



Essex County Council

## Essex Police, Fire and Crime Panel

14:00	Thursday, 03 February 2022	Council Chamber County Hall, Chelmsford, CM1 1QH
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**For information about the meeting please ask for:**

Sophie Campion, Senior Democratic Services Officer

**Telephone:** 03330 131642

**Email:** democratic.services@essex.gov.uk

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1	<b>Membership, Apologies, Substitutions and Declarations of Interest</b>	4 - 4
2	<b>Urgent Business</b> To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	
3	<b>Proposed Designation of the Police, Fire and Crime Commissioner's Chief Finance ("Section 151") Officer</b> Report EPFCP/01/22	5 - 14

## Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

The following items of business have not been published on the grounds that they involve the likely disclosure of exempt information falling within Part I of Schedule 12A of the Local Government Act 1972. Members are asked to consider whether or not the press and public should be excluded during the consideration of these items. If so it will be necessary for the meeting to pass a formal resolution:

**That the press and public are excluded from the meeting during the consideration of the remaining items of business on the grounds that they involve the likely disclosure of exempt information falling within Schedule 12A to the Local Government Act 1972, the specific paragraph(s) of Schedule 12A engaged being set out in the report or appendix relating to that item of business.**

- 4            Deliberation on Confirmation Hearing for the  
Proposed Designation of the Police, Fire and Crime  
Commissioner's Chief Finance ("Section 151") Officer**  
The press and public are excluded on the grounds  
that this item involves the likely disclosure of  
exempt information, as specified within paragraphs 1 and  
2 of Part 1 of Schedule 12A of the Local Government  
Act 1972.  
The Panel will discuss the outcome of the hearing and  
agree the content of its report to the Commissioner, which  
must include a recommendation as to whether the  
proposed candidate should be appointed. The Panel's  
decision, and the reasons for it, will be released into the  
public domain in due course.
- 5            Urgent Exempt Business**  
To consider in private any other matter which in the  
opinion of the Chairman should be considered by reason  
of special circumstances (to be specified) as a matter of  
urgency.

## Agenda item 1

**Committee:** Essex Police, Fire and Crime Panel

**Enquiries to:** Sophie Campion, Senior Democratic Services Officer

### **Membership, Apologies, Substitutions and Declarations of Interest**

#### **Recommendations:**

To note

1. Changes to membership as shown below
2. Apologies and substitutions
3. Declarations of interest to be made by Members in accordance with the Members' Code of Conduct

#### **Membership**

(Quorum: 7)

#### **Representing**

Councillor A Baggott  
Councillor F Ricci  
Councillor K Barber  
Councillor G Isaacs  
Councillor J Lager  
Councillor B Oxford  
Councillor P Stalker  
Councillor R Playle  
Councillor M Garnett  
Councillor M Heard  
Councillor A Williams  
Councillor I Shead  
Councillor L McWilliams  
Councillor G Collins  
Councillor C Day  
John Gili-Ross  
Sheila Murphy  
Councillor J Deakin  
Councillor A McGurran  
Councillor L Scordis

Basildon Borough Council  
Braintree District Council  
Brentwood Borough Council  
Castle Point Borough Council  
Chelmsford City Council  
Colchester Borough Council  
Epping Forest District Council  
Essex County Council  
Harlow District Council  
Maldon District Council  
Rochford District Council  
Southend Borough Council  
Tendring District Council  
Thurrock Council  
Uttlesford District Council  
Independent Member  
Independent Member  
Co-opted Member for Balanced Appointment  
Co-opted Member for Balanced Appointment  
Co-opted Member for Balanced Appointment

<b>Report title:</b> Proposed Designation of the PFCC's Chief Finance ("Section 151") Officer	
<b>Report to:</b> Essex Police, Fire and Crime Panel	
<b>Report author:</b> Roger Hirst (Essex Police, Fire and Crime Commissioner)	
<b>Date:</b> 3 February 2022	<b>For:</b> Recommendation by the Panel
<b>Enquiries to:</b> Pippa Brent-Isherwood (Chief Executive and Monitoring Officer) 01245 291613 <a href="mailto:pippa.brent-isherwood@essex.police.uk">pippa.brent-isherwood@essex.police.uk</a>	
<b>County Divisions affected:</b> All Essex	

## 1. Purpose of Report

The PFCC is required always to have in place a Chief Finance Officer (CFO) to be responsible for the proper administration of their financial affairs, who must be a member of an accountancy body specified in section 113 of the Local Government Act 1998. Following the recent resignation of the current Chief Finance Officer, the PFCC now needs to designate an alternative CFO to assume these statutory responsibilities with effect from 16 March 2022.

