

CAMBRIDGESHIRE POLICE AND CRIME PANEL	AGENDA ITEM No. 3
30 JULY 2018	PUBLIC REPORT

Report of: Mandy Pullen, Peterborough City Council, Assistant Director HR & Development
Contact Officer(s) – John Mear
Contact Details – john.mear@peterborough.gov.uk 07534 739293

Proposed Appointment of the Chief Constable – Confirmation Hearing

1. PURPOSE

- 1.1 This report is submitted to the Panel following a notification from the Police and Crime Commissioner of his proposed appointment to the post of Chief Constable on 18 July 2018.
- 1.2 The purpose of this report is to provide information to Panel Members on the process to be undertaken to hold a confirmation hearing for the post of Chief Constable and to consider a report from the Police and Crime Commissioner for the proposed candidate for the post.

2. RECOMMENDATIONS

- 2.1 That the Panel notes the process to be followed to undertake the Confirmation hearing for the post of Chief Constable as identified below.
- 2.2 That the Panel considers the Police and Crime Commissioner's report (**Annex 2**) and reviews the proposed appointment of Nick Dean as the Chief Constable for the Cambridgeshire Constabulary.
- 2.3 That the Panel considers the information provided by the Police and Crime Commissioner at **Annex 2** and, following questioning of the candidate at the hearing, agrees a recommendation to the Commissioner on whether or not to appoint Nick Dean to the post of Chief Constable in accordance with the Police Reform and Social Responsibility Act 2011.

3. TERMS OF REFERENCE

- 3.1 This report is for the Panel to consider under its Terms of Reference No 4 - To review and make a report on the proposed appointment of the Chief Constable.

4. BACKGROUND

- 4.1 Chapter 1, Section 2 of the Police Reform and Social Responsibility Act 2011 ("The Act") requires every Police Force to have a Chief Constable.
- 4.2 Chapter 5 Section 38 of the Act places the responsibility to appoint a Chief Constable with the Police and Crime Commissioner subject to the confirmation process to be undertaken by the Police and Crime Panel. The Cambridgeshire Police and Crime

Commissioner formally notified the Chair of the Police and Crime Panel of his proposed appointment to the post of Chief Constable on 18 July 2018.

4.3 Under Schedule 8 Part 1 of the Act, this Panel is required to:

- review the proposed appointment within three weeks of the notification
- hold a public confirmation hearing to question the candidate;
- write a report to the PCC on the proposed appointment, this must include a recommendation as to whether the individual should be appointed and may include exercising the power of veto and; publish its report.

4.4 **Annex 1** to this report provides Panel Members with a briefing note to outline the process to be followed by the Police and Crime Panel to undertake a confirmation hearing in accordance with the Act and the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012.

4.5 **Annex 2** to this report includes a report from the Police and Crime Commissioner that proposes Nick Dean for the post of Chief Constable and details the criteria that was used to assess the suitability of the candidate; how the candidate has satisfied the criteria and the terms and conditions on which the candidate is to be appointed.

4.6 The Panel is therefore invited to question the candidate in order to confirm he has the necessary professional competence to carry out the role.

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

4.8 The Police and Crime Commissioner may accept or reject the Panel's recommendation as to whether or not the candidate should be appointed. He must notify the panel of his decision in this regard.

5. VETO

5.1 Under Schedule 8 Part 1 Paragraph 5 of the Act, the Panel has a veto over the proposed appointment of the Chief Constable. The veto must be approved by at least two thirds of all members of the Police and Crime Panel.

5.2 The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012 set out a process to be followed in the event of a veto.

5.3 Should there be a veto the PCC cannot confirm the appointment.

5.4 The briefing note attached as **Annex 1** sets out the process should the Panel exercise a veto.

6. CONSULTATION

6.1 None

7. REASONS FOR RECOMMENDATIONS

7.1 This report is required in accordance with the Police Reform and Social Responsibility Act 2011.

8. KEY ISSUES

- 8.1 To assess whether the proposed candidate is suitable for the post and make a recommendation to the Commissioner.

9. IMPLICATIONS

Legal

- 9.1 The Legal implications are summarised in the main body of the report.

Human Resources

- 9.2 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.

Equality

- 9.3 Equality and diversity principles will apply to the appointment process, in order to ensure compliance with the public sector equality duty.

10. BACKGROUND DOCUMENTS

- 10.1 LGA Guidance – Police and Crime Panels – Guidance for Confirmation Hearings
Police Reform and Social Responsibility Act 2011
Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012 (SI 2012/2271)

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