



## **Police and Crime Panel**

**Date** Monday 22 October 2018  
**Time** 9.30 am  
**Venue** Committee Room 1A - County Hall, Durham

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### **Business**

#### **Part A**

**[Items during which the Press and Public are welcome to attend.  
Members of the Public can ask questions with the Chairman's  
agreement]**

1. Apologies for absence
2. Substitute Members
3. Declarations of interest, if any
4. Proposed Appointment of the Police and Crime Commissioner's Chief Executive - Director of Transformation and Partnerships (Pages 3 - 16)
5. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

#### **Part B**

**Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)**

6. Proposed Appointment of the Police and Crime Commissioner's Chief Executive

**Helen Lynch**  
Monitoring Officer

County Hall  
Durham  
12 October 2018

To: **The Members of the Police and Crime Panel**

**Durham County Council**

Councillors D Boyes, P Brookes, P Crathorne, L Hovvells, J Nicholson,  
A Savory and M Simmons

**Darlington Borough Council**

Councillors H Crumbie, B Jones and M Knowles

**Independent Co-opted Members**

Mr N J H Cooke and Mr D K G Dodwell

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**Contact: Ian Croft**

**Tel: 03000 269702**

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## Durham Police and Crime Panel

22<sup>nd</sup> October 2018

### Proposed Appointment of the Police, Crime and Victims' Commissioner's Chief Executive

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#### Report of Lorraine O'Donnell, Director of Transformation and Partnerships

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##### Purpose of the Report

- 1 To provide information to Panel Members on the process to be undertaken to hold a confirmation hearing for the post of Chief Executive and to consider a report from the Police, Crime and Victims' Commissioner (PCVC) for the proposed candidate for the post of Chief Executive.

##### Background

- 2 Paragraph 6, Schedule 1 of the Police Reform and Social Responsibility Act 2011 requires that the Police and Crime Commissioner must appoint "*a person to be the head of the commissioner's staff (referred to in this Part of the Act as the commissioner's chief executive)*";
- 3 The Durham Police, Crime and Victims' Commissioner, Mr Ron Hogg formally notified the Chair of the Police and Crime Panel of his proposed appointment to the post of Chief Executive on 11 October 2018.
- 4 Schedule 1 of the Act requires this proposed appointment to be considered by the Police and Crime Panel through a confirmation hearing that is to be held in public, within three weeks of notification of the Commissioner's proposed candidate.
- 5 Appendix 2 to this report provides Panel Members with a briefing note to outline the process to be followed by the Police and Crime Panel (PCP) to undertake a confirmation hearing in accordance with Schedule 1 of the Act.
- 6 Appendix 3 to this report includes a report from the PCVC that proposes Stephen White for the post of the Chief Executive 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.

## **Recommendations**

- 7 Members of the Panel are asked to note the process to be followed to undertake the Confirmation hearing for the post of Chief Executive as identified within Appendix 2.
- 8 Members are asked to consider the Police, Crime and Victims' Commissioner's report (Appendix 3) and review the proposed appointment of Stephen White as the Chief Executive for the Durham Police, Crime and Victims' Commissioner.
- 9 Members of the Police and Crime Panel are asked to respond and make recommendation to the Police, Crime and Victims' Commissioner as to whether Stephen White should be appointed accordance with the Police Reform and Social Responsibility Act 2011.

## **Background papers**

None

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**Contact: Jonathan Slee Tel: 03000 268142**

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## **Appendix 1: Implications**

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**Finance – None**

**Staffing –** The report proposes the appointment of Chief Executive for the Durham Police, Crime and Victims' Commissioner

**Risk – None**

**Equality and Diversity / Public Sector Equality Duty – None**

**Accommodation – None**

**Crime and Disorder – None**

**Human Rights – None**

**Consultation – None**

**Procurement – None**

**Disability Issues – None**

**Legal Implications –** The report is required in accordance with the Police Reform and Social Responsibility Act 2011.

**Durham Police and Crime Panel**  
**Confirmation Hearing – Chief Executive**  
**Briefing Note**

This briefing note outlines the process to be followed by the Police and Crime Panel (PCP) to undertake a confirmation hearing for the post of Chief Executive.

Information contained within this briefing is in accordance with guidance issued within the Local Government Association and Centre for Public Scrutiny publication 'Police and Crime Panels – Guidance on Confirmation Hearings' (August 2012) and The Police Reform and Social Responsibility Act 2011.

**The Rules Relating to Confirmation Hearings**

The rules concerning a confirmation hearing for appointment of a Chief Executive are set out in Schedule 1 of the Police Reform and Social Responsibility Act (2011).

