



# SUSSEX POLICE & CRIME PANEL

## Sussex Police and Crime Panel

27 September 2024

### Confirmation Hearing for the Proposed Chief Constable of Sussex Police

#### Report by The Clerk to Sussex Police and Crime Panel

##### Recommendations

- a) That the Panel considers the attached reports provided by the Office of Sussex Police & Crime Commissioner and, following questioning, agrees a recommendation to the Commissioner on whether or not to appoint the proposed Chief Constable of Sussex Police.
- b) That the Panel delegates to the Clerk to Sussex Police and Crime Panel, in consultation with the Panel Chair and Vice Chair, the development and submission of the reports to the Commissioner containing the Panel's recommendations.
- c) That the Panel agrees an embargo on the release of the outcome of the confirmation hearing until 12.00 noon, Tuesday 1 October to be observed by members of the Panel and the Office of the Police and Crime Commissioner.

#### 1. Background

- 1.1 The Police Reform & Social Responsibility Act 2011 (the Act) requires that police & crime panels hold confirmation hearings for certain key appointments to be made by a Police & Crime Commissioner. These requirements are detailed within two Schedules of the Act.
- 1.2 The confirmation hearing of 27 September is for the proposed appointment to the role of Chief Constable for Sussex Police, under Schedules 1 and 8 of the Act.
- 1.3 Following receipt of advice from the Home Office, and consideration of precedents on how such appointments are made in other force areas, the appointment is being treated as a new appointment, one falling within the scope set out in 1.1 above. More detail on the context of the appointment can be found within the appendices.

## **2. Confirmation Hearings for the Proposed Chief Constable**

- 2.1 The Police & Crime Commissioner must provide the Panel with the following information (see the supporting attachments):
- i. The name of the person whom the Commissioner is proposing to appoint
  - ii. The criteria used to assess the suitability of the candidate for the appointment;
  - iii. Why the candidate satisfies those criteria
  - iv. The terms and conditions on which the candidate is to be appointed.

## **3. The Panel's Role**

- 3.1 Under the terms of the Act, the Panel is required to:
- i. Review the proposed appointment.
  - ii. Make a report to the Commissioner on the proposed appointment.
  - iii. Include within the report a recommendation to the Police & Crime Commissioner as to whether or not the candidates should be appointed.
  - iv. Publish its report in a manner of its own determination.
  - v. In respect of the confirmation hearing for a Chief Constable the Panel has the additional power of veto. The veto can only be exercised if two thirds or more of the Panel membership vote in favour (14 or more Panel members).
- 3.2 The Panel is invited to question the candidate in order to confirm they have the necessary professional competence and personal independence to carry out the role. The College of Policing has set out a role profile here: [Chief Constable - College of Policing](#)
- 3.3 The Panel will arrive at a conclusion on the proposed candidate during a closed session following the hearing, and then publish a report on the proposed appointment to the Commissioner, with a recommendation as to whether or not the candidate should be appointed.
- 3.4 The Act allows the Police & Crime Commissioner the right to accept or reject the Panel's recommendation. However, she must inform the Panel of her decision. In the event of the Panel exercising the power of veto over the appointment of the Chief Constable the Police and Crime Commissioner must not appoint the candidate.

## **4. Resource Implications and Value for Money**

- 4.1 The cost of this hearing is met from the funds provided by the Home Office for the operation and administration of Sussex Police and Crime Panel.

## **5. Risk Management Implications**

- 5.1 It is essential that residents can have confidence in the soundness and integrity of the recruitment process for senior appointments to public bodies. Scrutiny of the proposed candidate will help inform the PCC's final decision, without influencing the impartial process that preceded that decision.
- 5.2 The hearing must be conducted within the bounds of employment law, and must not stray into unwarranted intrusion, or lines of questioning that might be unfair or unreasonable.

## **6. Other Considerations – Equality – Crime Reduction – Human Rights**

- 6.1 The Panel's positive obligations under the Human Rights Act have been considered in the preparation of these recommendations but none of significance emerges.
- 6.2 Equality and diversity principles apply to an appointment process, in order to ensure compliance with the public sector equality duty.

