



Northamptonshire Police and Crime Commission

Freedom of Information Act

Request Response

No. 002444/14

Question

1. All emails and other written communications sent and / or received by any persons employed in the Office of the Police and Crime Commissioner, (including the PCC, the Assistant PCCs, any Personal Assistants, and all other staff).

2. All other documented correspondence, including notes memos, records, meeting minutes etc, within the Office of the PCC.

Regarding 5 days extra leave (over and above contractual requirements) allegedly granted to employees in the Office of the PCC over the Christmas period 2013.

Please also provide:

3. All available information on the total cost of this alleged extra leave

4. Information on who authorised this alleged leave

5. Confirmation whether the PCC or any Assistant Commissioners actually took this alleged extra leave (if so – please confirm either names or post titles of those who took this leave)

6. Confirmation of the post titles for all other staff who took this alleged 5 days extra leave.

7. Copies of any questions or other challenges the OPCC has received regarding this matter.

8. Copies of any responses given by the OPCC to any questions or challenges received, as outlined above.

Answer

I have been asked to respond on behalf of the Police and Crime Commissioner who can confirm hold the information requested.

1. From our preliminary assessment, it is clear that we will not be able to answer the first part of your request without further clarification. Under section 1(3) of the Freedom of Information Act (FOIA), a public authority need not comply with a request unless any further information reasonably required to locate the information is supplied. If a request is too broad or general in nature, then public authorities have a duty to provide advice and assistance to the applicant in order to focus the request. In order to provide you with the information on the scale that you have requested, each individual email in the email accounts of the Northamptonshire Police and Crime Commission, the four Assistant Police and Crime Commissioners, and the PCC's PA would require examining as there is not a centralised point of storage for such emails. I estimate there could be in excess of 200,000 emails that would require examination before any response could be made.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which for Police Service is set at £450. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, locating, retrieving and extracting the information.

We estimate that it will take us in excess of 3.5 working days to determine appropriate material and locate, retrieve and extract the information in reference to your request. In view of the above, and in accordance with the provisions of the Freedom of Information Act 2000, please take this letter as a Refusal Notice.

Although excess cost removes the Force's obligations under the Freedom of Information Act, I will supply information relative to your request which is available. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

2. See attached.

3. There was no additional cost in as no costs were incurred in providing staff to cover as the office was closed from 5.00pm on 20 December until

9.00am on 2 January 2014. Some staff worked during this period but were not paid any extra pay or allowances

4. The leave was authorised by the Interim Assistant Commissioner Resources who is the senior officer responsible for Human Resources within the OPCC. The Assistant Commissioner Resources did not breach any existing policy applicable to the OPCC in making this decision which was made after taking into account operational and human resource factors. Cover by OPCC staff was provided from 5.00pm on 20 December until 9.00am on 2 January 2014 where necessary

5. During the period in question, the Assistant Commissioners were on constant call and office cover was provided both in person and through appropriate and secure communication methods. The PCC has no contract of employment, therefore has no holiday entitlement.

6. This information is exempt under section 40 (personal information) of the Freedom of Information Act (FOIA), as the information constitutes third party data. Section 40(2) provides that personal data about third parties is exempt information if one of the conditions set out in section 40(3) is satisfied. Under the FOI Act disclosure of this information would breach the fair processing principle contained in the Data Protection Act (DPA), where it would be unfair to that person.

7. See attached

8. See attached

From: Raisin John
Sent: 11 December 2013 09:17
To: @OPCC
Subject: FW:
Attachments: Raisin John_09_12_23_2013_12_11.PDF



Raisin
09_12_23_2013_11

Dear All,

Please see attached note regarding Christmas and New Year Closedown.

If you have any queries you should speak to your own Assistant Commissioner.

Best wishes,

John

John Raisin
Interim Assistant Commissioner Resources

**Address West Wing, Police HQ, Wootton Hall, Northampton, NN1 6JQ

-----Original Message-----

From: John.Raisin@northantspcc.pnn.police.uk
[mailto:John.Raisin@northantspcc.pnn.police.uk]
Sent: 11 December 2013 09:12
To: Raisin John
Subject:

This email contains a scanned document by the user Raisin John.
It has been scanned with the following device: wootLWRQPNDc5730i The file name is:
Raisin John_09:12_23_2013_12_11.PDF



11th December 2013

From: Interim Assistant Commissioner, Resources

To: Office of Police and Crime Commissioner Staff

CLOSURE TO THE PUBLIC OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER: CHRISTMAS 2013/NEW YEAR 2014

The Office of the Police and Crime Commissioner will close to the public at 5.00pm on Friday 20 December 2013 and reopen at 9.00am on Thursday 2 January 2014.

During this period staff will not be required to work unless required by their Assistant Commissioner. Staff will not be required to take any Annual Leave over the period 1 December 2013 to 1 January 2014 inclusive. Staff required to work over this period will be given time off in lieu at a later date by their Assistant Commissioner.

