

**A Review
Of
Remuneration
For the
Deputy Mayor (Police and Crime)
Of the
West Yorkshire
Combined Authority**

A Report

By the

Independent Remuneration Panel

**Dr Declan L. G. Hall (Chair)
Carolyn Lord
Very Reverend George Nairn-Briggs**

April 2021

Executive Summary

The IRP recommends that

- The total remuneration package for the West Yorkshire DMPC (maximalist model¹) should be £72,000.
- Where the DMPC is appointed on a substantial model² basis that their total remuneration package should be £48,000
- There should be no differentiation in remuneration whether the DMPC is appointed as a member of staff or an elected Member

¹ The Maximalist model of DMPC is one where the maximum amount of Mayoral PCC functions are delegated

² The Substantial model of DMPC is one that has been sized at 2/3s of the size of the role of the Maximalist model of DMPC

A REVIEW OF REMUNERATION

BY THE

INDEPENDENT REMUNERATION PANEL

FOR THE

DEPUTY MAYOR (POLICE AND CRIME

OF THE

WEST YORKSHIRE COMBINED AUTHORITY

April 2021

Introduction: IRP's Remit and Regulatory Context

1. This report contains the recommendations made by the independent remuneration panel (Panel or IRP) appointed by the West Yorkshire Combined Authority (WYCA or Authority) to provide advice to the Head of Paid Service to assist the Mayor with the setting of any remuneration of the Deputy Mayor (Police and Crime) that may be appointed by the elected Mayor.
2. The West Yorkshire Combined Authority was established under the *West Yorkshire Combined Authority Order 2014* (SI 2014/864) and which assigned to the WYCA functions previously exercised by the West Yorkshire Integrated Transport Authority and its Passenger Transport Executive, in addition to economic development and regeneration related powers.
3. The Constituent Councils of the Authority are the five metropolitan boroughs that make up West Yorkshire, namely Bradford, Calderdale, Kirklees, Leeds and Wakefield. York City is also a non-Constituent Member of the Authority.
4. The 2014 Order provides for each Constituent Council to have one formal member. They can be any elected Member from each of the Constituent Councils but currently each Constituent Council has appointed their respective Council Leader. There are three additional elected Members for political balance jointly

appointed by the Constituent Councils – these eight are the full voting Members. The City of York as a non-Constituent Council appoints an elected Member and the Leeds City Region Local Enterprise Partnership (LEP) also appoints one member – both of these members are non-voting, unless specifically given voting rights by the Authority. None of the full Authority members receives remuneration from the Authority.

5. On 30th January 2021 *the West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021 (2012/112)* came into force. This moves forward on the Devolution Deal for the WYCA, with the WYCA becoming a mayoral combined authority (MCA). Voting for the Mayor will take place on 6th May 2021, and who will take up office on 10th May 2021.
6. The Mayor, if they so choose, can appoint a Deputy Mayor (Police and Crime – DMPC).
7. Consequently, the Head of Paid Service reconvened the IRP to provide advice on the level of remuneration of the DMPC and set out its recommendations in the form of a report.
8. In coming to their recommendation, the IRP was asked to:
 - Establish an understanding about the nature and scale of the demands that may be placed on the DMPC. It should be assumed that the Mayor may choose to delegate the maximum possible range of PCC Functions to the DMPC if the appointment is made.
 - Consider the position if the DMPC were to be a member of staff or an elected member.
 - Take into account allowances for comparable roles elsewhere.
 - Interview any relevant officer/member, and
 - Obtain and consider any additional information which they consider relevant.
9. Although the Authority has reconvened its statutory mayoral IRP the IRP has no statutory duties regarding remuneration of the DMPC, and as such any recommendations the IRP makes are not statutory maximum levels as with recommendations regarding the Mayoral remuneration. However the Authority has tasked the Mayoral IRP to consider remuneration for the DMPC to bring an external validation to any remuneration they might receive and to follow good practice in this respect.

The IRP

10. The members of the IRP appointed by the WYCA are:
 - Dr Declan Hall (Chair):
 - a former lecturer at the Institute of Local Government, the University of Birmingham, currently an independent consultant who specialises in Members Allowances and support. Dr Hall also chairs the IRP for

the Greater Manchester Combined Authority (GMCA) and the Sheffield City Region Combined Authority (SCRCA).

