



Office of the
**Police and Crime
Commissioner**
for Warwickshire

Confirmation Hearing

Report Author	Polly Reed, Chief Executive OPCC
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Security Classification	Official
Disclosable under Freedom of Information Act?	Yes

1. Introduction

The purpose of this report is to enable members of the Police and Crime Panel to consider the Police and Crime Commissioner's (PCC) proposed appointment of a Deputy Police and Crime Commissioner. In doing so, the panel must satisfy itself that the preferred candidate selected by the PCC has the competence to undertake the role. The report provides an overview of the process that was undertaken to select the preferred candidate, and of the reasons for her nomination as the proposed DPCC.

By virtue of s18 of the Police Reform and Social Responsibility Act 2011 (the Act) the Police and Crime Commissioner for Warwickshire may appoint a person to be the Deputy Police and Crime Commissioner. Under the Act the Commissioner must notify the Panel of the preferred candidate for appointment. Schedule 1 of the Act states that the PCC must provide the following information:

- a) The name of the person whom the PCC is proposing to appoint.
- b) The criteria used to assess the suitability of the candidate and how the candidate satisfies these criteria; and
- c) The terms and conditions under which the candidate is to be appointed.

Provided for the PCP's consideration are:

- Relevant background and context
- The application and interview process
- Job profile and person specification, which applications were assessed against
- The interview questions
- Proposed terms and conditions

2. The Recruitment Process

The Commissioner was re-elected in May 2021. He determined that he would appoint a Deputy PCC to support his delivery of the role. In order to attract the widest range of candidates, an advert was placed on the Warwickshire PCC website on 11 February 2022, which ran until 4 March 2022, and was supported by social media activity and other sharing through networks. Candidates were requested to submit their CV and a covering letter, setting out their suitability for the role. The Chief Executive was the nominated point of contact for enquiries, and this process yielded 3 candidates, one of whom was determined to be out of scope, not meeting the residency criteria. Two candidates were then taken forward to interview.

Interviews took place on 21 March 2022, and were conducted by the Police and Crime Commissioner, observed by the Chief Executive in her role as Monitoring Officer. A series of pre-agreed questions were asked to each candidate, with both

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offered the opportunity to detail their relevant knowledge, skills and experience for the role. The field proved to be high quality, but the process yielded a preferred candidate who has accepted the conditional offer of the role.

Interview questions included:

1. Why did you apply for this role, and what can you bring to it?
2. What skills do you have in engaging with communities and listening to their views?
3. How do you deal with difficult situations, can you describe a scenario where you have had to deal with conflict?
4. What specialist knowledge do you have which will support the delivery of the Police and Crime Plan?
5. Can you describe your communication skills, both written and verbal?

3. The Outcome

As a result of this process, the Commissioner has confirmed his desire for Emma Daniell to be his preferred candidate for Deputy PCC for the remainder of this term of office and requests the support of the Police and Crime Panel through this confirmation hearing.

4. The Candidate

Mrs Daniell has an extensive knowledge of policing, having served as a Police Officer in another force area for 16 years, achieving the rank of Sergeant. In that time, she has worked in several roles including in operational and neighbourhood teams, as well as in the staff office. She also has experience of staff roles in the same force. She is well sighted on the role of the PCC and she is committed to listening to, and working with, communities by engaging with victims and other priority groups such as young people. At interview Mrs Daniell demonstrated the requisite personal skills the role will command.

5. Terms and Conditions of Appointment

The appointment will commence on 9 May 2022 subject to confirmation by the Police and Crime Panel. Mrs Daniell will be required to sign the Official Secrets Act and agree to the Police and Crime Commissioner's code of conduct.

The proposed terms and conditions of the post are set out at Appendix 3. The appointment will be for three days a week, with the agreed salary pro-rated accordingly.

Supporting Information

The following appendices support this paper:

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1. Advertisement text
2. Role Profile
3. Proposed Terms and Conditions

Appendix 1: Advertisement Text

Deputy Police and Crime Commissioner

Based at the Office of the Police and Crime Commissioner for Warwickshire (currently 3 Northgate Street, Warwick)

Hours: 3 days per week, subject to negotiation

Salary: £31,824 per annum (FTE £53,040)

Are you interested in making a difference to communities in Warwickshire and helping to shape policing and community safety across the county? Passionate about listening to and working on behalf of residents? We have an exciting opportunity to support Warwickshire Police and Crime Commissioner Philip Secombe as his Deputy.

The role of the Deputy will be varied and will be subject to the skills and background of the successful candidate but at its heart will involve representing the Commissioner and his office across a range of different activities, including engagement with local people, the force and partners to help build and strengthen confidence in policing.