Schedule 1 of the Act sets out the confirmation process which must be completed before the Chief Executive can be appointed.

**Schedule 1** requires:

- the Police and Crime Commissioner (PCC) to notify the PCP of the proposed appointment;
- the PCC to provide the PCP with specific information in relation to the individual and the appointment;
- the PCP to review the proposed appointment within three weeks
- the PCP to hold a public confirmation hearing to question the candidate;
- the PCP to write a report to the PCC on the proposed appointment, this must include a recommendation as to whether the individual should be appointed; and
- the PCP's report to be published.

**Important information to note**

The Panel has no power of veto over the appointment of the Chief Executive.

If the Panel fails to conduct a confirmation hearing and report to the PCC within the three week period then the appointment of the candidate can be made.

**PCC to propose a candidate to the PCP**

The Act and the Regulations require that when notifying the PCP of a candidate for appointment as Chief Executive, a PCC must provide the PCP with the following information:

- the name of the proposed candidate;
- the criteria that were used to assess the suitability of the candidate;
- how the candidate has satisfied those criteria; and
- the terms and conditions on which the candidate is to be appointed.

## **The Confirmation Hearing**

### ***Purpose***

This should be a short and focused meeting and be in a 2 stage process

- The Panel will question the candidate to determine if he/she meets the criteria set out in the role profile and whether they possess the professional competence and personal independence to carry out the role; and
- The Panel will determine whether to endorse the candidate's appointment or recommend that the candidate should not be appointed. This second stage of the hearing will be held in closed session (see below).

### ***Start***

At the start of the hearing the chairman will outline the order of business and will explain the process and powers of the Panel. The candidate will be permitted to ask any procedural questions before the questioning starts.

The Panel will question the candidate and will ensure that the candidate is treated fairly and politely at all times.

### ***Process***

The Confirmation hearing will need to complement, rather than duplicate, the other internal systems for appointing staff. Lines of questioning are to be on areas of professional competence and personal independence and used to get the maximum value out of the process.

### ***Questioning***

The Chair is to be aware of any potentially inappropriate questions that does not relate to the professional competence or personal independence of the candidate. Some questions that may appear to the questioner to relate to one or both of these issues might still be inappropriate. Guidance provided by the LGA identifies the following as examples of inappropriate questions:

- relating to the personal political (or other) views of the candidate – e.g. whether the candidate agrees or disagrees with the police and crime plan
- seeking to substantively hold to account the candidate for decisions made in a previous role, unless they are phrased in such a way that directly relates to (for example) learning lessons from past experience
- on what the candidate will do, substantively, once in the post (i.e. questions relating to operational strategy)
- which are hypothetical and designed to obtain the candidate's views on a position of local controversy.

Questioning will rely on the documents provided to support the panel's deliberations. LGA guidance suggests broad questioning themes should be developed, such as evidence the candidate has:

- an understanding of the various stakeholders that would need to be involved and engaged with (and in what way, with what outcome) in the development and delivery of a major strategy (professional competence)

- a pragmatic understanding of the separation of the PCC from operational responsibility (personal independence)

### ***Conclusion***

At the end of the session the candidate has the opportunity to clarify any answers that he or she has given in the course of the hearing, and ask any procedural questions of the Panel, for example about the next steps or the decision-making process.

### **Decision making process**

Immediately following the completion of questioning and points of clarification, the Panel will go into closed session to take its decision and prepare any recommendations to the PCC. The Monitoring Officer should be present to provide advice to the panel.

At this point the Panel will need to be able to evaluate whether it feels the candidate has the professional competence and personal independence as set out in the role profile. Suggested areas of evaluation include:

#### ***Professional competence***

- Do they have the ability and insight to work across multiple different agencies to achieve the PCC's priorities, and wider priorities for the area?
- Do they have the ability to respond, credibly and proportionately, to pressures such as the need to make short-term responses to unexpected requirements?
- Do they have the ability to translate strategic objectives into operational change on the ground?

#### ***Personal Independence***

- Do they have the ability to advise the PCC, but to resist any attempt at improper influence?
- Do they have the ability and confidence to take personal responsibility for relevant successes and failures?

#### ***Approval***

If the Panel is content with the proposed appointment it can agree to report to the PCC its endorsement of the appointment.

#### ***Refusal***

If the Panel determines that the candidate does not meet the standards in the role, providing advice to the PCC in the form of a letter is the only option to the panel.

Where a candidate meets the standards but the Panel has concerns about suitability, such concerns can form part of the Panel's report and recommendations to the PCC.