### **Tony Kershaw**

Clerk to Sussex Police and Crime Panel

#### **Contact:**

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### **Appendices:**

Appendix 1 – Letter of Notification from the Commissioner

Appendix 2 – Chief Constable Confirmation Hearing Procedure

Appendix 3 - Report by the Office of the Sussex Police and Crime Commissioner - Proposed PCC appointment to the position of Chief Constable of Sussex Police.



Councillor Andrei Czolak  
Chair of the Sussex Police & Crime Panel  
County Hall, West Street  
Chichester  
West Sussex  
PO19 1RQ

10 September 2024

Dear Cllr Czolak

**Proposed re-appointment to the position of Chief Constable for Sussex Police**

I am writing ahead of the Sussex Police & Crime Panel meeting on 27 September 2024 to formally notify you of my proposed re-appointment to the position of Chief Constable for Sussex Police.

I am recommending the re-appointment of Mrs Jo Shiner to the position of Chief Constable in accordance with the nationally recognised retire and rejoin scheme policy.

I consider it to be in the best interests of Sussex Police to retain the services of a proven leader with such experience, integrity and professionalism who is committed to delivering the highest possible policing services to local communities and keeping Sussex safe.

The criteria used to assess the suitability of the candidate for the appointment and how the candidate satisfies those criteria have not changed from the information that was previously provided to the Panel to support the original appointment in June 2020. This information is available within agenda item 8 of the public document pack [pages 79 – 101] on the Panel website which can be viewed through the following link:

<http://www2.westsussex.gov.uk/ds/cttee/pcp/pcp260620age.pdf>

Subject to the confirmation of the Sussex Police & Crime Panel, Mrs Shiner will be re-appointed on a fixed-term contract for a further period of two years and 10 months to August 2027, in line with the chief officer pay structure for England and Wales.

Please share the invitation and arrangements for the confirmation hearing with me, alongside the principles of professional competence and personal independence that Mrs Shiner will be evaluated against during the Panel meeting, and I will ensure that these are passed to her for information.

A handwritten signature in black ink, appearing to read 'Katy Bourne'.

**Katy Bourne OBE  
Sussex Police & Crime Commissioner**

CC. Tony Kershaw, Clerk to the Sussex Police & Crime Panel



# SUSSEX POLICE & CRIME PANEL

## Sussex Police and Crime Panel

27 September 2024

### Chief Constable Confirmation Hearing Procedure

#### Report by The Clerk to Sussex Police and Crime Panel

##### **Focus for scrutiny/Summary**

The Panel is to note the legal context and the procedure to be followed at Proposed Chief Constable Confirmation Hearings of the Sussex Police and Crime Panel

#### **1. The Panel's Role in Confirming Senior Appointments**

- 1.1 Senior appointments are those of Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner made by the Police and Crime Commissioner (PCC). It is the duty of the Police and Crime Panel to hold a public confirmation hearing and to review, make reports and recommendations in respect of proposed senior appointments and to publish their reports or recommendations.
- 1.2 The Panel is also required to hold a public confirmation meeting to review and make reports on the proposed appointment of the Chief Constable including, if necessary, the use of the power of veto by a two thirds majority of the current membership of the Panel, and to publish its reports.
- 1.3 The Police Reform and Social Responsibility Act 2011 makes no distinction between the new appointment of a Chief Constable, and a re-appointment, requiring a transparent and open process in either case, of which a confirmation hearing is a key part.

#### **2. The Rules Relating to Confirmation Hearings**

- 2.2 The rules concerning confirmation hearings are set out in Schedules 1 and 8 of the Police Reform and Social Responsibility Act.
- 2.3 Schedule 1 concerns the appointment of the PCC's Chief Executive, Chief Finance Officer and any Deputy Police and Crime Commissioners.
  - i) Confirmation hearings are meetings of the Panel held in public;
  - ii) The PCC must notify the Panel of proposed senior appointments;

- iii) The Panel shall review the proposed senior appointment and make a report to the PCC, including recommendations relating to the candidate's appointment;
- iv) This process must take place within a period of three weeks of the receipt of notification from the PCC;
- v) The candidate may be requested to appear for the purpose of answering questions relating to the appointment; and
- vi) The PCC must respond to the report and recommendations of the Panel to confirm whether they accept or reject the recommendation. There is no duty upon the PCC to give reasons for their decision.

2.4 Schedule 8 covers the appointment of a Chief Constable. The procedure and rules shall be as above except for two important differences.

