



west midlands
office for policing
and crime

West Midlands Office for Policing and Crime Cycle to Work Policy

West Midlands Office for Policing and Crime (WMOPC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

Introduction

1. Central Government introduced the Finance Act in 1999 allowing employers to loan bicycles and cycling safety equipment as a tax free incentive through a salary sacrifice scheme. Individuals benefit by making savings on income tax and national insurance contributions and employers save on national insurance contributions.
2. The aim of the scheme is to encourage individuals to loan bicycles through a hire agreement with an option of purchasing the bicycle at the end of the loan period.
3. This policy aims to ensure individuals benefit from the Cycle2work scheme and contributes to the central government's sustainable travel agenda.

Eligibility

4. The scheme is open to all staff from the commencement of their first day of employment that:
 - are in receipt of a PAYE salary;
 - are eighteen years of age or over to comply with the Consumer Credit Act legislation (unless the staff member is able to provide a guarantor over the age of eighteen); and
 - earn above the national minimum wage after the bicycle loan is deducted.

[For employees who are unable to comply with the Consumer Credit Act legislation or would earn below the national minimum wage after the bicycle loan is deducted, there is a pool of bikes available for general use under the scheme].

Exemptions

5. Individuals hired through employment agencies are excluded.

Equipment

6. The scheme enables eligible staff to loan both cycles and cyclists' safety equipment. The tax exemption defines a "cycle" as 'a bicycle, a tricycle, or a cycle having four or more wheels, not being in any case a motor vehicle' (192(1) of the Road Traffic Act 1988 (c.52)). An electrically assisted pedal cycle can be included under the scheme.
7. Cyclists' safety equipment is not similarly defined in the legislation and a common sense approach should be taken to the equipment provided. This could include:
 - cycle helmets which conform to European standard EN 1078;
 - bells and bulb horns and lights, including dynamo packs;
 - child safety seats;
 - mirrors and mudguards to ensure riders visibility is not impaired;
 - cycle clips and dress guards;
 - panniers, luggage carriers and straps to allow luggage to be safely carried;
 - locks and chains to ensure cycle can be safely secured;
 - pumps, puncture repair kits, cycle tool kits and tyre sealant to allow for minor repairs; and
 - reflective clothing along with white front reflectors and spoke reflectors .

Examples of items that do not count as cyclists' safety equipment include:

- cycle computer;
- waterproof clothing that is not reflective clothing; and
- cycle training.

Conditions of loan

8. The bicycle must be selected for the sole use of the individual - it cannot be obtained for family members.

There is a requirement the bicycle is used mainly (i.e. more than 50% of the time) for travel to and from work (or between one workplace and other or to and from the train station to get to work, if applicable).

Individuals can borrow a minimum of £100 and a maximum of £1,000.

The loan is fixed for a period of 12 months and there are no variations to this arrangement.

9. The loan is granted under a salary sacrifice provision. Under this condition, individuals give up a part of their salary in return for WMOPC's agreement to provide a non-cash benefit – in this case, a loan of bicycle and related equipment.
10. Individuals need to be aware of the implications of paying less tax and NI contributions and accepting a reduced salary. There may be an impact on:
 - pension schemes being contributed to (especially if you are nearing retirement and contribute to a final salary pension scheme);

- entitlement to contribution-based benefits like the state pension, jobseeker's allowance and incapacity benefit. This is particularly likely if your salary after taking a salary sacrifice falls below the lower earnings threshold;
- entitlement to earnings-related benefits like maternity allowance and the state second pension; and
- entitlement to work-related benefits like statutory sick pay, statutory maternity pay, statutory paternity pay and statutory adoption pay.

At the end of the loan period, the normal gross salary will be reinstated accounting for any appropriate adjustments.

Contractual arrangements

11. Individuals who participate in the scheme must enter into a contractual hire agreement with the leaser and consent to the terms of the agreement.

The leaser purchases the bicycles and loans them to the individuals.

There are no cancellation rights once individuals have elected to participate in the scheme and signed the hire agreement.

If the bicycle or safety equipment is stolen or becomes inoperable due to damage, individuals are required to continue to meet their financial responsibilities for the remainder of the hire period. Any replacement bicycle or equipment will fall outside the terms of the hire agreement.