The PFCC is required to notify the Panel of their proposed designation, along with the information set out under the sub-headings in section 3 below. The Panel is required to review the proposed appointment via a confirmation hearing and to make a report to the PFCC, including a recommendation as to whether the proposed appointment should be made. The purpose of this report is to assist the Panel in this process. Both the PFCC and the candidate will be attending the confirmation hearing to answer any questions posed of them by the Panel.

The PFCC may either accept or reject the Panel's recommendation and must notify the Panel of their decision.

## 2. Recommendations

That the Panel:

- Reviews the proposed designation of the PFCC's existing Strategic Head of Performance and Resources, Janet Perry ("the candidate"), as their Chief Finance ("Section 151") Officer with effect from 16 March 2022, and
- Makes a report to the PFCC in this regard, including a recommendation as to whether the designation should be made.

### **3. Context / Summary**

As set out above, the PFCC is required always to have in place a Chief Finance Officer to be responsible for the proper administration of their financial affairs, who must be a member of an accountancy body specified in section 113 of the Local Government Act 1998. Such person fulfils the duties outlined in section 151 of the Local Government Act 1972 on behalf of the PFCC (so is often referred to as “the Section 151 Officer”) and is the PFCC’s lead professional advisor on financial matters under section 73 of the Local Government Act 1985 and section 112 of the Local Government Finance Act 1998.

The role of the PFCC’s Chief Finance (“Section 151”) Officer is currently fulfilled by their Head of Finance, who reports to the Strategic Head of Performance and Resources. The Head of Finance has however recently resigned the role and is due to vacate the position in order to take up another opportunity on 15 March 2022. This has created an opportunity for the PFCC, together with their Head of Paid Service, to review the financial support provided to the PFCC. It also creates an opportunity to respond to the findings of the Financial Management Capability Review (FMCR) carried out by CIPFA in 2020 as part of the Achieving Finance Excellence in Policing (AFEP) programme of work that Essex has signed up to. Whilst the report identified specific strengths relating to the clear leadership of finance across both the PFCC’s office and the force, the robust governance, assurance and risk management arrangements that are in place, and the high calibre of the respective Finance teams, it also commented that the positioning of the Chief Finance Officer role was “sub-optimal” and recommended that this be reviewed.

The only legal requirements associated with the designation of the PFCC’s Chief Finance (“Section 151”) Officer are that the candidate must be a member of one or more of the bodies stipulated in section 113 of the Local Government Finance Act 1988, and that the Chief Finance Officer cannot be the same person as the Monitoring Officer. Given that the PFCC has an existing member of their Senior Management Team (SMT) with protected employment rights who meets these criteria, the PFCC proposes to waive the full recruitment process set out in the Constitution that is followed when an existing post becomes vacant and designate their existing Strategic Head of Performance and Resources as their Chief Finance (“Section 151”) Officer with effect from 16 March 2022. As the Strategic Head of Performance and Resources, Mrs. Perry is already responsible for (amongst other functions) providing strategic, professional advice and guidance to the PFCC covering all aspects of financial management and performance, and for supporting the PFCC and the Chief Finance Officers to both Essex Police and the Essex County Fire and Rescue Service in developing and delivering the PFCC’s overall strategic financial vision and strategy. She already supports the PFCC in scrutinising and evaluating business cases, benefits realisation trackers and post-implementation reviews of major projects, in order to inform appropriate resource allocation and investment decisions and ensure that lessons learned from major projects inform future activities and initiatives.