Other activities could include:

Support the Commissioner to drive forward the delivery of the Police and Crime Plan for Warwickshire, incorporating manifesto commitments.

Provide support to the holding to account process, through attending meetings with force personnel, deputising for the Commissioner in his absence and supporting the OPCC's programme of assurance activities.

Support the Commissioner's consultation and engagement activities.

Attend Police and Crime Panel meetings with the Commissioner.

Support partnership working on behalf of the Commissioner.

Leading or managing specific policy areas, projects or topics of interest, in accordance with skills and experience.

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The successful candidate will be experienced in working at a strategic level, with some knowledge of policing and governance.

They must also live in Warwickshire and be able to travel extensively around the county, with flexibility in their schedule to allow for occasional weekend and evening engagements.

Information about applying

The Office of the Police and Crime Commissioner is an equal opportunities employer and welcomes applications from all sections of the community. This post is a political appointment and, as such, candidates are expected to share the vision and value of the Commissioner.

If you are interested in learning more about the role, please contact OPCC Chief Executive Polly Reed on polly.reed@warwickshire.police.uk or on 01925 733523 to arrange a conversation with the Commissioner.

To apply for the role, please send your current CV and a covering letter detailing your suitability for the role by email to Polly Reed.

The appointment will be subject to a confirmation hearing by the Warwickshire Police and Crime Panel – the successful candidate will be required to attend.

Please ensure you meet the eligibility and disqualification criteria before applying for the position.

The deadline for applications is Friday 4 March 2022.

Interviews for shortlisted candidates will take place week commencing 14 March 2022, with a view to appointing a candidate to start in April 2022.

Appendix 2: Job Description and Eligibility Requirements

Deputy Police and Crime Commissioner

Post Title:	Deputy Police and Crime Commissioner
Grade:	Spot salary of £53,040 pro rata to the number of days
Responsible to:	Police and Crime Commissioner
Responsible for:	None
Location:	The Office of the Police and Crime Commissioner (Currently located at 3 Northgate Street, Warwick).
Date:	February 2022

Introduction

I am seeking a Deputy Police and Crime Commissioner to assist me in the execution of my role as detailed in the information below. I welcome applications from individuals experienced in working at a strategic level, who are committed to listening to and working on behalf of residents. Some knowledge of policing and governance is required, but I am also seeking a candidate in whom I can have confidence on their ability to represent our office and engage with the force, partners and the public effectively. The successful candidate will share my values and aspirations for policing in Warwickshire

If you are interested in this role please contact my office, via the Chief Executive, Polly Reed on polly.reed@warwickshire.police.uk or 01925 733523, and I would be happy to have a conversation with you

The Role

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. The Act states which of the PCC's functions can be carried out by the Deputy PCC and which cannot. The PCC cannot delegate:

- The issuing of the Police and Crime Plan
- The setting of the budget
- The appointment of the Auditor
- The appointment, suspension or dismissal of the Chief Constable.

The PCC can delegate all of his other functions, but the following can only be delegated to the Deputy PCC:

- Determining police and crime objectives
- Attending Panel meetings
- Preparing the Annual Report

The PCC does not at this stage intend to formally delegate any of these functions.

The Deputy PCC will be a senior officer in the office of the Police and Crime Commissioner, working at a strategic level to enable the Commissioner to fulfil his statutory functions and the expectations laid out in the Police and Crime Plan.

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 Warwickshire. 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.

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5. Supporting the PCC in attendance at the Police and Crime Panel to ensure that the Panel are able to 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

Person specification

Knowledge

- Degree in a relevant subject or extensive experience
- 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

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- 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 Warwickshire and be able to travel extensively around the County, and must have flexibility in their schedule to allow for occasional evening and weekend engagements

Eligibility Requirements

Under section 18(10) of the Police Reform and Social Responsibility Act 2011 (“the Act”) the Deputy PCC (DPCC) is a member of the Commissioner’s staff, and therefore they will have a contract that will generally reflect those of the remainder of the PCC’s staff. Schedule 1 8-10 of the act details the appointment criteria for a DPCC, with Appendix A detailing those who would not be eligible to take up the role. Given that one of the functions of the DPCC will be to provide continuity and contingency if the PCC were unable to fulfil his role, the list of exclusions for PCC candidates is also listed, and the proposed DPCC will need to be a resident of Warwickshire.

Other legal details about the role include:

The legislation does not allow for more than one DPCC – for example in a job share arrangement.

In respect of vetting the DPCC role is the same as the Police and Crime Commissioner, and does not require vetting, but will be required to sign the Official Secrets Act.