Leavers

12. Individuals leaving before the full amount is repaid are liable to pay the outstanding amount from their final net salary. This also applies to those individuals who are made redundant.
13. If a staff member's final net salary does not provide a sufficient amount to cover the outstanding balance, WMOPC will seek to recover this from the staff member in full within fourteen days of the staff member leaving WMOPC.

Maternity Leave/Unpaid Leave

14. The salary reduction will continue in periods of paid leave. During periods of unpaid leave or leave that reduces salary below the minimum wage, the salary sacrifice scheme will be suspended. The salary reduction will recommence once the staff member returns to work/commences paid leave, thereafter extending the original loan period.

Ownership of bicycle

15. During the loan period the bicycle is owned by the leaser. Once the loan is repaid, the leasing company may transfer ownership to you for its fair market value at the time. The leaser can expect the safety equipment to have a market value of £20 (plus VAT) or 5% of the capital value (plus VAT) which is greater, at the end of the 12

month pay period.

16. Any arrangements made regarding the disposal of the bicycle will be the subject of a separate agreement.

Joining the scheme

17. Full information on the scheme is provided through the website:

www.bike-scheme.co.uk/wmp

username: west

password: midlands

18. Individuals participating are expected to abide by the instructions, set out in the website, including the following:

- select the salary reductions;
- complete the hire agreement; and
- print the agreement locally, sign it (ensuring that it is witnessed by a line manager on work premises), then submit it to the scheme administrator.

Health and Safety

19. Individuals are responsible for:

- regular maintenance of their bicycle and safety equipment to ensure that it is fit for purpose;
- taking due care when riding their bicycle in accordance with statutory traffic requirements;
- undertaking an assessment of weather conditions before starting a journey; and
- wearing the correct protective clothing.

Warranty

20. The bicycle will have a 12 month warranty, although this may be longer depending on the type of model and make. If a problem occurs with the bicycle, individuals must return it to the retailer to resolve the issue. If the situation remains unresolved, WMOPC will intervene to try to reach an acceptable solution.

Bicycle Insurance

21. The responsibility lies with the individual to ensure the bicycle and safety equipment is adequately insured. It is recommended that the bicycle and safety equipment is covered under home and contents insurance.

Data protection and security

22. The Scheme is run through a web portal through which will give individuals access to operating information. All documentation and processes will reflect WMOPC security requirements. The only document which will hold personal information will be the hire agreement. Only first name, surname, employee number, work address and signature will be held; no other data will be captured.

West Midlands Police and Crime Commissioner

Decision Making Policy

Introduction

1. This policy establishes the approach and principles for decision making by the Police and Crime Commissioner for the West Midlands (the Commissioner). It outlines the decision making process together with providing information on how decisions will be recorded and publicised.

Decision making framework

2. Decisions taken by the Commissioner arise from his statutory duties. He is required to record and publish those decisions. The Commissioner is committed to a robust decision making process. The Commissioner will adopt rigorous standards of probity, regularity and transparency in his decision making and all decisions will be taken in the public interest. The Commissioner will review his decision making process on a regular basis.
3. The statutory framework for decision making by police and crime commissioners consists of:
 - Police Reform and Social Responsibility Act 2011 which sets out the functions of the Commissioner and provides the legal framework for the Commissioner's decision making.
 - Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order 2012 requires the Commissioner to swear an oath of impartiality. It commits the Commissioner to serve local people without fear or favour and to set out publicly their commitment to tackling their role with integrity, impartiality and fairness.
 - The Police Reform and Social Responsibility Act 2011 sets out the functions of the West Midlands Police and Crime Panel which is required to review and scrutinise decisions made by the Commissioner.
 - The Policing Protocol sets out the framework within which the Commissioner and Chief Constable should work. The Protocol requires all parties, including the Commissioner and his staff, to abide by the Nolan Principles, which are included at Annex A to this policy.
 - The Financial Management Code of Practice for the Police Service provides clarity around the financial governance arrangements and specifies the need to embed the principles of good governance into the way the Commissioner operates. The Code requires the Commissioner and Chief Constable to establish a Joint Audit Committee with that Committee recommended to consider internal and external audit reports and advice according to good governance principles and appropriate risk management arrangements.