### **Making Recommendations**

The Chair of the PCP will write to the PCC following the Confirmation hearing to outline the decision and recommendations of the panel, Candidate to be sent a copy of letter.

Guidance suggests the Panel wait five working days before it publishes any information about its recommendations. The Panel should also ensure that the PCC has received and acknowledged the Panel's recommendations before making its recommendations public.

**October 2018**

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## Police and Crime Panel

22 October 2018

### Appointment of Chief Executive

## Report of the of the Police, Crime and Victims' Commissioner

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### Purpose

1. The purpose of this report is to notify the Police and Crime Panel of the proposed appointment of the Chief Executive for the Police, Crime and Victims' Commissioner for Durham and to request that they review the proposed appointment and make a recommendation to the Commissioner about the appointment. This follows the appointment of Alan Reiss to the staff of the West Yorkshire Combined Authority effective 1<sup>st</sup> October 2018.

### Background

2. The Police Reform and Social Responsibility Act 2011 (the Act), Schedule 1, Section 6, requires the Police, Crime and Victims' Commissioner to appoint a Chief Executive.
3. The Act also requires Police and Crime Panels to scrutinise senior appointments proposed by the Police, Crime and Victims' Commissioner. Schedule 1 paragraph 9 (1) of the Act defines senior appointments as the Commissioner's Chief Executive, Chief Finance Officer and the Deputy Police and Crime Commissioner.
4. The Commissioner must notify the Panel of the following information:
  - (a) The name of the person he is proposing to appoint;
  - (b) The criteria used to assess the suitability of the candidate for the appointment;
  - (c) Why the candidate satisfies the criteria; and
  - (d) The terms and conditions on which the candidate is to be appointed.
5. Schedule 1 paragraph 10 of the Act requires the Panel to review the proposed appointments and report back to the Commissioner which must include a recommendation as to whether or not the candidate should be appointed. This must be done within a period of three weeks beginning with the day on which the Panel receives the notification from the Commissioner of the proposed senior appointment(s).
6. Schedule 1 paragraph 11 of the Act requires the Panel to hold a confirmation hearing before making a report and recommendation under paragraph 10 to the Police and Crime Commissioner in relation to a proposed senior appointment.
7. Schedule 1 paragraph 12 allows the Police and Crime Commissioner the right to accept or reject the Panel's recommendation and he must notify the Panel of his decision.

## **Job Specification**

8. The post holder is the statutory monitoring officer and Chief Executive to the PCVC and is required to ensure effective corporate governance and to support and advise the PCC in carrying out his statutory duties.
9. The job description as advertised is as follows:

### **“PURPOSE**

- To provide dynamic and inspirational leadership and management to the OPCVC, and to be a visible and influential leader with community safety and criminal justice partners.
- To be the chief adviser on all matters to the PCVC.
- To be the statutory Head of Paid Service and Monitoring Officer to the PCVC.
- To enable the PCVC to carry out all of his statutory functions to an exceptionally high standard, including community engagement, planning and reporting, complaints handling, good governance and police accountability.
- To build and nurture partnerships at senior levels across the community safety and criminal justice landscape in order to support the achievement of the PCVC’s objectives.
- To commission positive outcomes for victims of crime and to reduce reoffending.
- To ensure good governance in the conduct of PCVC business including transparency of decision-making and proper arrangements for procurement and commissioning.

### **KEY AREAS OF RESPONSIBILITY**

1. To lead and develop the OPCVC staff to maintain a high performing, cohesive, skilled and responsive team, equipped and capable of meeting the requirements of the PCVC and to assist the Chief Executive in delivering the PCVC’s responsibilities and objectives.
2. To nurture a culture of high performance and continuous improvement amongst the OPCVC team.
3. To provide the PCVC with an effective policy and strategy development and delivery function that enables him to produce and drive effective plans based on evidence and community views.
4. To be the strategic lead for external relations, building and managing partnerships with local, regional and national stakeholders at appropriate levels to support the delivery of the PCVC’s objectives.
5. To ensure that the PCVC has effective systems in place to hold the Chief Constable to account for the delivery of the Police, Crime and Victims’ Plan and other policing matters.
6. To provide the PCVC with effective media, communications and engagement functions that influence and promote his objectives.
7. To lead the development of effective systems for commissioning of local services, based on local needs and harnessing the resources of partners.
8. To seek out and engage with opportunities nationally to promote the work of the PCVC, influence national policy-making, and contribute actively to the work of the Association of Policing and Crime Chief Executives.