- vii) The Panel has a power of veto over the appointment of the Chief Constable. A two thirds majority of current membership is needed. The Panel can recommend that the PCC does not make the appointment but if the Panel exercises the veto the candidate cannot be appointed; and
- viii) If the Panel fails to conduct a confirmation hearing and report to the PCC within the three-week period then the appointment of the candidate can be made.

### 3. **The Procedure for the Confirmation Hearing of a Proposed Chief Constable is set out below:**

#### **Notification of Proposed Appointment**

3.1 The PCC formally notified the Panel of the proposed Chief Constable appointment in writing to the Chairman of the Panel and to the Clerk on 10 September 2024. The notification of a proposed senior appointment from the PCC should be accompanied by background information such as a CV or a personal statement to assist the Panel in its assessment of professional competence and personal independence of the candidate. The PCC is required to provide the following information:

- Name and contact details of the candidate
- Criteria used to assess the suitability of the candidate for the appointment
- How the candidate satisfies those criteria and
- The terms and conditions on which the candidate is to be appointed.

## **Arrangement of Confirmation Hearing and Notifying the Candidate**

- 3.2 Following the receipt of notification from the PCC a confirmation hearing will be arranged. Including the issuance of the report back to the PCC, the process must take place within three weeks of the date of receipt of notification (10 September 2024). The Chairman of the Panel or the Clerk will write to the candidate to confirm the date of the hearing and notify them of the principles of professional competence and personal independence on which they propose to evaluate the candidate. The letter will set out the legislative provisions underpinning the hearing and inform the candidate that any information they provide during the hearing will be placed in the public domain. Personal independence is defined in the guidance relating to confirmation hearings as a candidate's ability to act in a manner that is operationally independent of the PCC.
- 3.3 If the candidate's references are to be distributed to the Panel, it is the responsibility of the PCC to inform relevant referees of the placing of references in the public domain.

## **The Hearing**

- 3.4 Confirmation hearings will be short and focused. The hearing will be a two-stage process:
- The Panel will question the candidate to determine if they possess the professional competence and personal independence to carry out the role; and
  - The Panel will determine whether to endorse the candidate's appointment, to recommend that the candidate should not be appointed or to use its power of veto. This second stage of the hearing will be held in closed session (see below).
- 3.5 At the start of the hearing the Chairman will outline the order of business and will explain the process and powers of the Panel. The candidate will be permitted to ask any procedural questions and make an opening statement before the questioning starts.
- 3.6 The Panel will question the candidate and will ensure that the candidate is treated fairly and politely at all times. At the end of the session the candidate will have the opportunity to clarify any answers that he or she has given in the course of the hearing, and ask any procedural questions of the Panel, for example about the next steps or the decision-making process.

## **The Decision-making Process**

- 3.7 Immediately following the completion of questioning and points of clarification, the Panel will go into closed session to take its decision and

prepare any recommendations to the PCC.

- If the Panel is content with the proposed appointment, it can agree to report to the PCC its endorsement of the appointment.
- In the event that the Panel determines that the candidate may not meet the requirements for the post, the Panel may provide advice and recommendations to the PCC in its report.
- If the Panel determines that the candidate does not meet the standards required in the role profile it can use the veto. A veto must be a by a two thirds majority of the current membership (14 or more members, based on the current membership of 20). It is envisaged that the veto will only be used in exceptional situations.

3.8 Where the candidate meets the standards, but the Panel has concerns about their suitability, such concerns can form part of the Panel's report and recommendations to the PCC. This provides an effective alternative to the use of the veto.

#### Making recommendations on proposed appointments

- 3.9 The Panel will decide whether to recommend to the PCC that the appointment be made, or that it not be made. A recommendation that an appointment is not made is not the same as a veto; the PCC can exercise the right to make the appointment despite a recommendation that the candidate be not appointed.
- 3.10 The Chairman of the Panel will write to the PCC on Monday 30 September following the confirmation hearing to outline the decision and recommendations of the Panel. The candidate will also be sent a copy of the letter.
- 3.11 The Panel and the Commissioner's office will wait until noon on Tuesday 1 October before publishing any information about the recommendation unless it is agreed with the PCC that this information can be released at an earlier stage. The Panel will ensure that the PCC has received and acknowledged receipt of the Panel's recommendations before making its recommendations public.

#### Applying the veto

- 3.12 Where the veto is exercised, the PCC may not appoint the candidate. The veto will be reported to the PCC on the next working day following the hearing, at the latest. The PCC will be responsible for notifying the candidate.
- 3.13 The Panel will publish its veto decision at noon on Tuesday 1 October, and the PCC, alongside this information, will publish information setting out the steps that will be taken to make another appointment. If, however the candidate's interests would be better served by a quicker release of information, this can be discussed and agreed with the PCC.

**Tony Kershaw**

Clerk to Sussex Police and Crime Panel

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<b>To:</b>	The Sussex Police & Crime Panel.
<b>From:</b>	The Sussex Police & Crime Commissioner.
<b>Subject:</b>	Proposed re-appointment to the position of Chief Constable for Sussex Police.
<b>Date:</b>	27 September 2024.
<b>Recommendation:</b>	That the Sussex Police & Crime Panel commend the proposed re-appointment of Mrs Jo Shiner to the position of Chief Constable for Sussex Police.

## **1.0 Introduction**

- 1.1 This report sets out the proposed Sussex Police & Crime Commissioner (PCC) re-appointment to the position of Chief Constable for Sussex Police.

## **2.0 Background to the re-appointment**

- 2.1 In June 2024, Chief Constable Jo Shiner formally asked the PCC if she could participate in the Retire and Rejoin Scheme. A copy of this letter and the response provided by the PCC are included in appendices A and B.
- 2.2 In accordance with the provisions set out in the Police Regulations 2003 and updated guidance from the National Police Chiefs' Council (NPCC), Association of Police & Crime Commissioners (APCC) and College of Policing, the scheme is open to all police officers in England and Wales and is designed to retain skills, knowledge and experience within the police service at all ranks of policing.
- 2.3 The scheme allows for any police officer [including a Chief Constable] to formally resign as an officer before being re-appointed into the same rank. This process also suggests a break in service of at least one calendar month to ensure that pension entitlement can be abated without any impact on entitlement to lump sum or monthly payments. It is also worth emphasising that participation in this scheme does not create any additional cost to the taxpayer.
- 2.4 As recognised by the [former] Minister of State for Crime, Policing and Fire, the Retire and Rejoin Scheme should be utilised by police forces to encourage chief officers to stay longer in post. This position is also supported by other national bodies, including the NPCC, APCC, College of Policing and the Chief Police Officers' Staff Association.

## **3.0 The proposed re-appointment**

- 3.1 The Chief Constable formally retired from Sussex Police on 31 August 2024. The PCC is formally recommending the [re]appointment of Mrs Jo Shiner to the position of Chief Constable in accordance with the nationally recognised Retire and Rejoin Scheme policy.
- 3.2 The PCC considers it to be in the best interests of Sussex Police to retain the services of a proven leader with considerable calibre and experience, for the benefit of leading the Force and delivering the highest possible policing services to the communities of Sussex, by enabling the Chief Constable to retire and rejoin the Force [through the scheme] on a fixed-term contract for a further period of two years and 10 months to August 2027.

- 3.3 'Home Office Circular 013/2018' outlines the legal requirements and principles for the appointment of chief officers, including reference to Annex B of the Secretary of State's determinations, made under Regulation 11 of the Police Regulations 2003. The PCC has had regard to this Home Office Circular [and the legislation, regulations and determinations referred to within] prior to finalising this report and making this recommendation.
- 3.4 The criteria used to assess the suitability of Mrs Shiner for the re-appointment and how she satisfies those criteria have not changed from the information that was previously provided to the Panel to support the original appointment in June 2020. Mrs Shiner also now has four years and two months experience of fulfilling the Chief Constable role and has consistently demonstrated her proven capabilities of performing the role to the standard required and commitment to keeping Sussex Safe during this time. The information provided in support of the original appointment in June 2020 is available on the Panel website and can be viewed through the following link:  
<http://www2.westsussex.gov.uk/ds/ctee/pcp/pcp260620age.pdf>
- 3.5 It is a requirement of the legislation for every police force area in England and Wales to have a Chief Constable and a Deputy Chief Constable. The Deputy Chief Constable has become Acting Chief Constable and Assistant Chief Constable Simon Dobinson has become the Temporary Deputy Chief Constable for the period 1 September to 30 September 2024 inclusive.