- Carolyn Lord:
 - formerly a Member of Leeds IRP and IRP for various West Yorkshire authorities, and Independent Person for WYCA, solicitor in commercial practice, specialising in town and country planning and related areas of law, former governor of Leeds Trinity University, now governor of Leeds Conservatoire and Trustee of Yorkshire Sculpture Park.
- Very Reverend George Nairn-Briggs AKC DL:
 - Member of Calderdale IRP, former Chair of Wakefield Standards Committee; formerly a Whitehall Press Officer, Bishop's Adviser on Social Responsibility and Dean of Wakefield; currently Dean Emeritus and since 2006 a Deputy Lord Lieutenant of West Yorkshire

11. The work of the Panel was supported by the following:

- Angie Shearon, Governance Service Manager, WYCA
- James Young, Governance Services Team Leader, WYCA³

How the IRP approached the review

12. Due to the current Covid-19 pandemic the IRP met virtually via MS Teams on the following dates:

- 31st March 2021
- 1st April 2021
- 8th April 2021

13. It was at these meetings that the IRP considered the range of information that was provided to it and met with a range of elected post holders to discuss the nature of the Authority and potential remit and work of the DMCP and other issues arising to consider in arriving at its recommendations. The IRP also met with a range of Officers from the Authority and elsewhere to receive factual briefings on the nature of the Authority and how the role of the DMPC is intended to operate.

14. The IRP also received and reviewed a wide range of written evidence and material from Officer briefing papers to benchmarking data. For further details on the range of evidence the IRP considered in its deliberations and in arriving at its recommendations see:

Appendix 1: the range of information that was formally presented to and considered by the IRP and sent to the IRP prior to its formal meetings.

³ The IRP takes this opportunity to thank both James and Angela for all their hard work in supporting the work of the IRP.

- Appendix 2: the elected post holders who made representations to the IRP and the Officers who provided factual briefings to the IRP.
- Appendix 3: Benchmarking data reviewed by the IRP.

Current Arrangements: The WY Deputy PCC

15. Currently the Police and Crime Commissioner (PCC) for West Yorkshire (The Commissioner) is empowered to appoint a deputy police and crime commissioner (DPCC) under the provisions of s.18 of the Police Reform and Social Responsibility Act 2011 (The Act). In addition, the PCC may also agree the level of payment for the DPCC. The PCC is required to notify the Police and Crime Panel of any proposed senior appointments. This was duly carried out in compliance with the 2011 Act. The Police and Crime Panel approved the appointment of the DPCC on 10 April 2013.
16. The existing DPCC deputises for the PCC in his absence and manages the external affairs of the Office of the Police and Crime Commissioner. This includes devising and implementing policy, maintaining and building partnerships, the delivery of effective communications and public engagement.
17. The DPCC's salary was set by the PCC and equates to an Executive Officer Grade 2 (West Yorkshire Police salary scales) currently, £62,283 (FTE) per annum to carry out a role providing political advice and to support the PCC in the delivery of their role. The current DPCC works part-time with a pro-rata salary of £49,826.
18. The IRP was informed that the current DPCC role is a combination of acting as Political Adviser and undertaking Deputy PCC duties, although it lends itself more to the advisory and communications role than police and crime duties.

The Future DMPC

19. While it is not a requirement to appoint a DMPC from the officers and elected members interviewed there is a general expectation that the incoming Authority-elected Mayor will do so. The remit of the Authority's elected Mayor will in addition to PCC functions include the Mayoral functions of transport, housing and planning and finance. Regardless of the individual, we were advised during interviews of the view that the Authority's elected Mayor will simply not have the capacity to undertake all statutory duties on their own.
20. It is expected that the DMPC will be appointed in accordance with the desirable knowledge criteria that is applicable to the current DPCC especially in circumstances where the elected Mayor may require support with knowledge of policing, criminal justice and community safety:
 - A strong understanding of policing and crime prevention issues

