



**POLICE & CRIME
COMMISSIONER**
For Leicester,
Leicestershire & Rutland

Your Communities - Your Commissioner

Police and Crime Panel for Leicester, Leicestershire and Rutland

18th June 2024

Deputy Police and Crime Commissioner Confirmation Papers

Report Date	18 June 2024
Report Author	Clare Trewartha, OPCC, CEO
Security Classification	Official

Purpose of Report

1. In his role as the Police and Crime Commissioner (PCC) the Commissioner may appoint a Deputy Police and Crime Commissioner (DPCC) to assist them in delivering his role.
2. The PCC brings this report to introduce to the Police and Crime Panel his candidate Mrs Ajmer Kaur Mahal and outline her suitability, proposed responsibilities and terms and conditions.

Request of the Panel

3. In their role the PCC requests that the Panel carry out a Confirmation Hearing and provide to him a report on the proposed appointment including a recommendation as to whether or not the candidate should be appointed.
4. Following receipt of that report the PCC will consider its contents and decide whether to accept or reject the panel's recommendation on Mrs Mahal's proposed appointment.

Background

5. The Police Reform and Social Responsibility Act 2011 (the Act) provides, under section 18(1), that the Police and Crime Commissioner (PCC) for a police area, may appoint a person as the DPCC for that area.
6. The PCC can arrange for them to exercise any of their functions save for:
 - the issuing of a Police and Crime Plan,
 - appointing the Chief Constable,
 - suspending the Chief Constable,
 - calling upon the Chief Constable to retire or resign
 - calculating a budget requirement under section 43 of the Local Government Finance Act 1992.
7. To assist the PCC and provide capacity and resilience the Police and Crime Commissioner wishes to appoint a DPCC.
8. The PCC has therefore notified the panel of his intention, in accordance with the Act.
9. Mrs Mahal has declared that she is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. She has declared that to the best of her knowledge and belief she is eligible for appointment and is not subject to a relevant disqualification.
10. Attached at Appendix A are the relevant extracts from the Act which have been provided to Mrs Mahal.

11. A DPCC is required by the Act to be a member of staff within the Office of Police and Crime Commissioner (OPCC). The DPCC for Leicester, Leicestershire and Rutland will be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC's staff.
12. The PCC informed the Panel of his decision to appoint a Deputy on 28th May 2024. A copy of the decision notification sent on 31st May 2024 is attached at Appendix B.

Criteria used to assess the suitability of Candidate.

14. The PCC has considered very carefully the set of criteria he is looking for in selecting a suitable individual for this important role and has set these out in a job description. The full job description that has been developed for the DPCC position can be seen at Appendix D but in summary.

Personal Specification

Knowledge

- Knowledge of issues facing policing
- Understanding of governance processes and their application within a statutory office
- Understanding political structures, procedures and policies at both a local and national level

Experience

- Experience of working across different agencies at strategic and operational levels
- Experience in translating strategic objectives into action.
- Understanding and experience of the geographic, social and economic nature of the area
- Experience of working with diverse communities and working to secure improved outcomes for local people.

Key Skills:

- Ability to think strategically and laterally and deliver on goals and objectives.
- High-level communication and presentation skills, including media skills.
- Ability to build senior level relationships, influence and negotiate with high-ranking officials, and maintain strong relationships.
- Ability to take a co-operative approach to achieving priorities, including developing effective collaboration proposals with relevant organisations.
- Ability to engage, listen and understand communities with differing needs.
- Ability to propose solutions to complex issues with the best interest of local people and vulnerable people always a priority.
- Ability to secure credibility, respect and recognition from peers and stakeholders.
- Ability to take personal responsibility for decisions made and to be able to communicate these effectively.

15. As in his previous term, the PCC is confident that Mrs Mahal has a skill set that not only fulfils the criteria outlined above but also compliments his own skills and experience. He is confident that Mrs Mahal will fulfil the role of DPCC with passion, professionalism and integrity.