- The Elected Local Policing Bodies (Specified Information) Order 2011 and the Elected Local Policing Bodies (Specified Information) (Amendment) Order 2012 specify the information that must be published by the Commissioner and includes specific reference to decisions. It sets out both the time scales and requirements for recording and publication of decisions and related policies.
 - Under the Police Reform and Social Responsibility Act 2011 the Commissioner can be subject to investigation by the Local Government Ombudsman for any allegations or apparent maladministration in connection with the exercise of his administrative duties.
4. In order to ensure good governance in relation to decision making the Commissioner has made arrangements to cover delegations, consents, financial regulations, contract standing orders as well as registers of interests and gifts and hospitality. These set out the parameters for decisions delegated to West Midlands Police and staff within the Commissioner's own office. They can be found at the Commissioner's website www.westmidlands-pcc.gov.uk.

Approach to decision making

5. The decisions taken by the Commissioner will arise from the discharge of his statutory functions. The Commissioner will need to demonstrate probity and regularity in their decision-making, not just as a matter of good governance but also as a matter of law. Therefore the approach to decision making will be in accordance with the Good Governance Standards for Public Service¹.
6. Decisions will range in significance and impact, consequences and cost. The Commissioner will apply the good governance principles to all decisions that are taken. He will take into account equalities issues when making his decisions including any formal equality impact assessments.

Principles of decision making

Decision-making will be transparent and well informed

7. In order to make well informed decisions the Commissioner will give proper consideration to all relevant parties. Arrangements will be made for obtaining the views of people in the area about policing in the West Midlands. The Commissioner will consider the appropriate means to consult in relation to any decision. This may include:
- Consultation with the individual members of and/or the Commissioner's Strategic Policing and Crime Board, which will hold meetings in public with papers and notes available on the Commissioner's website www.westmidlands-pcc.gov.uk/spcb. The website includes the time, date and place of each meeting of the Board.
 - Consultation with West Midlands Police and Crime Panel
 - Consultation with other stakeholders, as appropriate

¹ The Good Governance Standards for Public Service published by the Chartered Institute of Public Financial Administration and the Office for Public Management 2004

- Consultation with the wider public, as appropriate, giving consideration to the Cabinet Office consultation principles
8. There will be occasions when some information has to remain confidential, examples include, issues of national security, safety of individuals or information which might prejudice the administration of justice. The Commissioner will give careful consideration before determining that information is confidential to ensure that the public has access to the widest range of information possible. The principles of freedom of information will be followed.

Decisions will make use of good quality information, advice and support

9. Decisions will be taken based on quality information and clear advice in order to reduce the risk of taking decisions that fail to achieve the Commissioner's objectives or have unintended consequences. This will include professional policing advice from the Chief Constable, who is required to provide information on policing matters to the Commissioner, and advice from the Commissioner's statutory officers who hold the roles of Chief Executive and Chief Financial Officer.

Decisions will make use of risk management information

10. The risk registers for the Commissioner and Chief Constable will be regularly reviewed by the Joint Audit Committee and will be used to inform decision making.

Decisions will be lawful, reasonable, fair and proportionate

11. The Commissioner will make use of his professional advisers in decision making. He will take into consideration the impact of any decision of all those that live and work in the West Midlands and will give consideration to equality and human rights issues as appropriate. He will make decisions with a view to achieving value for money.

Decisions will be recorded and published

12. The statutory requirements for the recording and publication of decisions are set out in the Elected Local Policing Bodies (Specified Information) Order 2011. The Commissioner's website www.westmidlands-pcc.gov.uk/governance/record-of-decisions will be used to publish the decisions made by the Commissioner.

The seven principles of public life

Selflessness

Holders of public office should act solely in term of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for reward and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.



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West Midlands Office for Policing and Crime Disciplinary Policy & Procedure

West Midlands Office for Policing and Crime (WMOPC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

Introduction

1. This Disciplinary Policy & Procedure (the "Policy") applies to all members of staff ("you", "your") employed by the WMOPC ("us", "we", "our").
2. The Policy aims to:
 - help and encourage individuals to achieve and maintain acceptable standards of conduct at work
 - provide a framework to ensure consistent and fair treatment of all staff; and
 - protect our interests.

