager and ultimately the PCC who have responsibilities for the proper management of the Office of the PCC and the Force respectively.

Respect and Courtesy

8. For the effective conduct of the PCC, the Office of the PCC and the Force business there must be mutual respect, trust and courtesy in all meetings and contacts, both formal and informal, between the PCC and staff. It is very important that both the PCC and staff remember their respective obligations to enhance the reputation of the organisations and to do what they can to avoid criticism of other members, or other officers, in public places.

Undue Pressure

9. It is important that in any dealings between the PCC and staff neither should seek to take unfair advantage of their position.

10. The PCC should not apply undue pressure on staff either to do anything they are not empowered to do or to undertake work outside normal duties or outside normal hours. Particular care needs to be taken in connection with the use of the Office of PCC or property and services.
11. Similarly, staff must neither seek to use undue influence on the PCC decisions, nor raise personal matters in relation to their job, nor make claims or allegations about other staff. There are suitable alternative mechanisms to raise concerns around individuals in the organisation which should be used in cases such as this.

Familiarity

12. Close personal familiarity between the PCC and staff can damage the principle of mutual respect. It could also, intentionally or accidentally, lead to the passing of confidential information or information which should not properly be passed between them, such as personal details. Such familiarity could cause embarrassment and give rise to suspicions of favouritism or improper conduct.
13. The holders of office should in public always be addressed by their office unless otherwise requested.
14. In formal environments, when the public or persons who are not staff are present, it would be usual for the PCC and staff to address each other by their surname and title, unless the PCC was specifically to indicate otherwise in that environment.
15. In less formal environments, the use of first names as a means of address is a matter for personal choice for the PCC and the staff members and respect for each other means that allowance should be made for individual preferences.

Redress

16. If the PCC considers that they have not been treated with proper respect or courtesy, they may raise it with the Chief Executive or the Chief Constable (in the case of Force personnel) if it is not possible or practicable to resolve it through direct discussion.
17. If a member of staff feels the same way about the PCC, and a direct discussion is impractical or fails to resolve the matter, he or she should raise the matter with the Chief Executive of the OPCC without delay.
18. The speedy use of informal resolution procedures should be pursued wherever possible.

Information for the PCC

19. It is important for the Chief Executive and senior staff to keep the PCC informed both about the major issues concerning the organisation, and, more specifically, about issues and events relating to the areas or lead interests affecting the PCC.

Declaration of Interests

20. The PCC must complete a Register of Interests within 28 days of their election. The PCC must also declare any personal or prejudicial interest in any item under consideration during meetings of the Police & Crime Panel etc.
21. OPCC staff should declare to the Chief Executive, as appropriate, any outside commitments, personal business interests, interests in contracts etc and any other situation in which personal interests, including those of family or close associates, are, or could bring about, conflict with the interests of the OPCC or Staffordshire Police.

Breaches in Protocol

22. The conduct of staff is subject to the application of appropriate regulations, policies and procedures and to the provisions of the relevant conditions of service of the individual concerned.
23. If an individual is found to be in breach of the requirements of this Protocol, some form of disciplinary action may result.
24. If the PCC is in breach of the requirements of this Protocol, then the Chief Executive will treat the matter as accordingly, and where appropriate, refer it to the Police and Crime Panel for action.
25. The speedy use of informal resolution procedures should be pursued wherever possible.

Partnerships and External Bodies

26. This Protocol is intended primarily to cover relationships and situations within the Office of the Police and Crime Commissioner and Staffordshire Police. However, it is hoped that it will also be found helpful and will be applied (with any appropriate amendments) in relation to working within partnerships.

Conclusion

27. Mutual understanding, openness on these kinds of sensitive issues and basic respect are the greatest safeguard of the integrity of the OPCC and the Staffordshire Police.

28. Staff should consult with the Chief Executive and/or the Chief Financial Officer (as appropriate) about matters involving questions about legality, maladministration, financial impropriety and probity or where they have any doubt as to whether a particular decision of the PCC was or is likely to be contrary to law, any policy framework or budget.

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