The DPCC is subject to the same conduct regime as the PCC, so complaints about them will be handled by the Police and Crime Panel (with initial handling by the OPCC Chief Executive and Monitoring Officer)

Appendix A

Extract – paragraph 8 of Schedule 1 to the Police Reform and Social Responsibility Act 2011

The deputy police and crime commissioner

(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.

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(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—

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(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) 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;

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(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

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(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 3: Proposed Terms and Conditions

CONTRACT OF EMPLOYMENT – FIXED TERM	
<p>This document sets out the main terms and conditions relating to the employment of Emma Daniell by Warwickshire Police and Crime Commissioner (PCC), in accordance with Sections 1 to 7 of the Employment Rights Act 1996 (as amended by the Employment Act 2002).</p> <p>The terms and conditions of employment for Police Staff are determined by national agreements negotiated by the Police Staff Council (PSC), supplemented by local agreements reached with recognised trade unions and the policies, practices, procedures and arrangements determined by the Chief Constable after consultation. Warwickshire Police support the principles of collective bargaining and recognise UNISON as the trade union representing Police Staff for local consultation and negotiation purposes.</p> <p>Details of national conditions of employment, local agreements and HR policies, practices and procedures are available on the People Services intranet site.</p>	

Post Title	<p>Deputy Police and Crime Commissioner</p> <p>A Job Profile, setting out the main responsibilities of this role, is attached for your information. It does not form part of your contract of employment and may be amended from time to time, following consultation.</p>
Normal Place of Work	<p>Warwick</p> <p>You may be required to move to an alternative work base within a 25 mile radius of this location (or 25 miles from your home address, if this is unreasonable).</p>
Date of Appointment	9th May 2022
Duration of Appointment	This contract will terminate on 8 th May 2024 or at the end of the current PCC's term of office, if the date of the elected changes, unless terminated earlier by notice.
Salary	£31,824 per annum, paid monthly in arrears by credit transfer on the 28th of each month unless this falls on a bank holiday, Saturday or Sunday, in which case it will be paid on the previous working day.
Normal Hours of Work	Working 22.2 hours per week that can be worked flexibly.

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Annual Leave Year	1 st April to 31 st March.
Annual Leave Entitlement	<p>The annual leave entitlement for a full year is 124.32 hours.</p> <p>Your annual leave entitlement for the current leave year (9th May 2022 to 31st March 2023) is 111.38 hours.</p>
Public and Bank Holidays	<p>Part time staff will receive a pro rata amount of statutory and public bank holidays.</p> <p>Your entitlement for a full leave year (based on a standard 8 day bank holiday leave year) is 35.52 hours.</p> <p>Your entitlement for the current leave year (9th May 2022 to 31st March 2023) is 26.64 hours.</p>
Disqualification Criteria	You are required to meet the criteria as described in Appendix A Deputy Police and Crime Commissioner Disqualification Criteria. Should it occur that you become ineligible for the role, this should be communicated in the first instance.

Probation Period
Your appointment is subject to a probationary period of 6 months. During this period you will be expected to establish your suitability for appointment. By the end of your probationary period your employment will be confirmed, terminated or your probation extended where a longer period is felt to be necessary.
Car User Allowances
It is a requirement of this role that you have the ability to travel to varying locations throughout Warwickshire. If it is necessary for you to use your own vehicle you will receive a Casual User mileage allowance. You are required to hold a valid insurance certificate covering your use of the vehicle for business purposes.
Continuous Service
Your period of continuous service for all statutory employment rights starts from the commencement of your employment with Warwickshire PCC on 9 th May 2022.
Notice Period
Warwickshire PCC reserves the right to terminate this contract at any time for operational or any other reasons by giving you one month's written notice. The

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minimum period of notice you are required to give to terminate your employment is 3 months.

Deductions from Salary

Warwickshire PCC will require repayment from you for any overpayment of salary or allowances, any excess leave taken over your entitlement or excess expenditure claimed by you. This will normally be deducted from your salary and/or allowances by adjusting future payments until the overpayment has been recovered. No action to recover overpayment will be taken without prior consultation with you. Any underpayments will be corrected as soon as practicably possible.

Sickness Absence

The reporting requirements and pay entitlements for employees who are absent from work due to sickness, disease or disablement are set out in the Warwickshire Police Staff Conditions of Service document available on the People Services intranet site.

Health and Safety at Work

Warwickshire PCC has a responsibility to ensure, so far as is reasonably practicable, safe and healthy working conditions, equipment and systems of work for all staff. Each individual has an obligation to take reasonable care of their own health and safety and for the safety of others who may be affected by their actions or inactions. Specific responsibilities for health and safety matters are set out in the health and safety policy. The Chief Constable and the Police and Crime Commissioner expect all staff, irrespective of grade or position to be aware of their responsibilities and co-operate fully with the policy.