16. The key elements of Mrs Mahal's experience and competence remain as:

- Extensive experience within the business sector e.g. Former Director at LLEP. The Leicester and Leicestershire Enterprise Partnership leads economic prosperity across the Leicester and Leicestershire area. Experience of being a board member of Leicestershire Asian Business Association including roles such as Vice President and lead for women & political affairs. Attended Better Business for all meetings at Chamber of Commerce fighting for better regulations on behalf of small and medium sized businesses in Leicester.
- Extensive experience within charitable organisations e.g. Member of the Royal Society of Arts. (FRSA) (Formerly known as Society for the Encouragement of Arts, Manufactures and Commerce. Has volunteered initially starting in the Oadby and Wigston area later raising funds for Kidney Care Appeal (2005). Continues to support a wide range of charities. Former member of Women in Philanthropy in Leicester.
- Advocate for underrepresented communities; e.g. Board member of (IBTC) Indo British Trade Council. International member of WICCI as a Non-Resident Indian. Women's Indian Chamber of Commerce & Industry, (WICCI) boosts and builds women's entrepreneurship and businesses.
- Supported groups and communities thereby enabling them to be more confident and to foster positive change; e.g. Member of the Conservative Women's Organisation (CWO) for over a decade. Current regional Honorary President of East Midlands CWO. Current Vice-Chairman (2022-23) and Armed Forces Champion at Harborough District Council.
- Mentored and coached key individuals in the communities and businesses; (multiple private examples)
- Experience of working within business sector and dealing with sensitive and complex issues; e.g. At LOROS Hospice Former Trustee 9 years' experience of overall Governance, Strategy, and oversight of the Charity. Attended Clinical Governance meetings, advocating for terminally ill patients, Chaired Equality & Diversity meetings.
- District Councillor with a portfolio which included Community Safety; e.g. Former Parish Councillor Great Glen Parish Council. Recreation & Planning committee member. Ensuring any grants approved meet standards expected from projects and as member of the Cabinet Sub-committee member has delivered various projects within the Harborough District.
- Experienced in scrutiny, accountability and oversight e.g. Deputy Chairman for the Leicester, Leicestershire and Rutland Area Conservatives with a remit for Fundraising and Membership. Treasurer for Leicestershire Area

Conservatives. Audit and Governance committee member and Scrutiny Performance panel member at Harborough District Council.

- Driven to raise standards and integrity in public life e.g. As member of Harborough Conservative Association and a Cllr and armed forces champion and more recently Vice-Chairman at Harborough District council fully aware of responsibilities and in line with the Nolan Principles.
- Interests in protecting the most vulnerable in society e.g. Vice-Chairman for 2022-23 at Harborough District Council ensuring due diligence for members of the Armed Forces. Advocates for women and children wherever possible and passionate about mental health issues. Is signed up to the Royal Voluntary Service as a Volunteer Responder and assisted in the national vaccination programme.

Terms and Conditions of Appointment

17. The Deputy PCC is a member of the PCC's staff and therefore this requires the post holder to receive terms and conditions aligned with those colleagues within the Office of the PCC.
18. A summary of the terms and conditions are attached at Appendix C.
19. Mrs Mahal re-started as DPCC for Leicester, Leicestershire and Rutland on the 10th June 2024, contract pending the outcome of this Confirmation Hearing.
20. The Police and Crime Commissioner has discussed with Mrs Mahal the portfolio of responsibilities he wishes to delegate to her. Although not an exhaustive list, the following is the current identified portfolio:
 - a. Victim Liaison, creation of a victims focus group programme that enable the voice of victims to feed into the Commissioners commissioned services.
 - b. Local prevention, development of a programme to engage local networks (parish councils, neighbourhood watch etc) in activity to prevent crime in their own area.
 - c. Development of activity that enables lived experience to be embedded through the OPCCs commissioning processes.
 - d. Due diligence activity on commissioned services.
 - e. Ensuring that the Ethics and Transparency Panel operates to the highest standard and that they consider matters of importance to the communities of Leicester, Leicestershire and Rutland
 - f. Attendance at internal and external meetings and appearances as required by the PCC.
 - g. Liaison with the Association of the Police and Crime Commissioner in the PCCs absence.

Conclusion

21. The appointment of the DPCC has been identified as a critical role for the PCC. The PCC has carefully considered the skills and abilities he requires to complement his own approach and balanced those against the community and organisational needs.
22. The PCC has selected Mrs Mahal as his DPCC and looks forward to receiving the Panel's report on the matter.