John Raison
Interim Assistant Commissioner, Resources

For further information please contact:
John Raison, Interim Assistant Commissioner, Resources



[REDACTED]
Branch Secretary
Unison
Northamptonshire Police Staff
Police Force Headquarters
Wootton Hall
Northampton NN4 0JQ

24th February 2014

[REDACTED]
Closure of the OPCC, Christmas 2013

Thank you for your letter in respect of the above.

I think the explanation you seek lies in the organisational structure we have. Mr Raisin has in his brief as Interim Assistant Commissioner (Resources) within the OPCC an authority in respect of employment contracts, leave and similar arrangements only for staff within the OPCC. He was simply acting within that clear and limited scope.

The wider police staff group to which you refer lie outside of Mr Raisin's remit. The Chief Constable (and through his appropriate delegations of his authority, others within the Force under his command and control), hold the equivalent authorities in respect of issues of employment and management (including annual leave) for the police staff who are under his command and control. It is important to the operational independence of the Chief Constable, and a matter upon which I know the PCC and Chief Constable have the same view, that the Chief should exercise all such matters of discretion in respect of employment and management of his staff (including annual leave) in a manner unfettered by the Commissioner or the Commissioner's staff.

I would wish to assure you that the Commissioner recognises and respects the huge contribution made by police staff. He speaks regularly about being impressed and humbled by the people he meets across policing. This contribution is always particularly noteworthy across the emergency services at times of year such as Christmas.

Northamptonshire Police and Crime Commissioner
Wootton Hall, Northampton, NN4 0JQ
www.northants.police.uk



The Commissioner and Chief Constable have always been keen – in a manner which I think is very constructive and to be seen positively as being in the spirit of the Act – to emphasise that the police service and the OPCC are different entities with distinct roles. The nature of our business as an OPCC is quite different from that of the Force. The Commission is not a 24/7 emergency service, the Force is not a strategic and governance authority with a remit across a broader agenda than policing. As such the Force and OPCC have very different people strategies and business models. A seasonal closure fitted our OPCC business requirements.

I would like to thank you again for your courtesy of bringing this issue to me directly.

Yours sincerely,

[Redacted signature]

Chief Executive and Assistant Commissioner, Justice

Topic: PCC Staff Christmas Bonus

Posted: 02 Apr 2014 at 8:36am [REDACTED]

Mr Simmonds,

I understand that you have now confirmed that you and your staff enjoyed an extra 5 days holiday over the Christmas and New Year period 2013/14: this in addition to your annual leave entitlement.

In attempting to justify this I am sure you will say that you and your staff are employed differently to the 2500 rest of us, but I understand that was not the case at the time: we were all employed by you directly and will only be reverting to the Chief Constable from April 1st. You have therefore apparently favoured 20+ staff over 2500 others: many of whom had to maintain policing for this county over the 2 weeks you were all off.

I am sure you will also say that the decision was taken by one of your many assistants, but it was obviously endorsed by you and as such, I'm sure you will agree, you should answer for it.

Bearing this in mind, could you please answer these 3 points:

1. Can you justify the gift of an extra 5 days holiday to yourself and your colleagues when many of the rest of us gave up our Christmas in order to maintain policing and those who didn't, had to take time off from their annual leave?
2. If you can close your office down for 2 weeks and give all your staff extra holiday without detriment to the service they provide, that suggests to me that your department maybe underworked and overstaffed. Perhaps budget savings should be focused on your area first rather than taking money from operational policing in the forthcoming cutbacks?
3. Can you tell me how many extra days holiday or any other perks you are planning to award yourselves this year?

We are constantly being told that fairness and equitable treatment are the cornerstones of policing and rightly so. Yet you appear to be condoning basic discrimination and prejudice amongst your own employees. What kind of example and leadership does that display?

I urge you to right this wrong by either withdrawing the 5 days extra leave you have granted yourselves or giving 5 extra days to all other employees.

Without doing so, I think great damage will be done to any respect staff in this organisation have for your leadership and judgement.

[REDACTED]

From: Commissioner
Sent: 03 April 2014 12:41
To: [REDACTED]
Subject: Ask the PCC

[REDACTED]

Thank you for your recent ask the pcc question. Before responding to your post on the forum, I would like to meet with you to discuss the matter first

Please could you send me some dates and times which might be suitable for you to come and meet with me to discuss this further.

Kind regards,

Adam Simmonds
Northamptonshire Police and Crime Commissioner

☎ Telephone 01604 888113
📍 Address West Wing, Police HQ, Wootton Hall, Northampton, NN4 0JQ

From: [REDACTED]
Sent: 05 April 2014 16:29
To: Commissioner
Subject: RE: Ask the PCC

Adam,

I understand that this controversial subject has not been dealt with too successfully when discussed at the seminars.

Therefore, to avoid the risk of more of the same, could you respond in writing to my post on the Forum please.

After this, I would be happy to meet and discuss.

Many thanks

[REDACTED]

From: [REDACTED]
Sent: 15 April 2014 14:29
To: Commissioner
Subject: FW: Ask the PCC

Adam,

Do you plan to put my post from April 2nd on the Forum together with your response?

I do hope so as I have always been impressed by the fact that the forum posted genuine questions and comments good and bad.

Regards

[REDACTED]