Key Policies and Procedures

Details of the following policies and procedures are available on the People Services intranet site.

- Attendance Management
- Appearance and Dress
- Fairness at work
- Disciplinary Policy & Procedure
- Data Protection
- Health and Safety

Standards of Professional Behaviour

The police service and the public expect that Police staff will

- be honest, act with integrity and not compromise or abuse their position;
- act with self-control and tolerance, treat members of the public and colleagues with respect and courtesy;

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- not abuse their powers or authority and respect the rights of all individuals;
- act with fairness and impartiality and not discriminate unlawfully or unfairly;
- only use restraint as part of their roles and responsibilities to the extent that it is necessary, proportionate and reasonable in all the circumstances;
- only give and carry out reasonable instructions;
- follow all reasonable instructions and abide by force policies;
- be diligent in the exercise of their work and responsibilities;
- treat information with respect and access or disclose it only in the proper course of their work;
- be fit to carry out their duties when at work;
- not behave in a manner which discredits or undermines public confidence in the police service;
- report any conviction or caution against them for a criminal offence;
- report, challenge or take action against colleagues whose conduct at work falls below the standards expected.

Full details of the Police Staff Council Standards of Professional Behaviour are available on the People Services intranet site.

Breaches of these standards may result in misconduct proceedings.

Confidentiality - The Official Secrets Act 1989

By signing this contract you agree to abide by the Official Secrets Act 1989, as summarised below, and further agree that you must not, either during or after the termination of your employment, disclose any information which comes into your possession by virtue of your duties, without proper authority.

Where the expression 'Crown Servant' is referred to below this includes any constable and any other person employed or appointed in or for the purposes of any police force – "the employee".

All terms below are to be considered gender neutral and refer to the masculine, feminine and neuter as the context requires.

Official Secrets Act 1989

1. An employee will be guilty of an offence if without lawful authority he discloses any information, document or other article contrary to the provisions of the Official Secrets Act 1989 and which is or has been in his possession by virtue of his position as such.
2. This applies to any information, document or article,
 - a. the disclosure of which:
 - A. results in the commission of an offence; or
 - B. facilitates an escape from legal custody or the doing of any other act prejudicial to the safekeeping of person in legal custody; or
 - C. impedes the prevention or detection of offences or the apprehension or prosecution of suspected offenders; or

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- b. which is such that is unauthorised disclosure would be likely to have any of those effects.
3. Where an employee by virtue of his position as such, has in his possession or under his control, any document or other article which it would be an offence under any of the provisions of the Act for him to disclose without lawful authority, he is guilty of an offence, if,

being an employee, he retains the document or article contrary to his official duty; or he fails to take such care to prevent the unauthorised disclosure of the document or article as a person in his position may reasonably be expected to take.

Business Interests and Secondary Occupations

Employees of Warwickshire PCC must not undertake self-employment, paid or voluntary activities which might conflict with the work of the police or adversely affect the reputation of the force and/or the wider police service.

You must notify the OPCC Chief Executive if you wish to undertake other employment or voluntary work; hold a business interest or have a relative who holds or has a pecuniary interest in a liquor, betting, gaming or entertainment licence within the force area.

Pensions

You will be contractually enrolled (automatic) into the Local Government Pension Scheme (LGPS). A Pension Option Form will be sent to you by our Payroll team. Entry to the LGPS, contributions, reckonable service and all rights and entitlements to benefits will be determined by reference to the relevant Acts and Regulations as amended, your contract of employment and relevant decisions of Warwickshire Police.

For more information about the Local Government Pension Scheme please visit <http://www.lgps2014.org/>. If you have specific questions about your membership of the LGPS you can contact the respective scheme administrators of the Warwickshire LGPS (01926 412195).

You can make other arrangements to provide for your pension, for example joining an approved Personal Pension Scheme and you are advised to seek appropriate independent professional financial advice to ensure the arrangements you put in place meet your requirements.

Acceptance

I confirm that I understand and accept the terms and conditions set out in this document.

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Please read the attached document carefully and I would be grateful if you would accept this contract by replying "Yes I accept the contract".

I understand that it is my responsibility to familiarise myself with the Police Staff conditions of service and locally agreed policies and procedures.

I also consent to the use, processing, storing, sharing, access to and disclosure (to lawful and authorised bodies) of my personal information, in relation to my employment.

Name:	Date:	
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Signature:
