

Part 3, Schedule 15, Police Reform and Social Responsibility Act 2011

POLICE AREA OF CAMBRIDGESHIRE

TRANSFER SCHEME – LEGAL INSTRUMENT

Whereas:

- (i) The Secretary of State may, under Part 3, Schedule 15 of the Police Reform and Social Responsibility Act 2011, direct a Police and Crime Commissioner to make and submit a transfer scheme for approval.
- (ii) The Secretary of State on 27 March 2013 directed all Police and Crime Commissioners to make and submit such transfer schemes for approval and to be effective from 1 April 2014.

The Police and Crime Commissioner for Cambridgeshire now MAKES this TRANSFER SCHEME under the 2011 Act as follows:

1. All persons employed by the Police and Crime Commissioner for Cambridgeshire will, with the exception of those listed at Schedule 1 to this transfer scheme, at midnight on 31 March 2014 transfer to and become members of the civilian staff of the police force known as Cambridgeshire Constabulary on 1 April 2014.
2. All those persons listed at Schedule 1 to this transfer scheme shall remain in the employment of the Police and Crime Commissioner for Cambridgeshire.
3. The contracts of employment which persons transferring by virtue of paragraph 1 had before transferring by operation of paragraph 1 above will have effect (subject to modification where appropriate) as if originally made between such persons and the Chief Constable of the Cambridgeshire Constabulary.
4. The rights, powers, duties and liabilities of the Police and Crime Commissioner for Cambridgeshire under or in connection with the contracts of employment of the persons transferring by operation of paragraph 1 above will transfer to the Chief Constable of Cambridgeshire Constabulary on 1 April 2014.
5. The periods of employment with the Police and Crime Commissioner for Cambridgeshire of a person who transfers to the employment of the Chief Constable of Cambridgeshire Constabulary under paragraph 1 above will count as if such periods of employment were periods of employment by the Chief Constable, and further where such periods are continuous, will count as periods of continuous employment by the Chief Constable.

7. Any person who is employed by the Police and Crime Commissioner of Cambridgeshire at midnight on 31 March 2014 and who would otherwise by operation of paragraph 1 above transfer to become a member of the civilian staff of the Cambridgeshire Constabulary and thereby under the employment of the Chief Constable of the Cambridgeshire Constabulary, may not become such a member of staff if the person gives notice to the Chief Executive of the Office of the Police and Crime Commissioner for Cambridgeshire objecting to the operation of paragraph 1 and this transfer scheme in relation to them.
8. The Secretary of State or any other person nominated by the Police and Crime Commissioner for Cambridgeshire may determine any matter requiring determination under or in consequence of this transfer scheme subject to such fees and expenses as determined by the Police and Crime Commissioner for Cambridgeshire.

Sir Graham Bright
Police and Crime Commissioner for Cambridgeshire

Date: 2013.

PROPOSED LEGAL INSTRUMENT

Schedule 1

(Paragraph 1)

1. This schedule describes the posts that will not transfer from the employment of the Police and Crime Commissioner for Cambridgeshire to become members of the civilian staff of the Cambridgeshire Constabulary. They will remain employees of the Police and Crime Commissioner for Cambridgeshire.

Posts historically within the Office of Police and Crime Commissioner

1. Deputy Police and Crime Commissioner
2. Chief Executive and Monitoring Officer
3. Chief Finance Officer / Director of Finance
4. Head of Policy and Performance
5. Strategic Adviser
6. Head of Communications and Engagement
7. Senior Policy Officer
8. Policy Officer
9. Business Support Manager
10. Outreach Worker (North)
11. ICV Co-ordinator
12. Admin Officer

Posts historically under Direction and Control of Chief Constable

13. Strategic Accountant
14. Head of Corporate Communications
15. Head of Estates and Facilities Management

1. The roles listed at paragraph 1 may change before 31 March 2014. Any person who at the date of transfer occupies any new or amended role within the Office of the Police and Crime Commissioner will be deemed to be a person described in this schedule.
2. Any dispute as to whether or not any individual is a person described in this Schedule shall be determined by agreement between the Police and Crime Commissioner for Cambridgeshire and the Chief Constable of Cambridgeshire, in consultation with the person concerned. In default of such agreement, the Secretary of State shall determine the dispute.