List of Appendices

- Appendix A – Relevant Legislation
Appendix B – Decision to appoint a Deputy Police and Crime Commissioner
Appendix C – Summary of terms and conditions
Appendix D – Job Description for DPCC

----- **End of Report** -----

Appendix A

Extract – paragraph 8 of Schedule 1 to the Police Reform and Social Responsibility Act 2011 The deputy police and crime commissioner

8 (1) This paragraph applies to a person appointed under section 18 by a police and crime commissioner to be the deputy police and crime commissioner.

(2) None of the following may be appointed as the deputy police and crime commissioner—

- (a) a person who has not attained the age of 18 on the day of the appointment;
- (b) a person who is subject to a relevant disqualification;
- (c) a Member of the House of Commons;
- (d) a member of the European Parliament;
- (e) a member of the National Assembly for Wales;
- (f) a member of the Scottish Parliament;
- (g) a member of the Northern Ireland Assembly.

(3) The terms and conditions of a person who is appointed as the deputy police and crime commissioner must provide for the appointment to end not later than the day when the current term of office of the appointing police and crime commissioner ends.

(4) Section 7 of the Local Government and Housing Act 1989 (appointment of staff on merit) does not apply to the deputy police and crime commissioner.

(5) In this paragraph “current term of office”, in relation to the appointment of a deputy police and crime commissioner by a police and crime commissioner, means the commissioner’s term of office which is running at the time the appointment is made.

(6) For the purposes of this paragraph, a person is subject to a relevant disqualification if the person is disqualified from being elected as, or being, a police and crime commissioner under—

- (a) section 65(1) (police officers, police-related employment etc.), other than paragraph (e)(ii); or
- (b) section 66(1), (3) (a) (iii) or (iv), (3)(c) or (3)(d) (citizenship, bankruptcy, criminal convictions & corrupt or illegal election practices).

Relevant disqualification

Section 65(1) Police Reform and Social Responsibility Act 2011

Disqualification from election or holding office as police and crime commissioner:
police grounds

- (1) A person is disqualified from being elected as, or being, a police and crime commissioner if the person—
- (a) is disqualified from being a member of the House of Commons under section 1(1)(d) of the House of Commons Disqualification Act 1975 (members of police forces for police areas in the United Kingdom);
 - (b) is a member of—
 - (i) the British Transport Police Force;
 - (ii) the Civil Nuclear Constabulary;
 - (c) (c) is a special constable appointed—
 - (i) under section 27 of the Police Act 1996 for a police area or the City of London police area;
 - (ii) under section 25 of the Railways and Transport Safety Act 2003 (British Transport Police Force);
 - (d) is a member of staff of the chief officer of police of any police force maintained for a police area;
 - (e) is a member of staff of—
 - (i) a police and crime commissioner;
 - (ii) the Mayor's Office for Policing and Crime;
 - (f) is the Mayor of London;
 - (g) is a member of the Common Council of the City of London or a member of staff of that Council in its capacity as a police authority;
 - (h) is a member (including a member who is chairman or chief executive), or member of staff, of—
 - (i) the British Transport Police Authority;
 - (ii) the Civil Nuclear Police Authority;
 - (iii) the Independent Police Complaints Commission;
 - (iv) the Serious Organised Crime Agency;
 - (v) the National Policing Improvement Agency;
 (i) holds any employment in an entity which is under the control of—
 - (i) a local policing body;
 - (ii) any body mentioned in paragraph (h);
 - (iii) the chief officer of police for any police force maintained for a police area or the City of London police area;
 - (iv) the chief officer of police for any police force mentioned in paragraph (b).

Section 66 Police Reform and Social Responsibility Act 2011 (relevant parts)

Disqualification from election or holding office as police and crime commissioner:
other grounds

(1) A person is disqualified from being elected as, or being, a police and crime commissioner unless the person satisfies the citizenship condition (see section 68).