General Principles

3. This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary any parts of this procedure, including any time limits, as appropriate in any case.
4. This policy applies to all employees regardless of length of service. It does not apply to agency workers or self-employed contractors.
5. You must be familiar with your terms of employment, this Policy and our other policies and procedures.
6. Where appropriate, we will try to resolve any disciplinary matter informally. Informal resolution will not be appropriate for serious misconduct issues or matters such as allegations of bullying, harassment or discrimination.
7. You have the right to be accompanied by a trade union representative or a work place colleague at any disciplinary hearing and appeal hearing under this Policy, and to appeal against any disciplinary penalty imposed. You must tell the manager conducting the hearing who your chosen companion is, in good time before the hearing.
8. A companion is allowed reasonable time off from duties without loss of pay but no-one is obliged to act as a companion if they do not wish to do so.
9. If your choice of companion is unreasonable we may require you to choose someone else, for example:

- (a) if in our opinion your companion may have a conflict of interest or may prejudice the hearing; or
 - (b) if your companion is unavailable at the time a hearing is scheduled and will not be available for more than five working days.
10. We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability, or where you have difficulty understanding English.
 11. The Policy incorporates time limits into each part of the disciplinary process so that matters are resolved as quickly as possible. We may change these time limits where necessary. We will explain any change to you.
 12. Formal disciplinary action will be taken only after the matter has been properly investigated. At each stage of the Policy, you will know the nature of the complaint against you and you will be given the opportunity to have your say before any decision is made.
 13. We may impose the disciplinary penalty which we consider appropriate in the circumstances (you will not be dismissed for a first offence, other than for gross misconduct or gross negligence). We may also begin disciplinary proceedings at any stage of the Policy and skip stages of the Policy depending on the seriousness of the alleged offence.
 14. All correspondence and records of disciplinary matters are confidential. Appropriate members of management will be made aware of disciplinary matters. There may be other occasions where it is appropriate to disclose disciplinary records, eg for employee references, Court or Tribunal proceedings.
 15. You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.
 16. You will normally be told the names of any witnesses whose evidence is relevant to your disciplinary hearing, unless we believe that a witness's identity should remain confidential.

Informal Resolution

17. Line managers will consider whether a disciplinary matter should first be dealt with by informal discussions with you. This will be appropriate for minor lapses of acceptable standards of conduct, including minor incidences of rudeness, lateness, general conduct or performance.
18. The line manager will first investigate the matter and then, if (s)he decides an informal meeting is appropriate, will invite you to a meeting where the matter will be discussed and considered further. If, following the meeting, the line manager feels an informal warning is appropriate, (s)he will highlight the unacceptable standard of conduct and provide clear instructions on the improvements required within a prescribed timetable. The line manager should also tell you that failure to comply with this instruction could lead to formal disciplinary action.
19. The line manager will take a record of the discussion. A copy of these notes will be given to you (usually within 7 days of the meeting).

Formal Procedure

20. Where the incidence of misconduct is such that the informal procedure is inappropriate, or where informal resolution has not been successful, the formal procedure will be used.

Types of Misconduct

21. It is not possible to list all types of misconduct capable of meriting formal disciplinary action as each situation depends on its own circumstances. However, acts of misconduct could include:
- failure to comply with instructions following an attempt at informal resolution;
 - consistent lateness or poor time keeping;
 - absenteeism (including unauthorised leave or overstaying leave);
 - abusive language or behaviour;
 - disobedience or a refusal to obey a reasonable and lawful instruction;
 - flaunting our rules/working practices (e.g. on drinking, smoking and health & safety);
 - poor performance following reviews under the performance procedures;
 - minor incidents of harassment, bullying or victimisation (minor in the view of the person harassed/bullied or victimised);
 - misuse (but not serious misuse) of our facilities including telephones (and mobile phones), e-mail and internet and any other our equipment; or
 - failure to report the individual's own wrongdoing or misconduct, or any actual or proposed wrongdoing or misconduct of any other employee.

Types of Gross Misconduct

22. Serious acts of misconduct may amount to gross misconduct or gross negligence. It is in our discretion to decide what amounts to "serious". Examples include:
- theft, fraud and deliberate falsification of records;
 - physical violence;
 - serious harassment, bullying or victimisation;
 - deliberate damage to property;
 - serious insubordination;
 - misuse of our property, including telephone/mobiles, e-mail and internet facilities as set out in our Email and Internet Policy;
 - bringing us and our name into disrepute;

- carrying out work which conflicts with our business without our prior written permission;
- serious incapacity whilst on duty due to, e.g, alcohol or illegal drugs;
- serious negligence which causes or might cause unacceptable loss, damage or injury;
- serious infringement of our rules and working practices, including our health & safety rules;
- serious breach of confidence (although your rights under the Public Interest (Disclosure) Act 1998 are not affected);
- a criminal offence, which may, whether it is committed during or outside your hours of work, adversely affect our reputation or your suitability for the type of work we employ you to perform; or
- failure to report your own serious wrongdoing or misconduct, or any actual or proposed serious wrongdoing or misconduct of any other employee or director.