The PFCC’s designated Chief Finance Officer has a personal fiduciary duty to local taxpayers as they have responsibility for securing the efficient use of public funds, including revenue derived from the police precept. This includes requirements and formal powers to safeguard lawfulness and propriety in expenditure under section 114 of the Local Government Finance Act 1998, as amended by paragraph 188 of Schedule

16 to the Police Reform and Social Responsibility Act 2011. The Accounts and Audit Regulations 2015 impose further responsibilities. Taken together, and considered in the context of the Policing Protocol 2011, this means that the PFCC's designated Chief Finance Officer has several duties and accountabilities, including:

- Responsibility for the strategic direction and scrutiny of the PFCC's budget, including advising the PFCC on the robustness of the budget and the adequacy of financial reserves.
- Ensuring that the financial affairs of the PFCC are properly administered and that financial regulations are observed and kept up to date.
- Ensuring regularity, propriety, feasibility and value for money in the use of public funds.
- Advising on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and the budget, and supporting and advising the PFCC and their staff in their respective roles.
- Advising the PFCC on the application of value for money principles by the police force to support the PFCC in holding the Chief Constable to account for efficient and effective financial management.
- Ensuring that the funding required to finance agreed programmes is available from central Government, precept, other contributions and recharges.
- Reporting to the PFCC, the Police, Fire and Crime Panel and the PFCC's external auditor if it appears that expenditure is likely to exceed the resources available to meet that expenditure.
- Ensuring the production of the Group accounts as well as the PFCC accounts and confirming that they present a true and fair view of the financial position of the Group and PFCC at the end of the financial year to which it relates and of the Group's and PFCC's income and expenditure for that financial year.
- Ensuring receipt and scrutiny of the statement of accounts of the Chief Constable and ensuring production of the group accounts.
- Liaising with the external auditor.
- Ensuring the maintenance of an efficient and effective internal audit function.
- Advising on the safeguarding of assets, including risk management and insurance.
- After consulting with the Chief Executive and Monitoring Officer, to report to the PFCC, the Police, Fire and Crime Panel and the PFCC's external auditor any unlawful, or potentially unlawful, expenditure by the PFCC or their officers.
- Contributing to the corporate management of the PFCC's office, particularly through the provision of professional financial advice.
- Providing financial information to the media, members of the public and the community.

To support the Strategic Head of Performance and Resources in fulfilling their revised role, it is proposed that the existing Head of Finance role is deleted when vacated in March 2022 and replaced with a new role of Finance Manager. This post will be designated as the Deputy Chief Finance ("Section 151") Officer in order to provide support and resilience. Subject to consultation with staff, it is further envisaged that a part-time Finance Assistant role will be created to support both these officers. Some responsibilities currently included within the Strategic Head of Performance and Resources' portfolio not related to strategic financial management will also be redistributed within the PFCC's leadership team in order to free up their capacity to take

on the statutory Chief Finance Officer functions.

### The candidate

The PFCC proposes to designate their existing Strategic Head of Performance and Resources, Janet Perry, a very highly qualified accountant, as their Chief Finance ("Section 151") Officer.

### The criteria used to assess the suitability of the candidate for the appointment

Mrs. Perry was appointed to the role of Strategic Head of Performance and Resources in 2020 through the due process set out in the Police Reform and Social Responsibility Act 2011. Through this process, she demonstrated her competence at the highest level of the six behaviours set out in the College of Policing's Competency and Values Framework (CVF), described in more detail at Appendix 1.

Due to the seniority and strategic importance of the post, the PFCC worked with a specialist agency to attract and select a suitable candidate for Mrs. Perry's existing role. Hays Senior Finance was selected to partner with the PFCC in this regard, having previously placed a number of senior finance leads in a number of local authorities in Essex, Southend, Cambridgeshire and London as well as recruiting the Operational Director of Finance for the City of London police force and the Chief Executive to the Devon and Cornwall PCC. The attraction approach included a targeted search (conducted through networking / headhunting and engaging with Hays' existing database), online advertising and a social media campaign. A branded microsite was built specifically for the purpose of recruiting to the role and publicised by both Hays and the PFCC.

### Why the candidate satisfies the criteria

The formal selection process was held on 27 May 2020 and included a presentation exercise and a competency-based panel interview. For the presentation, candidates were asked to respond to the question *"The PFCC is responsible for securing efficient and effective police and fire and rescue services for the people of Essex. If appointed, how would you utilise each element of the job role in order to help him discharge this duty?"* The interview questions tested the candidate's behaviours against those in the College of Policing's Competency and Values Framework (CVF) described in more detail at Appendix 1.