- A strong understanding of West Yorkshire and its communities
 - A strong understanding of the environment of the police and crime
 - Experience of working alongside the police force.
21. The Mayor can arrange for the DMPC to exercise any PCC function save for the following:
- Issuing a police and crime plan
 - Appointing the chief constable, suspending the chief constable, or calling upon the chief constable to retire or resign
 - Calculating the PCC component of council tax.
22. The IRP was informed that given the wider responsibilities that the Mayor will have compared with the Police and Crime Commissioner, the expectation is that the Deputy Mayor for Policing and Crime will carry out many of the day to day responsibilities that are conducted by Police and Crime Commissioners in non-Mayoral areas. Following comments made in the interviews with members and officers, the IRP have made the assumption that the DMPC role would be conducted on a full-time basis; if it is not then the remuneration level would be reduced pro rata as is the case for the current DPCC incumbent.
23. The Chief Constable remains a “corporate sole” i.e., a legal entity in their own right, who leads the West Yorkshire Police Force. The Mayor will draw on their mandate to set and shape the strategic objectives of their force area in consultation with the Chief Constable.
24. The IRP was informed that despite the Mayor having the three functions mentioned above reserved solely to that Office in practice the Mayor may well have to depend on their DMPC to carry out at least some of the preparatory work in relation to these reserved functions. At the very least it is expected that the DMPC will be consulted and asked for their input regarding these functions.

DMPC as Mayor’s representative on other bodies

25. It is unclear at this stage what role the DMPC will perform in terms of representation on outside bodies. This will be a decision for the Mayor, and could include involvement in the governance of the National Police Air Service, for which the Mayor will at least in the short term be the Lead Local Policing Body.
26. The current DPCC leads on external affairs and represents the Police and Crime Commissioner by working with community groups, public bodies and organisations to better understand the policing needs of the community and to assist in the development of strategies to reduce crime and disorder.
27. As the Mayor will have a much wider remit than the current PCC, the DMPC is likely to have a much greater role in representation on outside bodies than the current DPCC, including for the Association of Police and Crime Commissioners and bodies associated with national and regional policing

capabilities.

Accountability

28. The DMPC will be accountable to the Mayor. The term of office of the DMPC is linked to that of the Mayor. The Police and Crime Panel may require the DMPC to attend the Panel at reasonable notice to answer any questions which appears to the Panel necessary in order for it to carry out its functions.
29. In terms of conduct of the DMPC, complaints against this person (if an elected member of the Combined Authority), will be dealt with in accordance with the Combined Authority's existing Members Code of Conduct. If the conduct involves a person who is not a member of the Combined Authority at the time the complaint is recorded, the Police and Crime Panel shall make arrangements for the complaint to be subject to informal resolution. Serious and criminal related complaints will be handled by the Director General of the Office for Police Conduct.
30. The DMPC model generally presented to the IRP can be described as a maximalist one. In other words, it is expected that the DMPC will be delegated the full range of functions that is legally permissible and will also be involved alongside with the Mayor in carrying those functions reserved to the Mayor, although it is noted the Mayor will have sole responsibility for PCC functions and is ultimately accountable for the same functions.
31. However, the IRP was also informed that the 'maximalist' model of DMPC cannot be taken for granted. Ultimately, it is up to the Mayor to decide the delegations and breadth of roles assigned to their DMPC. The dilemma for the IRP is that it has no means to ascertain in advance which model of West Yorkshire DMPC will be operational in practice.
32. Consequently, and to assist the Authority if the maximalist model of DMPC is not put in place, this has led the IRP to make two recommendations for the remuneration of the DMPC based on the following models which are assumed to be full-time roles (and if in practice they are not, remuneration is assumed to reduce pro rata), which are described further at paragraphs 34 – 47 below:
 - A. The 'maximalist model' of DMPC
 - B. A 'substantial model' of DMPC
33. Were the extent of the DMPC role to fall between these models, an appropriately adjusted figure could be considered of course.

The maximalist model of DMPC

34. This model assumes the DMPC will be assigned the full range of delegated functions possible, including taking the lead regarding outside appointments, and being consulted regarding the discharge of the Mayor's sole PCC functions.