(3) A person is disqualified from being elected as, or being, a police and crime commissioner if—

(a) the person is the subject of—

- (iii) a bankruptcy restrictions order under paragraph 1 of Schedule 4A to that Act;
- (iv) a bankruptcy restrictions interim order under paragraph 5 of that Schedule;

(c) the person has been convicted in the United Kingdom, the Channel Islands, or the Isle of Man, of any imprisonable offence (whether or not sentenced to a term of imprisonment in respect of the offence); or

(d) the person is incapable of being elected as a member of the House of Commons, or is required to vacate a seat in the House of Commons, under Part 3 of the Representation of the People Act 1983 (consequences of corrupt or illegal practices).

Citizenship condition (Section 68 Police Reform and Social Responsibility Act 2011)

68 Citizenship condition

(1) This section applies for the purposes of section 66.

(2) A person satisfies the citizenship condition if the person is—

- (a) a qualifying Commonwealth citizen,
- (b) a citizen of the Republic of Ireland, or
- (c) a citizen of the Union.

(3) For the purposes of this section, a person is a qualifying Commonwealth citizen if the person is a Commonwealth citizen and—

(a) is not a person who requires leave under the Immigration Act 1971 to enter or remain in the United Kingdom, or

(b) is a person who requires such leave but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of that Act.

(4) But a person who does not require leave to enter or remain in the United Kingdom by virtue only of section 8 of the Immigration Act 1971 (exceptions to requirement for leave in special cases) is not a qualifying Commonwealth citizen by virtue of subsection (3)(a).

(5) In this section the expression “citizen of the Union” is to be construed in accordance with Article 20(1) of the Treaty on the Functioning of the European Union.

Appendix B

31st May 2024

Notification of Decision to Appoint a Deputy Police and Crime Commissioner

1. The Police Reform and Social Responsibility Act 2011 (the Act) provides, under section 18(1), that the Police and Crime Commissioner for a police area may appoint a person as the Deputy Police and Crime Commissioner for that area.
2. Under section 18(10) of the Police Reform and Social Responsibility Act 2011 ("the Act") the Deputy Police and Crime Commissioner (DPCC) is a member of the PCC's staff.
3. Making use of the power in Section 18 (1) I have decided to propose the appointment of Mrs Ajmer Kaur Mahal to the post of Deputy Police and Crime Commissioner for Leicestershire.
4. Mrs Ajmer Kaur Mahal has declared that she is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. She has declared that to the best of her knowledge and belief she is eligible for appointment and is not subject to a relevant disqualification. Attached are the relevant extracts from the Act which have been provided to Mrs Mahal.
5. A DPCC is required by the Act to be a member of my staff. The DPCC for Leicestershire will be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC's staff.
6. I will notify this decision to the Police and Crime Panel. In accordance with the Act I will provide to them:
 - the name of the person I propose to appoint, who for the purposes of the legislation is known as the 'candidate';
 - the criteria used to assess the suitability of the candidate for the appointment;
 - why the candidate satisfies those criteria; and
 - the terms and conditions on which the candidate is to be appointed.
7. Mrs Mahal will then be subject to the confirmatory hearing process required by Schedule 1 to the Act. I understand that the confirmatory hearing will take place within three weeks of this notification.
8. The Police and Crime Panel are required to publish a report to me on the proposed appointment in which they must include a recommendation as to whether or not the candidate should be appointed. I will consider the report once published and decide whether to accept or reject the panel's recommendation on Mrs Mahal's proposed appointment. Until the conclusion of this process, Mrs Mahal remains the candidate for the appointment.

Appendix C

Police and Crime Commissioner for Leicestershire Deputy Police and Crime Commissioner - summary of terms and conditions of appointment

Under Section 18(10) of the Police Reform and Social Responsibility Act 2011 (“the Act”) the deputy police and crime commissioner (DPCC) is a member of the PCC’s staff.

The DPCC will be employed by the PCC and be subject to a contract of employment which will generally reflect the terms and conditions applying to the PCC’s staff.