The assessment panel consisted of Roger Hirst (Police, Fire and Crime Commissioner), Jane Gardner (Deputy Police, Fire and Crime Commissioner), Pippa Brent-Isherwood (Chief Executive and Monitoring Officer), and Jonathan Swan (Independent Chair of the PFCC's and Chief Constable's Joint Audit Committee). The appointment process was conducted with the support of professional advice from an HR Partner within the Human Resources service provided to both Essex and Kent Police. The HR Partner participated in the shortlisting process and observed the presentation and interview processes in order to ensure the Panel's compliance with agreed policies and procedures.

Mrs. Perry is an extremely highly qualified accountant. She is a Fellow of the Association of Chartered Certified Accountants (ACCA), recognising her extensive



experience and long-term commitment to the professionalism and ethics of the Association. She is also an Honorary Fellow of the Health Financial Management Association and an Associate of the Chartered Institute of Management Accountants (CIMA). She is a Chartered Management Accountant certified by the Associates of Costs and Management Accountant (ACMA) and a Chartered Global Management Accountant (CGMA). In addition, Mrs. Perry is a member of the ACCA Council Public Sector Panel and was previously a member of the Financial Reporting Advisory Board for Whole of Government Accounting for six years and a member of the ACCA Council Health Panel for five.

The candidate performed to a high standard in all elements of the selection process and brought extensive financial leadership experience into the role. During a career spanning more than 40 years, Mrs. Perry has held very senior positions, including Director of Operational Finance for Barts Health NHS Trust and NHS Chief Financial Controller for the Department of Health, and has been instrumental in the delivery of significant savings programmes within the health sector. She led the financial aspects of the merger of three acute trusts into the largest trust in England and led the national programme for closing Strategic Health Authorities and Primary Care Trusts. Her curriculum vitae (CV), up to the point of joining the PFCC's office in 2020, is attached for the Panel's information at Appendix 2.

Since being appointed to the PFCC's office, Mrs. Perry has performed successfully in her existing strategic financial leadership role. She is already a key member of the PFCC's Senior Management Team (SMT) and has made a particularly significant contribution to strengthening financial scrutiny of both the police force and the fire and rescue service in Essex.

Mrs. Perry has demonstrated a strong commitment to her own Continuous Professional Development (CPD) and has also served her local community in Essex by applying her extensive skills within the charitable sector, particularly in the areas of education and social housing. More detail is available in the CV attached at Appendix 2.

Taking all of the above into account, the PFCC has determined that Mrs. Perry has met or exceeded the required criteria and proposes to designate her as their Chief Finance ("Section 151") Officer.

#### The terms and conditions on which the candidate is to be appointed

Mrs. Perry occupies an existing full-time, permanent role on a salary of £74,584. At the time of writing, the role is due to be re-evaluated, taking into account inclusion of the responsibilities set out on page 3 of this report, on 24 February 2022. If any change is made to the salary of the role as a result of this evaluation, the Panel will be informed.

The candidate is contracted on the same terms and conditions as other PFCC staff and is required to adhere to all applicable policies and procedures.

The post is designated as politically restricted in accordance with the provisions of the Local Government (Political Restrictions) Regulations 1990 and as set out in Schedule 16 of the Police Reform and Social Responsibility Act 2011.

Vetting clearance is a prerequisite of employment and the candidate is subject to a

vetting assessment every 12 months. National security vetting clearances are reviewed every five years.

#### **4. Appendices**

Appendix 1 – Extract from the College of Policing's Competency and Values Framework (CVF)

Appendix 2 – Janet Perry's Curriculum Vitae

## **Appendix 1**

### **Extract from the College of Policing's Competency and Values Framework (CVF)**

#### Analyse Critically (Level 3)

I balance risks, costs and benefits associated with decisions, thinking about the wider impact and how actions are seen in that context. I think through 'what if' scenarios. I use discretion wisely in making decisions, knowing when the 'tried and tested' is not always the most appropriate and being willing to challenge the status quo when beneficial. I seek to identify the key reasons or incidents behind issues, even in ambiguous or unclear situations. I use my knowledge of the wider external environment and long-term situations to inform effective decision making. I acknowledge that some decisions may represent a significant change. I think about the best way to introduce such decisions and win support.

