

Avon & Somerset Police and Crime Panel

Wednesday 8 January 2020

10.30 am John Meilke Roon, Somerset
West and Taunton Council The Deane
House, Belvedere Road, TA1 1HE



SUPPLEMENT TO THE AGENDA

To: The Members of the Avon & Somerset Police and Crime Panel

We are now able to enclose the following information which was unavailable when the agenda was published:

Item 4a	Proposed Appointment of Interim Chief Financial Officer (Pages 3 - 12)
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Published on 06 January 2020

Democratic Services, Somerset County Council, County Hall, Taunton

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Proposed Appointment of Police & Crime Commissioner's Interim Section 151 Officer

Summary

The purpose of this report is to enable members of the Police and Crime Panel (PCP) to consider the Police and Crime Commissioner's (PCC's) proposed appointment of a Section 151 Officer and to report back to the Commissioner.

Background

The previous Chief Executive Officer (CEO), John Smith, resigned on 9 October 2019. As described in the Proposed Appointment of Police and Crime Commissioner's Interim Chief Executive and Monitoring Officer paper previously submitted to the Panel the PCC is proposing to appoint Mark Simmonds to this role, the current Section 151 Officer.

The Local Government and Housing Act 1989 Section 5 (1) states that the relevant authority must appoint a Monitoring Officer "but shall not be their chief finance officer". Therefore the PCC must appoint a new Section 151 Officer.

The appointment term will be part-time on a 9 month fixed term contract. PCC elections will be held in May 2020 and the fixed term appointment is required to provide continuity of advice to the PCC. The interim post will allow the elected PCC in May 2020 to appoint their own substantive CEO and Section 151 Officers.

Proposed Candidate

The PCC has approached the Chief Constable and requested that his Section 151 Officer, Nick Adams, cover the role of Interim Section 151 Officer for her office, as per attached letters.

Nick Adams has been the Section 151 Officer for the Constabulary for 15 months and immediately prior to this was the Constabulary's Deputy Director for Transformation and prior to that was Head of Finance for 9 years so is extremely capable of fulfilling this role.

Nick will undertake the role under his current terms and conditions.

Confirmation Hearing

The Police Reform and Social Responsibility Act 2011 requires Police & Crime Panels to scrutinise senior appointments proposed by the PCC. Schedule 1 paragraph 9 defines senior appointments as the PCCs Chief Executive & Monitoring Officer, Chief Finance Officer and the Deputy PCC (if appointed). These are referred to as Schedule 1 appointments.

Under the Act, the PCC must notify the Police & Crime Panel of their preferred candidate for appointment as Interim Section 151 Officer. The Police & Crime Panel must hold a confirmation hearing and provide a report to the PCC regarding the proposed appointment.

Schedule 8 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.

Sue Mountstevens

Sue Mountstevens
Police and Crime Commissioner for Avon and Somerset

Attached:

Appendix A – Letter to Chief Constable Andy Marsh
Appendix B – Letter to Chief Finance Officer Nick Adams
Appendix C – CV for Nick Adams

3rd January 2020

Chief Constable Andy Marsh QPM
Avon & Somerset Constabulary

Dear Andy

Further to the process for an interim CEO, Mark Simmonds has been appointed; this means that he will be unable to continue as the PCC's s151 officer.

I am writing to request that the Avon & Somerset Constabulary s151 acts also as s151 to the Police and Crime Commissioner on an interim basis until a substantive CEO is appointed by the next Police and Crime Commissioner.

Mark will continue to advise me on key financial risk and issues as Chief Executive Officer and will continue to lead on pension and treasury issues for the OPCC.

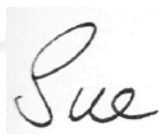
I understand that Mark has discussed the requirements of the role with Nick.

We value our good working relationships with you and Nick and would not wish to take advantage of these. We will seek to manage this interim period in a respectful and balanced manner to allow the statutory functions to operate without placing an undue burden on Mark or Nick.