9. To ensure that all corporate policies and processes meet statutory requirements and are of a standard that enables the OPCVC to operate efficiently, effectively, and transparently.
10. To ensure that the OPCVC performs its duties and responsibilities for equality and diversity according to relevant legislation, and to promote the commitment to equality and diversity in all that the OPCVC does.
11. To undertake any other tasks, duties or projects that may arise from time to time which are commensurate with the general level of the post and as directed by the PCVC.

*The duties and responsibilities outlined above cannot encompass or define all tasks which may be required of the post holder. The outline of duties and responsibilities given above therefore may vary from time to time without materially changing either the character or level of responsibility and these factors are reflected in the grade applied to the post. On occasion, there will be a requirement for out of hours working to meet business need.*

## **SCOPE**

- Direct responsibility for c.15 members of OPCVC staff plus 100+ volunteers.
- Responsibility for a core budget of circa £1m per year operating costs.
- Responsibility for advising the PCVC, with the Chief Finance Officer, on the distribution of c.£2.5m budget for commissioning services, as well as setting the overall budget for the Constabulary, which is currently £113m.
- Direct influence on Durham Constabulary, with broader influencing role encompassing criminal justice agencies and local authorities.
- Vetting required. Politically restricted.

## **PERSON SPECIFICATION**

- Degree and / or relevant professional qualification. Full UK Driving Licence.
- Excellent leadership skills including people management and leading beyond authority. Outstanding ability to build and motivate high performing teams to develop and achieve organisational objectives.
- Excellent communication and presentational skills, able to engage both internally and externally at the highest level and across the widest range of audiences and partners.
- Highly developed political understanding and experience with the interpersonal skills to negotiate, persuade and influence.
- The ability and experience to build credible effective working relationships and partnerships up to and including Chief Executive Officers / Chief Constables and equivalents.
- Proven ability to exercise outstanding judgement when faced with challenging decisions, at the same time as remaining objective and impartial.
- Demonstrable experience of policy development including evidence analysis and options development and appraisal.
- Experience of influencing the development and delivery of local services, including an understanding of commissioning and procurement processes.

- Experience of leading the full range of business processes including programme and project management.”

### **Appointment process**

10. In order to increase the field of candidates, the PCVC engaged the services of Gatenby Sanderson to carry out an advertising, search and shortlisting service.
11. The PCVC then chaired an interview panel with Terry Collins (Chief Executive, Durham County Council), Paul Wildsmith (Managing Director, Darlington Borough Council) and Michelle Cooper, Chief Executive of County Durham and Darlington Community Foundation. They interviewed candidates on 5th October 2018.
12. It is proposed that Stephen White be appointed as Chief Executive as he is considered to be the most suitable candidate in terms of carrying out the above role. This proposal is made subject to the receipt of satisfactory references and all relevant clearances.

Mr White is an experienced, retiring senior police officer with substantial experience of leadership and investigation having been Chairman of the Police Federation of England and Wales (PFEW) for seven years, to January 2018. During that time he oversaw the implementation of a very significant change programme.

He delivered the PFEW’s strategy in a complex stakeholder environment included the Home Office, 43 Police Forces, the College of Policing, the National Police Chiefs Council and other stakeholders across Government and the policing sector.

As well as being an experienced Manager, Mr White is highly experienced in public communications, having spoken at large events, nationally and internationally, and routinely appearing on TV, radio and digital media.

Since January 2018 Mr White has been seconded to the Home Office as the first licence to practice manager with responsibility for design and implementation of a transformative licence to practice scheme for high risk Police roles.

13. In his interview, Mr White demonstrated a very good understanding of the requirements of the role of Chief Executive. He was able to answer effectively a broad range of questions dealing with:
  - Accountability issues and processes
  - Diversity
  - Governance
  - Statutory duties and responsibilities of the PCVC
  - National policing agenda

The Panel considered Mr White to be suitable for the role of Chief Executive.

## **Terms and Conditions**

14. Stephen White is to be appointed to the position on a salary of circa £81,612 based on 37 hours per week although it is acknowledged that as a senior member of the PCVC's staff the post holder will have a wider commitment than this. The appointment will be subject to a twelve month probationary period.

## **Recommendations**

15. In accordance with the Police Reform and Social Responsibility Act 2011, Schedule 1 9 (1) the Panel is invited to:
  - (i) Review the proposed appointment of Stephen White as the Chief Executive for the Police and Crime Commissioner for Durham;
  - (ii) Hold a confirmation hearing in order to inform a report on the proposed appointment;
  - (iii) To make a recommendation to the Commissioner as to whether Stephen White should be appointed in accordance with Schedule 1 10 (4) of the Act.

Ron Hogg

**Police, Crime and Victims' Commissioner**

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