Investigation

23. Before any action is taken, the line manager or an appointed Investigating Officer will conduct appropriate investigations at the earliest opportunity to try to find out what happened.
24. The person investigating the matter will tell you the reason for the investigation and that it is being carried out under the Policy.
25. It may be necessary for the person investigating the matter to take statements from the relevant witnesses. The witnesses should sign and date these statements as a true record. They should not discuss the contents of the statements with other individuals. On the other hand, rather than each person interviewed providing a statement, the person investigating the matter may decide instead that his/her own summary of discussions during investigatory meetings provide an adequate record of what is said. The person investigating the matter will collate relevant documents.
26. The investigation will normally be completed within a two week period. If there are exceptional circumstances which mean that the investigation will take longer to complete you will be kept informed of progress and likely timescales.
27. The person conducting the investigation will, following the investigation, decide whether or not the matter should proceed to a disciplinary hearing. If it is decided that disciplinary action is not appropriate, this will be discussed with you. On the other hand, if the decision is to hold a disciplinary hearing, you will, wherever possible, be told in writing the nature of the allegation or complaint against you and the evidence collected. This will usually be at least 5 working days before the disciplinary hearing takes place.
28. We may suspend any individual in line with the procedure below.

Suspension

29. Where we have reason to believe that you could have been responsible for an act of gross negligence or gross misconduct, or because of some other good and urgent

cause, we may decide you should not be permitted to continue to attend work. If so, we are entitled to suspend you from duty pending an investigation and a possible formal disciplinary hearing. Suspensions must be approved by the Chief Executive.

30. Suspension will not prejudice the outcome of the investigation.
31. The suspension will be reviewed on a regular basis and you will be kept informed of the progress of the investigation and probable timescales. Welfare support will be offered to the individual at the time of suspension and beyond.
32. Whilst suspended you will be excluded from WMOPC premises and should not have contact with work colleagues without prior permission. You may attend meetings with your staff association/trade union representatives and have access for welfare. Access to social and/or sporting events will be subject to approval by the Chief Executive.
33. Occupational Health support will be made available, to offer you psychological support during suspension, including, prior to your return to work, a Medical and Psychological Assessment. Ongoing Medical and Psychological support will be offered, if required, following your return to work. Where appropriate and in exceptional cases this support can be extended to family your members.
34. You will receive your full pay throughout the period of suspension. However, if you are sick during a period of suspension you must notify us under the Attendance Management and Sickness Absence Policy and we will be entitled to pay you sick pay rather than normal pay for the duration of sickness irrespective of the duration of suspension or whether the suspension is lifted.

Formal Disciplinary Hearing

35. Once the matter has been properly investigated, we may deem it appropriate to hold a formal disciplinary hearing. We will not take formal disciplinary action without first inviting you to a prior disciplinary hearing, except in very urgent situations.
36. Wherever possible, you will be notified of the time, date and location of the hearing at least 5 working days beforehand. The notification will include a summary of the nature of the misconduct and of the results of the investigation and a warning of the possible outcome of the hearing.
37. If either party is to rely on any documentation to be used at the hearing, for example any witness statements or summary of witness statements, this will be exchanged in good time before the date of the hearing.
38. Witnesses may be questioned at the hearing, although we reserve the right to refuse this where impractical or inappropriate.
39. If you or your companion cannot attend the hearing you should inform us immediately and we will usually arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If you fail to attend without good reason, or are persistently unable to do so (for example, for health reasons), we may have to take a decision based on the available evidence.
40. Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

41. It is up to you to let us know of any good reason why you cannot attend a disciplinary hearing. If you do not attend, we reserve the right to proceed with the hearing in your absence. Hearings may be delayed once by up to 7 days if your trade union representative or work colleague is unavailable to attend on the date of the scheduled hearing.
42. The disciplinary hearing will be heard by a panel comprising of one of our statutory officers or their nominated deputy as Chair and a further senior member of staff. The Chair will be senior to the person presenting the allegations and will have had no prior involvement in the investigation. (S)he has complete discretion on how to run the hearing, including deciding on whether or not to call witnesses or the investigating officer. A note-taker should be present at the hearing.
43. If you fail to attend the disciplinary hearing and a postponement has not been agreed the hearing may continue in your absence.

