



## Police and Crime Panel

**Date** Tuesday 22 April 2014  
**Time** 12 noon  
**Venue** Executive Conference Room, Police Headquarters, Aykley Heads, 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 (Chief of Staff) - Report of Assistant Chief Executive (Pages 1 - 12)
5. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**Colette Longbottom**  
Monitoring Officer

County Hall  
Durham  
14 April 2014

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

**Durham County Council**

Councillors J Armstrong, D Boyes, P Brookes, S Forster, L Howvells (Chair),  
D Stoker and A Willis

**Darlington Borough Council**

Councillors I Haszeldine, S Harker and B Jones

**Independent Co-opted Members**

K Larkin-Bramley and N Vaulks

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**Contact: Ian Croft**

**Tel: 03000 269702**

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## Durham Police and Crime Panel

22<sup>nd</sup> April 2014

### Proposed Appointment of the Police and Crime Commissioner's Chief Executive (Chief of Staff)

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#### Report of Lorraine O'Donnell, Assistant Chief Executive

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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 of Staff and to consider a report from the Police and Crime Commissioner for the proposed candidate for the post of Chief of Staff.

##### 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 and Crime Commissioner, Mr Ron Hogg formally notified the Chair of the Police and Crime Panel of his proposed appointment to the post of Chief of Staff on 8<sup>th</sup> April 2014.
- 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 PCC that proposes Mr Alan Reiss for the post of the Chief of Staff 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 of Staff as identified within Appendix 2.
- 8 Members are asked to consider the Police and Crime Commissioner's report (Appendix 3) and review the proposed appointment of Mr Alan Reiss as the Chief of staff for the Durham Police and Crime Commissioner.
- 9 Members of the Police and Crime Panel are asked to respond and make recommendation to the Police and Crime Commissioner as to whether Mr Alan Reiss 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 of Staff for the Durham Police and Crime 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 of Staff****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 of Staff.

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 of Staff (referred to as Chief Executive within the Act) 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 of Staff 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 of Staff.

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 of Staff, 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.

**April 2014**

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22 April 2014

## Report to the Police and Crime Panel on the Appointment of Chief Executive (Chief of Staff)



### 1. Purpose

- 1.1 The purpose of this report is to notify the Police and Crime Panel of the proposed appointment of the Chief Executive for the Police and Crime Commissioner for Durham and to request that they review the proposed appointment and make a recommendation to the Commissioner about the appointment.

### 2. Background

- 2.1 The Police Reform and Social Responsibility Act 2011 (the Act) requires Police and Crime Panels to scrutinise senior appointments proposed by the Police and Crime 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. These are referred to as Schedule 1 appointments.
- 2.2 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.
- 2.3 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).
- 2.4 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.
- 2.5 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.

### 3. Proposed Appointment

- 3.1 The PCC has determined that the post will be entitled Chief of Staff and as such the candidate will be responsible for the strategic, operational and tactical leadership of

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the Office of the Police and Crime Commissioner(OPCC), to enable the effective development, support and delivery of the functions and priorities of the Police and Crime Commissioner(PCC), ensuring effective engagement with the community, key partners and stakeholders.

The post holder is the statutory monitoring officer to the PCC and is required to ensure effective corporate governance and to support and advise the PCC in carrying out his statutory duties

3,2 The specific duties and responsibilities determined by the PCC for the position are:

### **Management and Leadership**

- Provide dynamic, strategic and operational leadership and management to the OPCC including business planning, work processes, target setting and performance management, ensuring the office is responsive to the PCC's corporate aims, objectives and requirements, providing high standards of service to the public on behalf of the PCC.
- To present a professional and positive image for the OPCC and work proactively with the OPCC team to deliver the PCC's functions and identified priorities.
- Responsible for the on-going training and development of the OPCC team enabling consistent and high quality performance. To work directly to the PCC in relation to personal objectives and development.
- To ensure the effective delivery of all 'bought in' services /SLA's.

### **Statutory Responsibilities**

- Carry out the duties of the Chief of Staff under the Police Reform and Social Responsibility Act 2011, to enable and assist the OPCC to fulfil all its functions effectively and efficiently.
- Carry out the statutory duties and responsibilities of the Head of Paid Service and Monitoring Officer.
- Provide expert advice to enable the PCC to meet their statutory duties under the Police Reform and Social Responsibility Act 2011.
- To oversee the financial planning, budgetary, resourcing and asset management of the OPCC.
- In conjunction with the Chief Financial Officer ensure good governance and propriety in the conduct of the PCC's business including proper arrangements for tendering procedures, the letting of contracts and commissioning.
- To support and advise the PCC on the appointment and oversight of Chief Officers in the Constabulary.
- Ensure that the OPCC carries out its duties and responsibilities on equality and diversity in accordance with relevant legislation, promoting commitment to equality and diversity in all its functions and activities.

