

Transfer of Police and Crime Commissioner functions to the South Yorkshire Mayor

November 2023



Overview

- In May 2024, all Police and Crime Commissioner (PCC) functions will transfer to the South Yorkshire Mayor, and all PCC assets, rights and liabilities will transfer to the South Yorkshire Mayoral Combined Authority (SYMCA).
- Staff currently working in the Office of the Police and Crime Commissioner (OPCC) will become employees of SYMCA. The role of PCC will be abolished.
- This transfer of functions, responsibilities and staffing will take place after the election of a new Mayor, who will take on the functions of a PCC.
- To give legal effect to these changes, the Home Office and Department for Levelling Up, Housing and Communities will lay a Statutory Instrument (the “Transfer Order”) in Parliament. The Transfer Order is expected to be laid on 7 December 2023, and come into force in March 2024 (subject to the Parliamentary timetable).

The Transfer Order

- A draft version of the Transfer Order has been sent to SYMCA and the OPCC for their comments. It is based on the Order used to transfer functions from the PCC to the Mayor in Greater Manchester and West Yorkshire.
- A copy of the draft Order has also been sent to SYMCAs constituent councils (Sheffield, Doncaster, Barnsley and Rotherham) seeking their consent, as required under the Local Democracy, Economic Development and Construction Act 2009.
- It is expected that all councils will provide their consent before the Transfer Order is laid in Parliament.
- In addition to setting out the transfer of PCC functions and all PCC assets, rights and liabilities, the Transfer Order also sets out the date for the Mayoral election as 2 May 2024.

Programme Board (pt 1)

- To ensure the smooth and effective transfer of all PCC functions, and all PCC assets, rights and liabilities, a formal Programme Board has been established to oversee all activity between now and May 2024.
- SYMCA, as the receiving organisation, has overall responsibility for the programme. However, it will not be possible to ensure a smooth and effective transfer of functions without the full support and cooperation of the OPCC and, where appropriate, South Yorkshire Police (SYP).
- The Programme Board is co-Chaired by the SYMCA Executive Director of Policy and Strategic Development and the OPCC Chief Executive and Solicitor. Members of the Board include senior staff from SYMCA, the OPCC and the Deputy Chief Constable of SYP.

Programme Board (pt 2)

- The Board will also: review the progress of the seven working groups that have been established to focus on specific aspects of the transfer; take decisions and manage those risks that have been referred to it; and ensure that progress is being communicated effectively to staff and external partners.
- The Programme will take place in two, overlapping, Phases. Phase 1 will focus on identifying and managing all aspects related to the legal transfer of functions, assets, rights and liabilities required by the May 2024 election.
- Phase 2 will focus on the full integration of OPCC business (including the Violence Reduction Unit) into SYMCA after the May 2024 election. Where agreed, work will commence on Phase 2 activities during Phase 1, if this is required for successful integration.

Working Groups (pt 1)

Underpinning the Programme Board, seven Working Groups have been set up to manage specific workstreams relating to the transfer of functions and responsibilities. The Working Groups have been tasked to lead on all day-to-day issues, risks, timescales, resource implications, or other relevant matters that may arise during the lifespan of the programme.

Working groups are also responsible for identifying actions and risks that should go to the Programme Board for a decision. The activity arising from the Working Groups is used to inform the Programme's action and decisions logs, timeline, and risk register.

The seven Working Groups are:

1. **Legal, Governance and Risk Management** - Identifying the legal issues (including those in relation to the Transfer Order) that must be addressed between now and May 2024. This includes ensuring that there are strong and clear governance arrangements in place for all policing and crime functions which will transfer to SYMCA.
2. **Human Resources** - Identifying and managing all issues relating to the transfer of staff from the employment of the PCC to SYMCA. Staff will transfer under the TUPE process.

Working Groups (pt 2)

3. **Communications** - Ensuring clear and concise internal and external communications during the lifespan of the programme.
4. **Finance** - Identifying and managing all issues relating to the transfer of finance from the OPCC to SYMCA.
5. **Estates and Fleet** – Identifying and managing all issues relating to the transfer of buildings and vehicles, and associated activities (i.e. maintenance), from the OPCC to SYMCA.
6. **Procurement** - Identifying and managing all issues relating to the transfer of procurements and contract management, from the OPCC to SYMCA.
7. **Information Governance and ICT** - Identifying and managing all issues relating to information governance (including security) and the systems and hardware needed as staff transfer from the OPCC to SYMCA.

Representatives from SYMCA, the OPCC, and SYP sit on each of the working groups, to ensure that all activities and risks are identified, and either actioned or escalated to the Programme Board for a decision.

Timeline

The key activities over the coming weeks include:

w/c 27 November – provide any comments to the Home Office on the draft Transfer Order

7 December – Transfer Order expected to be laid in Parliament

13 December – Start of the TUPE transfer and staff consultation process

Work is also well underway to identify the activities needed between now and May 2024 to ensure the smooth and effective transfer of all PCC functions, assets, rights and liabilities, including where there are inter-dependencies between different workstreams. This will continue to be the focus of the Programme over the coming months.

Work will also begin on identifying those issues that will need to be addressed after the May 2024 election.

Thank you

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