



**Philip Secombe
Police and Crime
Commissioner
for Warwickshire**

30 September 2024

Deputy Chief Constable Alexander Franklin-Smith

By email

Dear Alex,

Appointment as Temporary Chief Constable

I would like to formally offer you this temporary appointment with effect from 27 September 2024. Thank you for stepping in at short notice.

The appointment is made in accordance with the provisions of statute, regulations and determinations.

1. Appointment and Termination

Your appointment is made in accordance with Section 38 of the Police Reform and Social Responsibility Act 2011. It will be temporary for a period of up to 6 months, while I recruit a new Chief Constable. I will write to you again if this duration is to be extended.

The notice period for this role will be three months, unless we mutually agree another timeframe.

2. Salary, Allowances and Expenses

The salary for the post is set out in Annex F of the Police Regulations 2003 – Circular 006/2024, currently set as £173,937, and is subject to such pay awards and any nationally agreed adjustments, in accordance with Police Regulations. Your salary, allowances and expenses will be paid in accordance with the prevailing Regulations.

It is settled law that PCCs have no residual discretion to pay salary, allowances or expenses that fall outside of those specified in the prevailing Regulations and Determinations. Where an

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allowance is paid which is not specified in the prevailing Regulations and Determinations, it will require the approval of the Home Secretary under Regulation 34(2) Police Regulations 2003.

3. Other Provisions

Vetting

The appointment is subject to security clearance at Management Vetting (MV) level (NPPF) and also Developed Vetting (UKSV). These levels of clearance must remain valid throughout the duration of the appointment.

In accordance with the Approved Professional Practice (APP) on Vetting, the PCC's Chief Executive (as Monitoring Officer) is responsible as Decision Maker in respect of vetting decisions for officers of the rank of Chief Constable. The Chief Executive will work closely with the Force Vetting Manager to process your vetting and regular reviews in accordance with the APP.

Place of Work

Your normal place of work will be Leek Wootton Police Headquarters, and you will be expected to undertake regular travel within and outside of the Force area.

Agile and Flexible Working

Whilst recognising that it is a matter for your own personal and professional discretion, the PCC encourages the Chief Constable to set a positive and progressive example in respect of work – including the location from which you choose to work, as well as the time that you undertake your duties. Accordingly, you are encouraged to align your working practices as Chief Constable with Force policy in respect of agile working / working from home wherever practicable, but in a manner consistent with the discharge of the role of Chief Constable and the visible leadership you will no doubt wish to demonstrate.

Hours of Work

Hours of work will be in accordance with the prevailing Regulations. At present there are no formal contractual hours applicable to the role, but in accordance with best leadership practice you are expected to exemplify safe and healthy working practices which balance the demands of the role with your personal wellbeing.

Annual leave

Your entitlement to annual leave is regulated by the Annex O Determination to Regulation 33 Police Regulations 2003. At the time of writing the entitlement is 35 days.

Rest days are to be taken in accordance with Police Regulations. You are entitled to reclaim any rest days worked by taking an alternative rest day in lieu.

Please inform the PCC and OPCC Chief Executive in writing, wherever practicable in advance, of your periods of annual leave and the Chief Officer cover arrangements during your annual leave.

Vehicle Provision and Personal Mileage

A vehicle is provided and must be used in accordance with the force Chief Officer Vehicle policy (attached). All private mileage undertaken in a provided vehicle must be reimbursed in accordance with force policy and any applicable procedure.

Gifts, Hospitality and Business Interests

You must abide by the force policy applicable in respect of gifts, hospitality and business interests. The gifts and hospitality register will be fully transparent and will be examined by the OPCC to ensure compliance.

Application of Force Policy and Procedure

You must abide by force policy including the policy on travel and subsistence. You are encouraged to consult with the Chief Executive in order to ensure that non-operational policy is applied appropriately to you as Chief Constable, for example where the policy requires action from a line manager. Whilst accepting that neither the PCC nor Chief Executive fulfil a line management function, the added protection of such a process is prudent.

You will be expected to participate in a conversation about the Annual Integrity Health Check with the OPCC Chief Executive, and draw to her attention at the earliest opportunity any matters relating to you which may have an impact on the reputation of Warwickshire Police.

Accountability and Performance

You will be required to carry out all the duties applicable to the role of Chief Constable and be accountable to the Police and Crime Commissioner for Warwickshire.

The appointment is subject to the Role Profile, a copy of which is attached.

Primary and secondary legislation governs the relationship of accountability between the Chief Constable and the Commissioner. In particular, the prevailing Policing Protocol Order makes detailed provision in respect of accountability, and I have regard to the APCC Accountability Guidance (attached).

Overall, I would expect the following arrangements to apply in respect of your exercising the functions of the office of Chief Constable so I am able to make an assessment of your performance:

- An early discussion in which you discuss with the PCC your approach to delivering the Police and Crime Plan and your associated priorities for the force for the next period, which you share in writing
- A commitment to regular meetings with the PCC, in which you provide an update on the priorities, progress towards achieving them, and a discussion about the context in which you are delivering them

National Work

NPCC and other national representational work may be undertaken following consultation with the PCC. The Chief Constable must take account of any observations the PCC may make prior to agreeing to such work.

Professional Development

The PCC commits to and encourages your professional development. Reasonable investment in your professional development will be discussed and where agreed, will be approved as part and parcel of such performance and development arrangements as we agree.

Insurance and Professional Subscriptions

The PCC shall pay such reasonable professional subscriptions and indemnity insurance where they are required for the proper performance of the role. CPOSA insurance will be paid, however the PCC will not pay for any element of insurance capable of providing cover for the bringing of claims against the police fund (i.e. claims against the PCC or the Force as the case may be)

Business Interests

You will be required to devote your whole time to fulfilling the duties of Chief Constable and must comply with the Force policy on Business Interests. The OPCC will undertake the role of decision maker in this instance.

Post Service Employment

You are required to comply with the system of approving post-service employment introduced by the Home Office in November 2017.

Ethical Behaviour

The PCC expects the Chief Constable to exemplify the highest standards of public service leadership and values, including demonstrable adherence to the Code of Ethics.

The law makes detailed provision in respect of the expected standards of conduct for Chief Constables and for public complaints. It includes post-service obligations. Those matters are not addressed in detail in this letter.

Signature

Please sign one copy of this letter and return it to me to confirm your acceptance of this temporary post.

I accept the appointment of temporary Chief Constable on the terms stated above.

Signed:.....A. Franklin-Smith..... Date:....30.09.2024.....

Yours Sincerely,

Philip Seccombe TD

Police and Crime Commissioner