### **Partnership and Commissioning**

- To be the strategic lead on partnership and commissioning, developing, promoting and maintaining effective working relationships with key stakeholders, the Police and Crime Panel, politicians and external partners as required to further the aims and objectives of the PCC.
- To identify, develop and implement collaboration opportunities with partner organisations aimed at enhancing delivery of the PCC's priorities and providing value for money.
- Ensure effective engagement with the Chief Constable and all relevant force personnel in planning and managing the work of the OPCC.
- To ensure the OPCC contributes to the national consideration of issues in relation to policing and crime reduction.

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- To represent the OPCC at high level meetings with the Home Office, Her Majesty's Inspector of Constabulary, Association of Police and Crime Commissioners, Local Government Association and other bodies as required at regional and national level.

### **Communications, Engagement and Information**

- To lead the development and management of media, communications and engagement strategies based on a good understanding of communities to ensure effective communication, consultation and engagement with the public, partners and stakeholders.
- To provide the strategic lead for the PCC's communications and public relations activities, ensuring effective media relationships are established and maintained, leading on the development, review and management of a media and communications strategy including social media.
- To support the OPCC in raising its profile and communicating values, strategies achievements and views.
- To represent the PCC as required at meetings with the local community.
- To ensure that the OPCC complies with all information governance requirements including the management of FOI requests, demonstrating transparency and openness.

### **Strategy and Policy Development**

- To provide strategic advice and guidance to the PCC and OPCC team in developing long term vision supported by appropriate strategies, policies and plans including the Police and Crime Plan and associated delivery plans.

### **Scrutiny and Performance**

- Ensure effective governance arrangements are in place for the monitoring and scrutinising of the force performance with a view to securing continuous improvement in the delivery of local policing services.
- To oversee the effective management of complaints and complaints procedures.

### **General**

- To work collaboratively with secondees, interns and trainees providing support and assistance where necessary.
- To comply with organisational policies and procedures including Code of Conduct, Health and Safety policies and arrangements and Equalities policies.
- To undertake any other tasks, duties or projects that may arise from time to time which are commensurate with the general level of this post and as directed by the PCC.

3.3 The PCC together with a Panel comprising Anna Lynch, Director of Public Health, Durham County Council, Miriam Davidson, Director of Public Health Darlington Borough Council, Mrs E Davies and Mr B A Thompson (independent members) and Mr G Ridley, Chief Finance Officer interviewed candidates on 7 April 2014.

3.4 It is proposed that Alan Reiss be appointed as Chief of Staff 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.

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Mr Reiss is currently a Deputy Director in the Department for Education and has previously held a number of posts within the Department of increasing seniority. His role requires him to manage a team of staff providing strategic policy advice to Government Ministers and provide advice to the Secretary of State and Ministers on the allocation of budgets. He is also required to undertake negotiations across Government departments including the Treasury and the Prime Minister's Office on behalf of the Secretary of State. Mr Riess has 6 years of senior management experience within the Civil Service having completed the Cabinet Office High Potential Development Scheme and preparing for Top Management Scheme. Mr Riess is also academically strong with both an honours degree and masters degree. He has a strong background in policy development and strategic direction which I feel will assist me in the future development of my Office.

In his interview Mr Reiss demonstrated a very good and in some cases excellent understanding of the requirements of the role of chief of Staff. He was able to answer effectively and convincingly a broad range of questions dealing with:

- Distinguishing the respective roles of Police and Crime Commissioner and Chief Constable
- Good governance
- Police and Crime Plan
- Leadership style and building sound relationships
- Equality and Diversity
- Partnership Working
- Challenges of working in apolitical environment
- Community Engagement

#### **4. Terms and Conditions**

- 4.1 Mr Reiss is to be appointed to the position on a salary of circa £70,000 based on 37 hours per week although it is acknowledged that as a senior member of the PCCs staff the post holder will have a wider commitment than this. The appointment will be subject to a twelve month probationary period.

#### **6. Recommendations**

- 6.1.1 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 Mr Alan Reiss as the Chief of Staff for the Police and Crime Commissioner for Durham.
  - (ii) To make a recommendation to the Commissioner as to whether Mr Reiss should be appointed in accordance with Schedule 1 10 (4) of the Act.

Ron Hogg  
**Police and Crime Commissioner**