35. The IRP considered other relevant roles for benchmarking purposes to help it arrive at the recommended remuneration for the maximalist DMPC (see appendix three). Under this model the IRP has not been guided by the current remuneration (£62,283 FTE) paid to the West Yorkshire Deputy PCC. The IRP was informed that the current Deputy PCC undertakes a different role from that which would be expected from the DMPC (both models). The IRP was told that the current West Yorkshire Deputy PCC undertakes more of a community and political adviser role. Based on the information provided through interviews the IRP was led to conclude that the relationship between the current Deputy PCC and PCC role does not appear to be comparable to the future relationship between the elected Mayor and the DMPC in its various aspects. Also for similar reasons, the IRP has not been guided by what is paid to Deputy PCCs in other comparable policing regions.
36. The only other areas in England where there is a regional elected Mayor with responsibility for PCC functions and where they appoint a DMPC are London and Greater Manchester, where the Deputy Mayors (PC) are paid as follows:
- London Deputy Mayor (PC) £127,513
 - Greater Manchester DMPC £78,000
37. The IRP has not taken the remuneration of the London Deputy Mayor (PC) as a guide simply on the basis that the size of the police force and budget is much greater than that in West Yorkshire.
38. More pertinent is the remuneration of the DMPC for Greater Manchester; it is the most relevant comparator available. However, the Greater Manchester DMPC also has responsibility for Fire functions; actually the full job title is DM for Police, Crime, Criminal Justice and Fire. It is noted that in 2018 the Senior Salary Review Board recommended that where a PCC has responsibility for the governance of fire and rescue services that they should be paid an additional £3,000, which the government accepted.⁴
39. As the West Yorkshire elected Mayor or DMPC will not have responsibility for fire and rescue services it led the IRP to deduct £3,000 from the £78,000 paid to the GM DMPC to account for the lesser remit, which leaves £75,000.
40. The IRP considered whether the Criminal Justice role for the GM DMPC was relevant for discounting purposes and concluded that it was not. The additional responsibility for 'criminal justice' in the job title of the Greater Manchester DMPC is a reflection of policy emphasis rather than an additional Greater Manchester-specific remit. In practice the overall workload will not be affected by this title/policy emphasis. The IRP was advised that every duty taken independently could properly take much time and cumulatively would easily add up to more than a full-time role – so that in practice priorities will have to be set amongst the potential responsibilities by the Mayor to make the role

4

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819475/SSRB_2019_Report_Web_Accessible.pdf

manageable (as will be the case for the Mayor's role itself). Clearly, there will also be officer support to assist both the Mayor and DMPC and will be a matter of balance within the budget and policy direction.

41. The IRP then arrived at the recommended remuneration for the DMPC (maximalist model) by broadly maintaining the same differential (pro-rata) between the recommended remuneration (£105,000) for the West Yorkshire elected Mayor vis-à-vis the actual remuneration (£110,000) of the Greater Manchester elected Mayor. This differential between the remuneration of the GM elected Mayor and the WYCA elected Mayor was undertaken partly to reflect the difference in size of Authority and the IRP has continued to recognise this. On a pro rata basis the differential of £5,000 per annum is £3,000, which led the IRP to deduct a further £3,000 from the figure of £75,000, which leaves a figure of £72,000.
42. The IRP considers that this figure of £72,000 is appropriate as a total remuneration package. In setting the remuneration of the DMPC the IRP advises that consideration should be given to how and whether pension provision should be captured or reflected in the final remuneration package.
43. **The IRP recommends that the total remuneration package for the West Yorkshire DMPC (maximalist model) is £72,000.**