#### Collaborative (Level 3)

I am politically aware and I understand formal and informal politics at the national level and what this means for our partners. This allows me to create long-term links and work effectively within decision-making structures. I remove practical barriers to collaboration to enable others to take practical steps in building relationships outside the organisation and in other sectors (public, not for profit, and private). I take the lead in partnerships when appropriate and set the way in which partner organisations from all sectors interact with the organisation. This allows the organisation to play a major role in the delivery of services to communities. I create an environment where partnership working flourishes and creates tangible benefits for all.

#### Deliver, Support and Inspire (Level 3)

I challenge myself and others to bear in mind the organisation's vision to provide the best possible service in every decision made. I communicate how the overall vision links to specific plans and objectives so that people are motivated and clearly understand our goals. I ensure that everyone understands their role in helping the service to achieve this vision. I anticipate and identify organisational barriers that stop the service from meeting its goals, by putting in place contingencies or removing these. I monitor changes in the external environment, taking actions to influence where possible to ensure positive outcomes. I demonstrate long-term strategic thinking, going beyond personal goals and considering how the service operates in the broader societal and economic environment. I ensure that my decisions balance the needs of my own unit with those of the wider service and external partners. I motivate and inspire others to deliver challenging goals.

#### Emotionally Aware (Level 3)

I seek to understand the longer-term reasons for organisational behaviour. This enables me to adapt and change organisational cultures when appropriate. I actively ensure a supportive organisational culture that recognises and values diversity and wellbeing and challenges intolerance. I understand internal and external politics and I am able to wield influence effectively, tailoring my actions to achieve the impact needed. I am able to see things from a variety of perspectives and I use this knowledge to challenge my own thinking, values and assumptions. I ensure that all perspectives

inform decision making and communicate the reasons behind decisions in a way that is clear and compelling.

#### Innovative and Open-Minded (Level 3)

I implement, test and communicate new and far-reaching ways of working that can radically change our organisational cultures, attitudes and performance. I provide space and encouragement to help others stand back from day-to-day activities, in order to review their direction, approach and how they fundamentally see their role. This helps them to adopt fresh perspectives and identify improvements. I work to create an innovative learning culture, recognising and promoting innovative activities. I lead, test and implement new, complex and creative initiatives that involve multiple stakeholders, create significant impact and drive innovation outside of my immediate sphere. I carry accountability for ensuring that the service remains up to date and at the forefront of its profession.

#### Take Ownership (Level 3)

I act as a role model, and enable the organisation to use instances when things go wrong as an opportunity to learn rather than blame. I foster a culture of personal responsibility, encouraging and supporting others to make their own decisions and take ownership of their activities. I define and enforce the standards and processes that will help this to happen. I put in place measures that will allow others to take responsibility effectively when I delegate decision making, and at the same time I help them to improve their performance. I create the circumstances (culture and process) that will enable people to undertake development opportunities and improve their performance. I take an organisation-wide view, acknowledging where improvements can be made and taking responsibility for making these happen.

## CORE SKILLS

- Supportive but resolute performance management to hold organisations and individuals to account
- Development and delivery of turnaround plans for financially and operationally challenged organisations
- Collaborative partnership working and building strong professional relationships with key stakeholders
- Effective in producing successful Business cases for both small and major developments. As well as significant involvement in Business Case review and approval
- Persuasive program and project management skills having delivered on several national programs

## CONTINUING PROFESSIONAL DEVELOPMENT

- Articles published in professional journals
- Keynote speaker for Health Financial Management Association Conferences
- Base Camp (Senior Civil Service) National School of Government
- NHS Strategic Financial Leadership CASS Business School
- Future Focused Leadership Warwick University
- Certificate in Mentoring Lancaster University
- Personal Effectiveness and Power Roffey Park Management Institute
- Governance and Leadership NGA

## PROFESSIONAL SUMMARY

A qualified accountant, who in a senior national role was instrumental in the 2007 NHS turnaround, from deficit to surplus, in one year, with improvement every year thereafter, whilst reducing waiting times. Orchestrated through concerted performance management, effective financial and operational reporting and agreeing targets, to hold NHS boards to account. Has also held roles in regional and local health bodies and is well established within the charitable sector, working as a trustee in organisations providing healthcare and education.