The main terms and conditions of appointment are:-

1. The DPCC will be required as a condition of appointment to make a declaration of eligibility that the appointment is held subject to the requirements of the Act and is not subject to a relevant disqualification.
2. Allowances – travelling and subsistence allowance will be paid at the rates applicable to the PCC’s staff. Allowances paid will be disclosed quarterly under the Elected Local Policing Bodies (Specified Information) Order 2012 (as amended) and in accordance with the Home Secretary’s determination, attached as an appendix to this summary.
3. Hours of work and salary – 0.6 FTE, 3 days per week, 22 hours per week for which £58,800 per annum pro rata will be paid with provision for attendance on days and at times reasonably required by the PCC which will involve work outside normal office hours. No overtime will be paid. Salary reviews will be in line with those made to the Commissioner’s salary which is set by the Home Secretary.
4. Holiday entitlement – 27 days annual leave pro rata plus public and bank holidays.
5. Sickness absence – SSP is payable from the fourth qualifying day in any period of incapacity for work.
6. Pension – entitlement to join the Local Government Pension Scheme (LGPS).
7. Termination – the appointment as DPCC may be terminated at any time by the PCC and will terminate in any event upon the PCC ceasing to hold office for any reason, including reaching the end of the term of office under which the appointment is made. Three months’ notice is required by either party to terminate the contract of employment. The appointment will end if the appointee becomes disqualified under the Act. Unless otherwise terminated, the DPCC will be contracted up to and including the subsequent PCC election.

8. Conduct – Any PCC code of conduct will apply and in addition the DPCC will be subject to the complaints process under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012.
9. Performance review and appraisal – the DPCC will receive regular performance reviews and appraisals from the PCC.
10. The DPCC is not subject to vetting as it is a political appointment, they are required to sign the Official Secrets Act 1989.

Appendix D

Job Description – Deputy Police and Crime Commissioner

Post title: Deputy Police and Crime Commissioner

Responsible to: Police and Crime Commissioner

Responsible for: None

Location: The Office of the Police and Crime Commissioner

Main responsibilities

This is a list of the types of activities the post holder will carry out. It will be subject of discussion with the successful candidate and may evolve over the course of the PCC's term of office. The post holder may undertake additional duties arising from changing circumstances, but which do not change the general character or level of responsibility of the post.

1. Support the PCC to drive the delivery of the Police and Crime Plan, which incorporates the manifesto commitments.
2. Provide support in respect of holding the force to account, by attending meetings with force personnel, deputising for the PCC in his absence and supporting the improvement of OPCC assurance activities.
3. Engaging with communities to raise the profile of the PCC, and to enable consultation and engagement activities to take place, with an emphasis on hearing from the residents of LLR. Supporting the PCC to engage and seek the views and concerns of the people in the county.
4. Engaging with key local, regional and national partners to leading or attending boards, meetings and working groups on the PCC's behalf.
5. Supporting the PCC in attendance at the Police and Crime Panel to ensure that the Panel can support and challenge effectively.
6. Supporting partnership working on behalf of the PCC.
7. Leading or managing specific policy areas, projects or areas of interest, in accordance with skills and experience

Security level

- Post holder will be expected to sign the Official Secrets Act

Standards of Behaviour

- Post holder will need to sign the Code of Conduct which incorporates the Nolan Principles for Standards in Public Life

Personal Specification

Knowledge

- Knowledge of issues facing policing
- Understanding of governance processes and their application within a statutory office
- Understanding political structures, procedures and policies at both a local and national level

Experience

- Experience of working across different agencies at strategic and operational levels
- Experience in translating strategic objectives into action.
- Understanding and experience of the geographic, social and economic nature of the area
- Experience of working with diverse communities and working to secure improved outcomes for local people.

Key Skills:

- Ability to think strategically and laterally and deliver on goals and objectives.
- High-level communication and presentation skills, including media skills.
- Ability to build senior level relationships, influence and negotiate with high-ranking officials, and maintain strong relationships.
- Ability to take a co-operative approach to achieving priorities, including developing effective collaboration proposals with relevant organisations.
- Ability to engage, listen and understand communities with differing needs.
- Ability to propose solutions to complex issues with the best interest of local people and vulnerable people always a priority.
- Ability to secure credibility, respect and recognition from peers and stakeholders.
- Ability to take personal responsibility for decisions made and to be able to communicate these effectively.

The post holder must live in the police area and be able to travel extensively around the area and must have flexibility in their schedule to allow for occasional evening and weekend engagements.

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