

Have you got what it takes?

Delivering through your chief executive and monitoring officer



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Important facts

Every Police and Crime Commissioner (PCC) must have a chief executive, who also acts as the monitoring officer.

The chief executive works with the PCC to deliver the PCC's vision, strategy and identified priorities.

They make sure the office of the PCC is led effectively through ongoing management and public involvement.

They help make sure that the police force's activities are checked accurately and appropriately.

The chief executive's role is to support and advise the PCC in delivering their manifesto, through the Police and Crime Plan and legal duties and responsibilities.

This includes:

- planning how resources will be used;
- commissioning (contracting) services and overseeing how they are delivered;
- providing information, gathering the views of the public and carrying out research and strategic needs assessments;
- checking on and evaluating performance; and
- making sure the PCC's office is efficient and effective

They must fulfil the legal functions of the monitoring officer.

The role of monitoring officer is to tell the PCC about any actual or possible law breaking, or any other action that could be seen as causing an injustice.

Background

The Police Reform and Social Responsibility Act 2011 transferred the chief executive role from the existing police authority to the office of the PCC. It is one of the two roles that a PCC must appoint. The other role that a PCC must appoint is that of the chief finance officer (CFO). Please see the separate briefing on balancing the books for more information on this role. Both roles are politically restricted (see below) and must be appointed on merit.

Politically restricted post holders are not allowed to be involved in certain political activities, all set out in law. These activities include standing as or canvassing on behalf of a candidate for an election, and speaking in public in support of a political party or publishing material which supports a political party.

The role of chief executive and the role of chief finance officer cannot be combined.

Duties of the chief executive as monitoring officer

The role of the monitoring officer is to report to the PCC if it appears that any proposal, decision or failure within their organisation constitutes, has given rise to, or is likely to break the law or a code of practice or constitutes maladministration.

The monitoring officer must send a copy of that report to the police and crime panel (PCP).

The chief executive and monitoring officer role exists in addition to the scrutiny provided by the PCP. It offers protection for the PCC by making sure they comply with the law and improving the transparency of their actions and decisions.

The PCC has a legal duty to give the monitoring officer the staff, accommodation and other resources which are needed so that they can carry out their duties.

The PCC's chief finance officer has similar legal duties and responsibilities in connection with any unlawful, or potentially unlawful, spending by the PCC or those acting on the PCC's behalf.

Role of the chief executive

The main responsibilities of the chief executive include:

- making sure they give the PCC appropriate advice;
- leading the continued development and delivery of the PCC's activities and operations;
- providing clear and visible leadership to the PCC's staff;
- helping to deliver the Police and Crime Plan effectively and efficiently, together with any associated delivery plans;
- delivering, reviewing and improving performance against the PCC's information strategy;
- making sure that strategic needs assessments allow the PCC to prioritise their budget effectively;
- helping the PCC to challenge the force's strategic and financial planning as appropriate;
- developing and maintaining a constructive working relationship with the police and crime panel;

- making sure audits are carried out efficiently and effectively, and that any other aspects of control (from within the police or the PCC's office) or inspection (from outside the police) are carried out in the same way;
- overseeing the way complaints are managed so this is efficient and effective;
- involving those with an interest (from within and outside the organisation) in efficient commissioning of services at local, regional and national level;
- overseeing how the finances, budgets, resources and assets are managed for the PCC;
- making sure that the PCC carries out their duties and responsibilities in terms of equal opportunities and diversity according to relevant laws as well as promoting the commitment to equality and diversity in all that the PCC does; and
- alongside the chief financial officer, making sure that the PCC's business is carried out appropriately, fairly and honestly, including making proper arrangements for tendering procedures and letting contracts.

Doing the right thing

The chief executive and chief constable should agree how they can make sure that they, their officers and staff keep to all laws and regulations by using effective structures, arrangements and instruments approved by the PCC.

In particular, they need to make sure that:

- decisions taken by the PCC or chief constable are taken after receiving legal advice where necessary;
- the chief constable's legal advisor has full access to the chief executive;
- the main regulatory instruments of both the PCC and the chief constable clearly outline roles for the legal staff and the chief executive so that they can effectively oversee the legal effect of all decisions;
- the chief executive has access to any documents which the PCC or chief constable is relying on when making non-operational decisions;
- the chief finance officers, the chief executive and the chief constable develop effective relationships and share information effectively;
- the chief executive is able to advise on any decision that binds the PCC before it is taken; and
- the chief executive has direct access to the PCC's audit committee.