I would stress that I am holding the substantive post of PCC's S151 officer open and that Mark may return to this role if he does not carry on as CEO in the future.

Thank you for your support in this interim period

Yours sincerely



Sue Mountstevens
Police and Crime Commissioner
for Avon and Somerset

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3rd January 2020

Nick Adams
Chief Finance Officer
Avon & Somerset Constabulary

Dear Nick

Further to the process for an interim Chief Executive Officer, Mark Simmonds has been appointed; this means that he will be unable to continue as the PCC's s151 officer.

I am writing to invite you to act as my s151 on an interim basis until a substantive CEO is appointed by the next Police and Crime Commissioner.

Mark will continue to advise me on key financial matters as CEO and will continue to lead on pension and treasury issues for the OPCC.

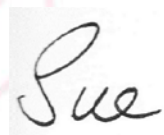
I understand that Mark has discussed the requirements of the role with you.

We value our good working relationships with you and would not wish to take advantage of these. We will seek to manage this interim period in a respectful and balanced manner to allow the statutory functions to operate without placing an undue burden on you or Mark.

I would stress that I am holding the substantive post of PCC's S151 officer open and that Mark may return to this role if he does not carry on as CEO in the future.

Thank you for your support in this interim period

Yours sincerely



Sue Mountstevens
Police and Crime Commissioner
for Avon and Somerset

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Nick Adams LLB (Hons), FCA

A proactive senior finance professional with significant leadership experience and a strong track record of delivering successful outcomes. A strong analytical thinker, able to digest, evaluate and scrutinise complex and detailed information to support effective decision making. An effective team leader, able to build productive stakeholder relationships, leading change and transformation and delivering pragmatic and effective solutions.

Experience

Avon and Somerset Constabulary - 12 years 1 month

Chief Officer - Finance, Resources and Innovation - October 2018 – Present

Chief Officer with responsibility for:-

- Finance
- Information Technology
- Procurement
- Estates and Facilities Management
- Fleet Management
- Enquiry Offices
- Administrative Functions
- Chief Officer lead for disability and neurodiversity

Deputy Director - Transformation and Improvement - January 2018 - September 2018

- Reporting to the Deputy Chief Constable, overseeing a transformation and improvement function in support of the Constabulary's vision to deliver 'outstanding policing for all' and delivering £4.4m in savings during 2018/19;
- Led on the production and timely submission and publication of the Constabulary's first Force Management Statement;
- Developed a new strategic framework, gaining the endorsement of chief officers and senior leaders for this, and co-ordinating the work to bring this to reality which is on track to be in place for the Autumn 2018;
- Co-ordinated a response on behalf of the Chief Constable to the Police and Crime Commissioner (PCC) setting out commitments and narrative to enable public consultation and engagement around the 2019/20 council tax setting decision.

Head of Finance and Business Services - September 2015 - January 2018

- Reporting to the Chief Finance Officer, leading a multi-disciplinary team of finance, procurement and contract management professionals as well as providing lead on sustainability;
- Managing and improving our contractual relationship with our joint venture company, overseeing the successful return of business services functions to the Constabulary during 2017, and providing intelligent client role for Technical Services;
- Co-ordinated the production of the annual Medium Term Financial Plan, and was a leading contributor the Tipping Point paper which was produced to influence the Government prior to their 2018/19 financial settlement for policing.

Head of Retained Financial Services - May 2009 - September 2015

- Reporting to the Chief Finance Officer, visibly leading the finance function through a time of significant change, including:-
 - the secondment of the majority of the finance function into a joint venture company, and the management of their services to the Constabulary through contractual and stakeholder management; and
 - managing the implications of the wider economic downturn requiring the identification and delivery of significant savings (£79m/26%), including the associated restructures of our ERP system (SAP) to continue to reflect the management structures across the organisation.