Outcome following a Disciplinary Hearing

44. Following a disciplinary hearing, we will decide what action to take (if any), allowing for the nature of the offence, the statements and answers provided by you or any witnesses, your current disciplinary record and other factors such as health or length of service.
45. You may be told the decision at the end of the hearing (possibly after an adjournment), although it will be confirmed in writing.
46. The following table provides an indication of the disciplinary steps which may be taken and how long they will apply for:

	1st Occasion	2nd Occasion	3rd Occasion
Misconduct	Oral warning (6 months)	Final written warning (12 months)	Dismissal
Serious misconduct	Final written warning (12 months)	Dismissal	
Gross misconduct	Dismissal		

47. This is a guide only and may vary with the circumstances, for example:
 - A further act of misconduct which occurs while a disciplinary warning is in force (whether or not the misconduct is the same as that which gave rise to the warning), will entitle us either to extend the period of warning on file or to invoke new disciplinary procedures, following which the next disciplinary sanction may be deemed appropriate. If it involves serious misconduct, we are entitled to impose a more severe penalty than the next one set out in the table, e.g. from an oral warning to a final written warning.
 - If there is an incidence or pattern of misconduct (eg absenteeism) which occurs after the end or lapse of a previous period of disciplinary warning, we will be

entitled to impose a more severe penalty than the misconduct might otherwise merit.

48. If, following an investigation and a disciplinary hearing, we decide that you have committed an act of gross misconduct, we may dismiss you immediately without notice or payment instead of notice. If you are dismissed for a matter other than gross misconduct, you are entitled to be given the relevant contractual notice of the dismissal.

Appeal

49. You may appeal against a disciplinary penalty. Appeals should be presented in writing to the Chief Executive. The reasons for the appeal must outline the nature of the perceived inadequacies of the procedure used or the decision taken.
50. We will nominate an appropriate senior person to hold the appeal hearing. Where possible, this will not be someone who was involved in the original decision or disciplinary process. (S)he has complete discretion on how to run the hearing.
51. If you or your companion cannot attend the hearing you should inform us immediately and we will usually arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. If you fail to attend without good reason, or are persistently unable to do so (for example, for health reasons), we may have to take a decision based on the available evidence.
52. Your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.
53. Appeals will usually be heard within 7 days of receiving the notice of the appeal. Hearings may be delayed once by up to 7 days if the trade union representative or work colleague is unavailable on the date of the scheduled hearing. Any further documentation should be exchanged at least 3 days before the appeal hearing.
54. The outcome of the appeal hearing, together with the reasons for the decision, will be given in writing as soon as possible after the hearing. The person holding the appeal hearing will have authority to confirm or overturn the original decision, or to decide on a different outcome. The decision will be final.

West Midlands Office for Policing and Crime Duty of Care Payments Policy

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Introduction

1. Staff are eligible to receive a duty of care payment on an annual basis if they undertake essential health and safety roles, providing they meet the relevant criteria, as listed below:

Qualification and Role	Payment	Criteria
Workplace First Aiders	£125.00	Attend and pass First Aid at Work course and pass a re-qualification course every 3 years. <ul style="list-style-type: none">• Must be able to evidence by producing current certificate/Training Record.• Confirmation from the Line Manager that the individual has been undertaking, or able to under-take the role for the specified period of time.
Individuals Required to hold First Aid Qualification as part of their Role	£50.00	Attend and pass First Aid at Work course and pass a re-qualification course every 3 years. <ul style="list-style-type: none">• Must be able to evidence by producing current certificate/Training Record.• Confirmation from the Line Manager that the individual has been undertaking, or able to under-take the role for the specified period of time.

