

Sussex Police and Crime Panel

27 June 2014

Confirmation Hearings for the Proposed Chief Constable of Sussex Police and the Proposed Chief Finance Officer of the Office of Sussex Police and Crime Commissioner

Report by The Clerk to Sussex Police and Crime Panel

Recommendations

1. That the Panel considers the information provided by the Office of Sussex Police & Crime Commissioner (see agenda item no. [16a Annex A](#)) and, following questioning, agrees a recommendation to the Commissioner on whether or not to appoint the proposed Chief Constable of Sussex Police.
2. That the Panel considers the information provided by the Office of Sussex Police & Crime Commissioner (see agenda item no. [16b Annex B](#)) and, following questioning, agrees a recommendation to the Commissioner on whether or not to appoint the proposed Chief Finance Officer to the Office of Sussex Police and Crime Commissioner
3. That the Panel delegates to the Clerk to Sussex Police and Crime Panel, in consultation with the Panel Chairman and Vice Chairman, the development and submission of the reports to the Commissioner containing the Panel's recommendations.
4. That the Panel agrees an embargo on the release of the outcomes of the confirmation hearings until 12.00 noon, Monday 30 June to be observed by members of the Panel and the Office of the Police and Crime Commissioner.

1. Background

- 1.1 The Police Reform & Social Responsibility Act 2011 (the Act) requires that Police & Crime Panels hold confirmation hearings for certain key appointments to be made by the Police & Crime Commissioner. These requirements are detailed within two Schedules of the Act.
- 1.2 The confirmation hearings of 27 June are for proposed appointments, under Schedule 8 of the Act, to the role of Chief Constable for Sussex Police and Schedule 1, to the role of Chief Finance Officer to the Office of Sussex Police and Crime Commissioner (OSPCC).

2. Confirmation Hearings for the Proposed Chief Constable and Proposed Chief Finance Officer

- 2.1 The Police & Crime Commissioner must provide the Panel with the following information (see the supporting Annexes):

- i. The names of the people whom the Commissioner is proposing to appoint;
- ii. The criteria used to assess the suitability of the candidates for the appointments;
- iii. Why the candidates satisfy those criteria; and
- iv. The terms and conditions on which the candidates are to be appointed.

3. The Police & Crime Panel's Role

3.1 Under the terms of the Act, the Panel is required to:

- i. Review the proposed senior appointments
- ii. Make a report to the Commissioner on the proposed senior appointments
- iii. Include within reports recommendations to the Police & Crime Commissioner as to whether or not the candidates should be appointed
- iv. Publish its reports in a manner of its own determination
- v. In respect of the confirmation hearing for the Chief Constable the Panel has the power of veto by a two thirds majority, if necessary.

4.2 The Panel is invited to question each candidate in order to confirm each has the necessary professional competence and personal independence to carry out the role.

4.3 The Panel will arrive at a conclusion on each proposed candidate during a closed session following the hearings, and then publish a report on the proposed appointments to the Commissioner, with a recommendation as to whether or not each candidate should be appointed.

4.4 The Act allows the Police & Crime Commissioner the right to accept or reject the Panel's recommendations; however, she must inform the Panel of her decisions. In the event of the Panel exercising the power of veto over the appointment of the Chief Constable the Police and Crime Commissioner must not appoint the candidate.

4. Recommendations

1. That the Panel considers the information provided by the Sussex Police & Crime Commissioner (see agenda item no. 16a Annex A) and, following questioning, agrees a recommendation to the Commissioner on whether or not to appoint the proposed Chief Constable to Sussex Police.
2. That the Panel considers the information provided by the Sussex Police & Crime Commissioner (see agenda item no. 16b Annex B) and, following questioning, agrees a recommendation to the Commissioner on whether or not to appoint the proposed Chief Finance Officer to the Office of Sussex Police and Crime Commissioner.
3. That the Panel delegates to the Clerk to Sussex Police and Crime Panel, in consultation with the Panel Chairman and Vice Chairman, the development

and submission of the reports to the Commissioner containing the Panel's recommendations.

4. That the Panel agrees a period of embargo on the release of the outcomes of the confirmation hearings to be observed by members of the Panel and the Office of the Police and Crime Commissioner.

5. **Resource Implications and Value for Money**

- 5.1 The cost of this hearing is met from the funds provided by the Home Office for the operation and administration of Sussex Police and Crime Panel.

6. **Risk Management Implications**

- 6.1 It is essential that residents can have confidence in the soundness and integrity of the recruitment process for senior appointments to public bodies. Scrutiny of the proposed candidates will help inform the PCC's final decision, without influencing the impartial process that preceded that decision.
- 6.2 The hearing must be conducted within the bounds of employment law, and must not stray into unwarranted intrusion, or lines of questioning that might be unfair or unreasonable.

7. **Other Considerations – Equality – Crime Reduction – Human Rights**

- 7.1 The Panel's positive obligations under the Human Rights Act have been considered in the preparation of these recommendations but none of significance emerges.
- 7.2 Equality and diversity principles will apply to an appointment process, in order to ensure compliance with the public sector equality duty.

Tony Kershaw

Clerk to Sussex Police and Crime Panel

Contact:

Ninesh Edwards
(T) 0330 222 2542
(E) ninesh.edwards@westsussex.gov.uk