#### **4.0 Terms and conditions for the re-appointment**

- 4.1 Subject to the confirmation of the proposed candidate by the Sussex Police & Crime Panel, Mrs Shiner will be re-appointed on a fixed-term contract from 1 October 2024 to 11 August 2027, in line with the chief officer pay structure for England and Wales.
- 4.2 Annual increment progression will be made on the anniversary of the appointment, subject to satisfactory performance in post. The salary and employer on-costs for this position will be provided for within existing budgetary provisions.
- 4.3 A copy of the Chief Constable Benefits Policy is included in Appendix C.

#### **5.0 Recommendation**

- 5.1 The Sussex Police & Crime Panel is asked to review the proposed appointment and make a report to the PCC on the proposal, including a recommendation as to whether Mrs Shiner should be re-appointed as Chief Constable for Sussex Police on a fixed-term contract until 11 August 2027.

**Mark Streater**  
**Chief Executive & Monitoring Officer**  
**Office of the Sussex Police & Crime Commissioner**

#### **Appendices:**

- Appendix A – Letter from Mrs Shiner to Sussex PCC regarding Retire and Rejoin Scheme  
Appendix B – Letter of response from Sussex PCC to Mrs Shiner  
Appendix C – Chief Constable Benefits Policy



**Jo Shiner**  
Chief Constable

14 June 2024

Dear Katy,

Upon your re-election as PCC for Sussex you verbally offered me an extension to my contract, which with the new term will take me to seven years in post.

I would be delighted and humbled to accept this offer, subject to my formal request that by doing so you will allow me to enact the 'retire and rejoin' scheme.

I currently have 31 years and 4 months service so am eligible.

I am aware that this would normally be subject to 3 months' notice but that you have the discretion to waive that in the interests of the effective governance of the force.

It is a legal requirement that I take one calendar month off following my last working day before I rejoin.

Therefore I would propose that I retire on 30<sup>th</sup> August 2024 and rejoin on 1<sup>st</sup> October 2024. This is manageable from a diary commitment perspective and offers the opportunity for DCC McLaren to cover the statutory responsibilities of Chief Constable during that period of time.

This proposal means I will receive my lump sum upon retirement but when I rejoin will not be receive my monthly pension. I would also not rejoin the pension scheme.

There would be no additional cost to the taxpayer for either pension.

For your consideration.

Kind regards,

**Jo Shiner**  
Chief Constable

Katy Bourne OBE  
Sussex Police & Crime Commissioner

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[www.sussex-pcc.gov.uk](http://www.sussex-pcc.gov.uk)

The Office of the  
Sussex Police &  
Crime Commissioner  
Sackville House  
Brooks Close, Lewes  
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**Sussex  
Police & Crime  
Commissioner**

Chief Constable Shiner  
Church Lane  
Lewes  
BN7 2DZ

25 June 2024

Dear Jo

### **Chief Constable of Sussex Police – Retire and Re-Join Scheme**

Thank you for your letter dated 14 June requesting that you enact the 'retire and rejoin scheme' as Chief Constable of Sussex Police. In accordance with the provisions set out in the Police Regulations 2003 and updated guidance from the National Police Chief's Council and College of Policing guidance, I would be pleased to support your participation in the scheme.

As recently recognised by the Policing and Fire Minister, this scheme should be utilised to encourage chief officers to stay longer and, as Police and Crime Commissioner, I am most keen to ensure that a Chief Constable of your calibre and experience is retained for the benefit of leading the Force and delivering the highest possible policing services to the communities of Sussex.

Consequently, I agree to you retiring on 30 August 2024 and re-joining as Chief Constable of Sussex Police on 1 October 2024 with your pension abated. Subject to the below, I will issue you with a new term of appointment which will commence on 1 October 2024 and will cease on 10 August 2027, to ensure that your overall term in post does not exceed the mandated 7 years.

The above is on condition that the confirmation process, as defined at Schedule 8, paragraph 2(2) Police Reform and Social Responsibility Act 2011, is concluded without any veto from the Sussex Police and Crime Panel.

To maximise the effective governance of the Force, I will waive the 3 month's notice period normally required to ensure this scheme can be implemented in an expedient way.

In pursuance of Schedule 8, paragraph 3, I will be notifying the Sussex Police and Crime Panel of my decision, which will necessitate a public confirmation hearing for your re-appointment as Chief Constable of Sussex Police.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K Bourne'.