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## RECENT CAREER EXPERIENCE

October 2012 to March 2019

### **Director of Operational Finance, Barts Health NHS Trust**

- Staff Managed 150, Turnover £1.3 billion
- Delivering overall financial management and governance for the Trust including developing financial reports, controls and advice, to facilitate the financial turnaround
- Prominent in the delivery of financial savings of over £1 million per week
- Successfully led the financial aspects of merging three acute trusts to become the largest trust in England
- Directed the Trust's monthly performance management, agreeing financial and operational targets and holding Clinical Directors to account
- Developed rigorous financial controls and improved financial reporting and operational target reporting
- Instigated involvement of senior clinicians in financial and operational performance, by providing appropriate training

October 2006 to September 2012

### **NHS Chief Financial Controller *Department of Health***

- Staff Managed 30, Turnover £150 billion
- Holding NHS organisations to account through performance management of agreed financial and operational targets
- Advising the Health Secretary and Health Ministers on all matters related to NHS Finance and Operations, including the overall NHS, individual NHS organisations and regions, as well as the financial impact of business cases for new hospitals, other major developments and health initiatives
- Implemented revised reporting for NHS organisations to ensure financial risk and mitigation was clearly identified
- Worked closely with Royal Colleges for Clinicians presenting and discussing various financial developments and initiatives
- Worked with Treasury and the Charities Commission to agree a pragmatic solution for Trusts and linked charities to meet the International Financial Reporting Standards
- Led the national program for closure of SHAs and PCTs

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## AFFILIATIONS

- Member of ACCA Council Public Sector Panel
- Fellow of Association of Chartered Certified Accountants
- Associate of Institute of Chartered Management Accountants
- Honorary Fellow of Health Financial Management Association
- Member for six years of the Financial Reporting Advisory Board for Whole of Government Accounting
- Member for five years of ACCA Council Health Panel

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## ADDITIONAL INFORMATION

- Full UK Driving License
  - Nationality British
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## EARLIER CAREER HISTORY

2004 to 2006 **Deputy Director of Finance**, *Essex Strategic Health Authority*  
2000 to 2004 **Deputy Director of Finance**, *Mid Essex Hospital Services*  
1996 to 2000 **Assistant Director of Finance**, *Mid Essex Hospital Services*  
1992 to 1996 **Senior Technical Accountant**, *Mid Essex Hospital Services*  
1989 to 1992 **Senior Management Accountant**, *Essex Ambulance Service*  
1986 to 1989 **Management Accountant**, *Mid Essex Health Authority*  
1983 to 1986 **Senior Accounts Assistant**, *Mid Essex Health Authority*  
1981 to 1983 **Specialty Costing Assistant**, *Chelmsford Health District*  
1979 to 1981 **Accounts Assistant**, *Colchester Health District*

## CHARITABLE SECTOR EXPERIENCE

January 2016 to Current

### **Chair Colchester Royal Grammar School**

- Chair of governing board responsible for conduct of school, promoting high standards of educational achievement, establishing a vision and setting the purpose and aims
- Instrumental in setting strategic direction and financial strategy to achieve outstanding Ofsted
- Appointed first female Chair in 800 years' history of School

September 2016 to Current

### **Trustee Abbeyfield, Braintree, Bocking and Felsted Society**

- Trustee of social housing provider, ensuring charity well governed, financially secure and viable, whilst providing excellent, safe healthcare and social care
- Supporting the business case of a 100 unit retirement village and influential in securing the £20 million funding
- Reporting to funders of housing project on use of resources

September 1999 to Current

### **Trustee St Michaels Church of England Primary School**

- Member of governing body and Chair of finance committee, with responsibility for securing value for money and ensuring resources are directed in line with the improvement plan.
- Ensuring the School has never gone into deficit, and has agreed a surplus plan for 2020/21

February 2019 to Current

### **Chair of Trustees PARC (Essex)**

- Chair of Board of a charity for children with additional needs
- Implementing a robust governance process
- Improving bid writing to secure additional funding for the charity from previously untried sources

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## EDUCATION

2010 **Association of Chartered Certified Accountants (2096015)**  
1992 **Institute of Chartered Management Accountants (0478574)**