Appointed Persons	£50.00	<p>Completion of the 1 day non-assessed course.</p> <ul style="list-style-type: none"> • Confirmation from the Line Manager that the individual has been undertaking, or able to under-take the role for the specified period of time.
Fire Marshal	£50.00	<p>Attend Fire Marshall Training every 2 years.</p> <ul style="list-style-type: none"> • Complete e-learning package 'In the Line of Fire' every 12 months. • Attend any other relevant training / seminars as necessary. • Submit Monthly Fire Marshall checklists. • Confirmation that the individual has been undertaking the duties for the specified period of time.
DSE Assessor	£50.00	<p>Attend DSE Assessor training.</p> <ul style="list-style-type: none"> • Completion of the relevant forms, and liaising on any specialist equipment required. • Ensure reviews of workstations are undertaken as required. • Confirmation that the individual has been undertaking the duties for the specified period of time
Risk Assessors	£50.00	<p>Attend and pass risk assessor course.</p> <ul style="list-style-type: none"> • Attend any other relevant training / seminars as necessary. • Completion of the relevant paperwork. • Confirmation that the individual has been undertaking the duties for the specified period of time.

West Midlands Office for Policing and Crime

Event Sponsorship Fund Policy

1. An Event Sponsorship fund of £2500 will be made available to offer small amounts of financial support, up to a maximum of £150, to local conferences, meetings and similar events. The fund is intended to provide small grants to help such events succeed. The management of the fund will be aligned to the Community Initiatives Fund.
2. Events must contribute towards the objectives in the Commissioner's Police and Crime Plan or local crime and policing plans. The fund may support events run by community groups, voluntary organisations, statutory organisations, interest groups or a partnership of such groups. Financial support will not normally be offered to events run on a commercial basis or by a profit making organisation.

Applying

3. Applications for a sponsorship grant should show that:
 - the event will help to improve community safety and increase reassurance
 - it is a response to an issue affecting the community
 - effective management structures for the event are in place
 - it has an appropriate clear plan and expected outcomes.

The process

4. Applications should be submitted to the Chief Executive of West Midlands Office for Policing and Crime (WMOPC) who will make a decision on each application in consultation with the Commissioner. In making decisions, consideration will be given to the following:
 - events should be sponsored from all parts of the West Midlands area
 - events should be spread over the course of the year, and applications may therefore be declined if it appears that the fund may be used too early in the financial year.
 - applications to sponsor events that involve a variety of partners will be favoured
 - applications that involve police in either the organisation or in the list of attendees will be favoured

Conditions

5. All grants will be made subject to the following conditions:
 - The maximum amount available for any event is £150. The grant should be to fund a particular aspect of the event and this must be made clear in the application.
 - A grant is made on a 'one-off' basis and does not commit the WMOPC to any further funding.

- WMOPC should be offered space at the event for display materials. WMOPC staff should also be allowed to attend the event in order to manage the display materials and to provide information about the functions of WMOPC to those in attendance.
 - All monies should be spent on the event and in accordance with the request for sponsorship. The WMOPC reserves the right to reclaim all or part of the funding if it is found that the terms of the grant have been breached.
 - Any funding that is not spent in accordance with the application, or is not spent on the event for which it was allocated will be returned - unless agreed by the WMOPC. The funds may be the subject of internal financial review.
 - The WMOPC logo should be included on any publications or media produced in relation to the event.
 - Sponsorship will not be offered to events that are commercial or profit making, or if they are run for the benefit of an organisation that is commercial or profit making.
6. Sponsorship will not normally be made in respect of:
- staff or employee costs
 - building and other major works
 - projects which are currently paid for by existing public funding
 - projects being organised primarily by other statutory bodies.
7. Additional conditions may sometimes be applied to any grant, at the discretion of the WMOPC.



west midlands
office for policing
and crime

West Midlands Office for Policing and Crime Health & Safety Policy Statement

West Midlands Office for Policing and Crime (WMOPC) is committed to the principles of equality and diversity. No member of the public, member of staff, volunteer or job applicant shall be discriminated against on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; or sexual orientation.

It is the policy of WMOPC to ensure so far as is reasonably practicable, the provision and maintenance of:

- Safe and healthy working conditions, equipment and systems of work for all WMOPC personnel.
- To provide such leadership, resources, information, training and supervision as is necessary for these purposes.

WMOPC also accepts responsibility for the Health and Safety of other people who may be affected by its activities.

WMOPC will comply with the requirement of the Health and Safety at Work Act 1974 and all other relevant statutory provisions and recognised codes of practice.

WMOPC expect all staff and contractors to co-operate fully in the achievement of this policy.