Katy Bourne OBE  
Sussex Police and Crime Commissioner



# Sussex Police & Crime Commissioner

## **Chief Constable Benefits Policy**

### **Introduction**

The Police Reform and Social Responsibility Act 2011 sets out the Police & Crime Commissioner (PCC) responsibility for the Chief Constable's appointment and terms and conditions. The Chief Constable has responsibility for the appointment of the Deputy Chief Constable, Assistant Chief Constables and Directors and in establishing their terms and conditions, in consultation with the PCC. This policy document sets out the benefits available to the Chief Constable.

### **Removal and Relocation Expenses**

Where the Chief Constable relocates their home (based on the assumption that the Chief Constable was the owner of the former home) the following relocation package is offered, subject to agreement by the PCC, and detailed in accordance with Police Regulations 199:

- a. The reasonably incurred cost of removal including removal fees, against estimates agreed beforehand.
- b. Provision of accommodation or payment up to half maximum rent allowance or half housing allowance for a maximum of 26 weeks.
- c. Disposal costs on sale of premises including legal and agent fees reasonably incurred in disposing of former home, against estimates agreed beforehand.
- d. Solicitor fees, Estate Agent fees and Stamp Duty reasonably incurred in acquiring a new property, against estimates agreed beforehand.
- e. Mortgage payments on the former main home for a maximum of 26 weeks. This reimbursement is subject to a maximum limit of 40% of the relevant officer's annual salary, calculated at the top point of the incremental scale at the time of appointment.

An estimate should be provided and agreed with the PCC before any commitments are entered into. Three quotations must be obtained for removal fees – reimbursement will be made on the basis of the lowest quote.

**Value:** Removal and relocation expenses will be reimbursed up to a maximum limit of 40% of the relevant officer's annual salary, calculated at the top point of the incremental scale at the time of appointment.

**Tax position:** Expenses above £8,000 are subject to tax and national insurance under HMRC rules. Tax will be payable under the P11D arrangements. Qualifying removal expenses under £8,000 currently do not attract a tax or NIC liability.

### **NPCC Subscriptions**

The Force will meet cost of annual membership subscriptions to the National Police Chiefs' Council (NPCC) and the cost of the Chief Police Officers' Staff Association Insurance Premiums.

**Value:** Annual rate as set by NPCC

**Tax position:** Not taxable

## **Medical Screening**

Medical screening is undertaken every two years at a local Nuffield hospital. Medical screening is conditional upon the Chief Constable's agreement to provide the medical report to the Force Medical Adviser (FMA), as well as to the PCC and, if they wish, their GP.

The FMA will review the report on the Chief Constable to determine whether there are any issues affecting that officer's medical fitness to have command. Administration of the medical screening arrangements is undertaken by the Chief Constable's Staff Officer who will be responsible for arranging appointments (including reminders), authorising payment and ensuring that the provider issues screening reports to the FMO.

Value: N/A

Tax position: Not taxable

## **Health Care Subscriptions**

The PCC will reimburse the Chief Constable's privately arranged health care insurance subscriptions and other costs subject to an annual ceiling, up-rated annually and subject to periodic reviews. Within the respective ceiling individuals may include the cost of health insurance for spouses/partners and dependent children under the age of 18. Expenditure that is not eligible for reimbursement includes glasses and dental fees.

Value: £2,096 per year

Tax position: Taxable

## **Vehicle Scheme**

The Chief Constable is required to travel extensively around the county and to be readily available for on call or recall to duty in urgent situations.

### **1. Cash Allowance Option**

The Sussex Police Chief Officer Vehicle Scheme provides an annual 'cash allowance option'. The cash allowance is paid monthly with salary and is taxed at source. The value of the allowance is up-rated annually in line with the Chief Officer Pay award made in the previous September.

Value: £10,113 per year

Tax position: Taxable

In exceptional circumstances, the Chief Constable, if in receipt of the cash allowance and with specific command responsibility may occasionally have use of a role equipped operational vehicle provided as part of the Sussex Police fleet. Chief Officers should not use these vehicles for general business purposes (including general on call duties) and private use is not permitted. These vehicles are part of the Sussex Police vehicle fleet and are rotated to meet force requirements.