A substantial model of DMPC

44. Whilst it is recognised that the Authority Mayor may appoint a DMPC but choose not to delegate any functions to the DMPC or that the Mayor may ask paid Officers to carry out many of their functions the IRP has made the assumption (following the interviews with officers and members) that in reality this will not be practicable. At most the Authority's Mayor may choose for instance to attend meetings of national bodies such as the National Police Air Service or Association of Police and Crime Commissioners or even other internal meetings but inevitably there will be occasions when the Authority's Mayor will have scheduling conflicts and would have to send the DMPC in their stead. Even where the Mayor asks Officers to carry out some of the Mayoral PCC functions there is a limit on what can be asked from Officers, such as public engagement, which if the Mayor cannot do it will have to fall on the DMPC.
45. Even so, the demands on the time of the Mayor regarding their wider responsibilities will mean that in reality, while the DMPC may not be the maximalist model suggested to the IRP, if the appointment is made, the role will nonetheless be substantial; the IRP's view is that in practice it will not be a minimalist model that in theory could be put in place.
46. The IRP has simply assumed that the substantial model of DMPC will be at least 2/3s of the size of the role of the DMPC maximalist model. This has led the IRP to factor the recommended total remuneration package (£72,000) for the DMPC maximalist model by 2/3s, to arrive at a figure of £48,000.

47. As with the maximalist model, the IRP considers that this figure of £48,000 (DMPC substantial model) is appropriate as a total remuneration package. Similarly, in setting the remuneration of the DMPC (substantial model) the IRP advises that consideration should be given to how and whether pension provision should be captured or reflected in the final remuneration package.
48. **The IRP recommends that where the appointed DMPC is appointed on a substantial model basis that their total remuneration package should be £48,000.**

If the post of DMPC were to be a member of staff or an elected member

49. The IRP has been asked to consider if there should be a difference in remuneration depending on whether the DMPC was appointed as a member or staff or an elected Member. **The IRP has decided not to make any recommendation to differentiate remuneration depending on whether the DMPC was appointed as a member or staff or an elected Member.**
50. The IRP has made recommendations on the assumption that the DMPC will in all likelihood be an officer appointment. The size of the role (both models) is the same regardless of who is appointed DMPC. It is recognised that the DMPC is classed as a member of staff of the Combined Authority unless they are an elected Member. Where the appointee is deemed a member of staff it is noted that their remuneration will be pensionable and if it is an elected Member their remuneration will not be pensionable. The IRP cannot make recommendations to recognise this difference in terms and conditions, to do so could leave the IRP open to accusations that it was trying to circumvent the legislation.
51. It is further noted that if the DMPC appointed was an elected Member that they would have an express time commitment back at their respective Council which may well mean that they might not be able to devote themselves full time to the role of DMPC. In this case, the IRP would expect the remuneration of the DMPC who is also an elected Member to be paid on a pro rata basis.

APPENDIX 1: Written Information Received and Considered by IRP

1. IRP Briefing Paper, Deputy Mayor for Policing & Crime (DMPC)
2. West Yorkshire Deputy Police & Crime Commissioner, Job Specification
3. Greater Manchester Combined Authority, Constitution, 2019
4. *The Policing Protocol Order 2011* (SI 2011/2744)
5. *The West Yorkshire Combined Authority Order 2014* (SI 2014/864), 1st April 2014
6. *The West Yorkshire Combined Authority (Election of Mayor and Functions) Order 2021* (SI 2021/112) 29th January 2021

APPENDIX 2: Elected Post holders & Officers Who Contributed to the Review

Elected Post Holders:

Mark Burns-Williamson: West Yorkshire PCC
Cllr S. Hinchcliffe: Chair of WYCA (Bradford – Labour)

Officers:

The IRP received a factual briefing from the following Officers:

Caroline Allen: WYCA Monitoring Officer
Clare Monaghan: Greater Manchester Combined Authority, Director of Police, Crime, Criminal Justice and Fire
Janine Nelson: Chief of Staff WY PCC
Alan Reiss: WYCA Director of Policy, Strategy & Communications (will be responsible for policing function post-May 2021)
Ben Still: WYCA Managing Director

APPENDIX 3: Summary of Remuneration Used for Benchmarking Purposes

1. Remuneration currently paid to WY Deputy PCC	£62,283 (FTE)
2. Remuneration paid to other comparable Deputy PCCs:	
a. South Wales	£74,112
b. West Midlands	£67,944
c. Nottinghamshire	£61,200
d. Lancashire	£43,775 (FTE)
3. Remuneration paid to other Deputy Mayors (Police & Crime)	
a. Greater Manchester (includes Fire)	£78,000
b. London	£127,513