Chief Executive

Health & Safety Policy Statement

1. WMOPC is committed to creating a safe working environment for all colleagues and all members of the community we serve. We will strive to remove or reduce those risks by providing:
 - ✓ Safe ways in which to work and information on how to minimise the risk of injury
 - ✓ Clear supervision, guidance and training
 - ✓ Suitable protective equipment
 - ✓ Support for individuals to develop and exercise their professional judgement in assessing risk where our work requires a dynamic response
 - ✓ Conditions for the development of a positive safety culture
2. In support of this aim all levels of management have a duty to:
 - ✓ Understand and discharge their responsibilities for the management of health and safety
 - ✓ Supervise colleagues to ensure they work safely in accordance with their training
 - ✓ Ensure safety and health is considered with equal importance to all other priorities
 - ✓ Encourage and support development of a positive safety culture
 - ✓ Maintain effective consultation and communication with staff-side representatives and others on matters of safety
3. All colleagues have a duty to contribute to this process by:
 - ✓ Understanding and accepting responsibility for our own safety, the safety of others we work with and members of the wider public
 - ✓ Using protective equipment that is provided
 - ✓ Following the training and guidance we are given
 - ✓ Reporting all incidents and hazards which have or could have led to injury
4. Acknowledging our responsibilities for health and safety and in support of our vision to serve our communities and protect them from harm we will continue to regularly review our performance to ensure we do meet the challenge of managing and reducing risk. This can only be achieved with the help of all colleagues and contractors working on behalf of WMOPC and we rely upon your full support to ensure we successfully meet this objective.

Roles & Responsibilities

5. WMOPC has responsibility for setting out the strategic commitment to safety and ensuring that this has equal prominence with all other WMOPC priorities. It ensures that adequate resources are available to achieve the objectives detailed in the Health & Safety Policy Statement and encourages and promotes a positive safety culture.

Chief Executive

6. The Chief Executive has functional responsibility for health & safety and will ensure the provision of high quality professional advice to identify and manage risk and provide clear effective guidance to all areas of the organisation. The Chief Executive closely monitors performance and directs resources to promote and achieve the objectives detailed in the Health & Safety Policy Statement.

Management Responsibilities for Safety

7. Line Managers, at all ranks and grades, have a responsibility to read and understand the aims and objectives outlined in the WMOPC Health & Safety Policy Statement and support and promote these in the course of their duties.

Specifically all Managers must:

- Ensure staff under their control are appropriately trained and equipped to complete their duties safely.
- Read and understand the Risk Assessment Guide and facilitate the completion and recording of risk assessments where required. This includes all orders and assessments for fire, manual handling, display screen equipment (DSE), noise and the use of hazardous substances (COSHH) for all locations within their control.
- Ensure that any Personal Protective Equipment (PPE) is regularly inspected and maintained in good condition, readily available and used for the purpose intended.
- Require that all accidents, incidents and near misses are promptly and accurately reported. Post accident investigations are to be completed and consideration given to action that can be taken to prevent a recurrence.
- Ensure that key safety roles are maintained within their teams including Fire Marshals, First Aiders, Risk Assessor, Evac Chair Risk Assessors
- Maintain adequate supplies and ready access to first aid equipment at all times
- Facilitate and/or support quarterly walkthroughs. Promote the development of local health and safety action plans and ensure staff under their control are kept informed of health and safety issues.
- Conduct safety inspections and consider all recommendations from examination and audit visits and promptly implement those recommendations where appropriate.
- Ensure staff under their control understand and accept the personal responsibility they have for their own safety and the safety of people they work with.
- Promote the development of an environment where safety is important and considered as part of everything that we do.
- Maintain effective consultation and communication channels on matters of safety

All Employees' Responsibilities for Safety

8. All employees have a personal responsibility to work safely to protect themselves and others from risk. To achieve this they must:

- Co-operate and comply with all health and safety instructions whether written or verbal.
- Attend training courses when required to enable them to carry out their duties competently and safely.
- Wear appropriate clothing and Personal Protective Equipment (PPE) where this is provided and required for the activities they are involved in.
- Promptly report damaged or defective equipment or any other health and safety concerns to a supervisor or manager.
- Act responsibly at all times and do not misuse equipment that is provided for the purposes of safety.
- Report all accidents, incidents and near misses to their supervisor or manager and cooperate in any investigations that follow.
- Ensure they are aware of procedures to be followed in the event of an emergency such as a fire and the location of fire exits, fire assembly points and first aid facilities.
- Assist in the completion of risk assessments for the activities they are involved in.
- Support the development of an environment where safety is important and considered as part of everything that we do.