No travel claims for business vehicle mileage undertaken in private vehicles are permitted under this policy. However, the Chief Constable, if they wish to, may reduce his/her personal tax liability if they undertake business mileage in their own vehicle.

Her Majesty's Revenue and Customs (HMRC) currently allow business travel expenses that are not reimbursed by an employer to be used in the calculation of individuals' tax liability. This means that, in effect, under current rules, the HMRC will reduce individuals' tax assessment for business miles at the rate of 45p per mile for the first 10,000 miles and certain other expenses that are not reimbursed by the employer. Claim forms and further details are available from the HMRC website as follows <http://www.hmrc.gov.uk/forms/p87.pdf>.

The Chief Constable must maintain a record of business mileage in order to support claims to the HMRC.

## 2. Provided Car Option

In line with the Assisted Vehicle Scheme for Superintendents, the provided car option is a 'provided' car serviced, insured, taxed and maintained as part of the Force fleet. Vehicles that are purchased for the Chief Constable are replaced in line with the core fleet replacement policy. This policy provides an enhanced vehicle specification (to include high performance vehicles) but conforms to all the other terms and conditions of the Assisted Vehicle Scheme. The vehicle is available for the Chief Constable's private use for which a charge is made (see below). The vehicle may also be used by any authorised driver when the officer is off duty.

As the vehicle is provided as part of the Force fleet, it must be suitable for operational purposes. The choice and specification of the vehicle must therefore be commensurate with Force requirements. Requirements will be managed by the Head of Joint Transport Service who will determine the choice of vehicles available and, if necessary, with guidance from the Director of Finance. The vehicle will be covertly fitted with suitable radio and public warning equipment,

In line with the Business Travel and Subsistence Policy, published on the Sussex Police intranet, the Force will recharge the cost of all personal travel, monthly in arrears, at the prevailing rate through Payroll. The Chief Constable is responsible for the cost of all travel commuting between their home and normal place of work; circumstances that represent exceptions to this rule are outlined in section 10 of the Business Travel and Subsistence Policy. The rate for private mileage is set annually in accordance with the HMRC Advisory Fuel Rates + VAT. Rates are detailed in Appendix 1. Records of private mileage must be submitted monthly in order that the appropriate salary deduction can be made.

The provided car option represents a taxable benefit. The tax treatment is determined by the HMRC.

Insurance is arranged as part of the Force fleet. Cover is comprehensive subject to an excess as set out in the Assisted Vehicle Scheme for Superintendents and these arrangements extend to include authorised drivers, including family members. Details need to be provided to the Head of Insurance Services in the Finance Department.

If the provided car option is chosen, the Chief Constable is required to complete and sign the Assisted Vehicle Scheme agreement.

A vehicle log book, recording business and private mileage is required. The log book must be submitted for inspection at no less than monthly and not more than three monthly intervals. The inspection is to ensure completion of the log book and compliance with the need to record private mileage.

Tax position: Taxable

### **Home Telephone**

If the Chief Constable lives in or moves to an area where mobile or internet connections are either not available or poor, the costs of the rental of one home telephone line will be met subject to the approval of the PCC. The cost of business calls made from home will be reimbursed.

Tax position: Taxable benefit for the rental for one home telephone line and business calls made from home

**Sussex Police Mileage Rates****Appendix 1**

The current Sussex Police mileage rates for the Chief Constable Benefits Policy can be viewed in the table below:

<b>Fuel Type</b>	<b>Engine Size</b>	<b>Amount per mile</b>
Petrol	1400cc or less	13 pence
	1401-2000cc	15 pence
	Over 2000cc	24 pence
Diesel	1600cc or less	12 pence
	1601-2000cc	14 pence
	Over 2000cc	18 pence
Liquid Petroleum Gas (LPG)	1400cc or less	11 pence
	1401-2000cc	13 pence
	Over 2000cc	21 pence
Electricity	Electricity is not a fuel for car fuel benefit purposes.	7 pence

These rates are in line with HMRC Advisory Fuel Rates and are accurate as of 1 September 2024.

HMRC review these rates quarterly on: 1 March; 1 June; 1 September and 1 December.

Further information about mileage rates can be viewed through the following link:

[http://www.hmrc.gov.uk/cars/advisory\\_fuel\\_current.htm](http://www.hmrc.gov.uk/cars/advisory_fuel_current.htm)