- Led on the financial implications of the transition from the Police Authority to the introduction of the Police and Crime Commissioner, including the requirement to produce two separate sets of financial statements (where previously we had only had one);
- Led on the Constabulary's response to HMIC's 'Responding to Austerity' thematic inspection in 2014, in which Avon and Somerset was awarded an "outstanding" overall judgement;

Principal Accountant - January 2008 - May 2009

- Recruited as part of a new team to improve and professionalise the financial services within this organisation. The role was multi-faceted, including general accounting support, year-end accounts production, and project support.

Price Waterhouse Coopers

Executive - September 2002 - December 2007

- Audit Executive for both External and Internal Audit engagements, specialising in Public Sector clients. Bodies with which I have been involved include:-
 - The National Trust (audit lead for 2004/05 and 2005/06)
 - Sedgemoor District Council
 - Bath and North East Somerset Council
 - South Gloucestershire PCT
 - Torbay Council
 - Heart of England Housing Association
 - Aster Housing Group

Ministry of Defence (secondment whilst working at PwC)

Partnering Advisor- Partnering Support Group - September 2005 - August 2006

- Working as part of the team that make up the Partnering Support Group within the Ministry of Defence, I advised on a number of partnering projects, as well as helping to develop policy and guidance in the area of commercial partnering.

Oxford Brookes Students' Union

President of Oxford Brookes Students' Union - August 2001 - July 2002

- Elected sabbatical position for one-year. Role was to be the lead spokesperson on behalf of the student body of Oxford Brookes University, representing the views of Students to the Management of the University, and participating in several decision making bodies, including the Governing body of the University;
- The role also involved being a Director of the commercial operation of the Students' Union, which saw a turnover in excess of £2m p.a.
- During my time as President I was involved in:-
 - Delivery of newly refurbishment venue facilities;
 - Participation in the recruitment of a new Deputy Vice Chancellor; and
 - Orations at all graduation ceremonies, including the inauguration ceremony for the new chancellor of the University Jon Snow (Channel 4 News Presented).

Education

Institute of Chartered Accountants in England and Wales – FCA – 2002 – 2005

Oxford Brookes University – LLB (Hons) – 1998 - 2001

Marlwood School - A-Levels; Business Studies, History, English Literature – 1996 - 1998



Chief Constable Andy Marsh QPM

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Sue Mountstevens
Avon and Somerset Police and Crime Commissioner

Email Only

Our ref: AM/NA

Your Ref:

Date: 3rd January 2020

Dear Sue

Thank you for your letter dated 3rd January 2020 in which you requested that Nick Adams, the s.151 officer for the Constabulary, act as your s.151 officer for an interim period. I recognise that this request enables the appointment of Mark Simmonds as your interim CEO, subject to confirmation by the Police and Crime Panel.

Having discussed with Nick and the wider Chief Officer team, I am supportive of this request on an interim basis. I acknowledge that in making this request you recognise the effectiveness of the existing working relationships between you and I, and between both Mark and Nick as our respective s.151 officers.

I am grateful for your explicit intention to manage this position in a respectful and balanced manner. As you will know, it is rightly envisaged within the CIPFA statement on the role of the Chief Finance Officer within policing that the two s.151 officer roles are not performed by one individual. Whilst I am confident that Nick will act with transparency and integrity in fulfilling both roles on an interim basis, I could not support this arrangement on a permanent basis. I therefore welcome your intention to retain the s.151 officer role within the OPCC, to be filled following the election of a PCC in May.

I recognise that the duration of the appointment is initially through until the election, with potential for the arrangement to continue beyond that for a period whilst the newly elected PCC fills the roles of CEO and CFO on a permanent basis. I would expect this arrangement to therefore be reviewed shortly after the PCC election in May to agree timescales for this and manage expectations accordingly.

Yours sincerely,

Andy Marsh QPM
Chief Constable
Avon and Somerset Constabulary

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