

Durham Police and Crime Panel

4 November 2022

Proposed appointment of Chief of Staff for the Office of the Police and Crime Commissioner

Report of Helen Lynch, Head of Legal and Democratic Services, Clerk to the Police and Crime Panel

Electoral division(s) affected:

None

Purpose of the Report

- 1 To explain the confirmation hearing process and for the Panel to consider the report from the Police and Crime Commissioner (PCC) for the proposed appointment to the role of Chief of Staff.

Executive summary

- 2 The Police Reform and Social Responsibility Act 2011 requires the Panel to scrutinise senior appointments proposed by the PCC. This is done by way of a confirmation hearing.
- 3 A confirmation hearing is a meeting of the Panel, held in public, at which the proposed candidate is requested to appear for the purpose of answering questions relating to the appointment. This report explains the confirmation hearing process and the role of the Panel and attached a report provided by the PCC which provides the required information relating to the proposed appointment.

Recommendations

- 4 The Police and Crime Panel are asked to
 - (a) Note the process to be followed in respect of the confirmation hearing

- (b) Consider the report provided by the PCC and recommendation to appoint Andrea Petty as Chief of Staff of the Office of Police and Crime Commissioner, which is attached at appendix 2.
- (c) To respond to the PCC, endorsing the appointment or otherwise in accordance with the Police Reform and Social Responsibility Act 2011.

Background

- 5 Schedule 1, Paragraph 6(1)(a) of the Police Reform and Social Responsibility Act 2011 provides that the “Police and Crime Commissioner must appoint a person to be the head of the commissioner’s staff (referred to in this Part as the Commissioner’s Chief Executive)”.
- 6 The previous Chief Executive, Steve White left the Office of Police and Crime Commissioner (OPCC) in August 2022. The OPCC therefore advertised the role of Chief of Staff with a closing date of 30 September 2022 and interviews were held on 11 October 2022.

Notification of proposed appointment and Confirmation Hearing

- 7 Schedule 1 of the Police Reform and Social Responsibility Act 2011 requires that the following process is followed in respect of senior appointments:
- i) the PCC notifies the Panel of the proposed appointment
 - ii) the PCC provides the Panel with specific information in relation to the proposed candidate and the appointment – this must include the name of the proposed candidate, the criteria 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 appointed.
 - iii) within three weeks of receiving notification from the PCC, the Panel must hold a public confirmation to question the candidate;
 - iv) within the same three-week period, the PCP must write a report which includes a recommendation as to whether the individual should be appointed; and
 - v) the PCP’s report must be published
 - vi) in response to the Panel’s report, the PCC must notify the Panel whether they will accept or reject the recommendation. There is no duty for the PCC to give reasons for their decision.
- 8 It is important to note that the Panel has no power of veto over the appointment of Chief Executive/Chief of Staff.
- 9 The details to be provided (as set out at paragraph 7(ii) above) in respect of this appointment to the role of Chief of Staff are attached at Appendix 2 to this report.

- 10 Attached at Appendix 3 to the report is a procedure note which sets out how the Confirmation Hearing will be conducted. The procedure to be followed is consistent with the Local Government Association and Centre for Public Scrutiny publication “Police and Crime Panels – Guidance on Confirmation Hearings (August 2021) and The Police Reform and Social Responsibility Act 2011.

Background papers

- Police and Crime Panels – Guidance on Confirmation Hearings [police-and-crime-panels-on-confirmation-hearings.pdf \(cfgs.org.uk\)](https://www.cfgs.org.uk/policy-and-research/policy-and-crime-panels-on-confirmation-hearings.pdf)

Other useful documents

- None

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Appendix 1: Implications

Legal Implications

The report sets out the Panel's role and responsibilities in respect of the scrutiny of senior appointments to the OPCC. The procedure for confirmation hearings appended to the report is consistent with the legislative requirements under the Police Reform and Social Responsibility Act 2011 and the LGA and Centre for Governance and Scrutiny guidance in respect of confirmation hearing.

Finance

There are no financial implications for the Panel arising from this report. However, it is a requirement that the PCC notifies the Panel of the terms and conditions relevant to the role to be appointed to.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None

Climate Change

None.

Human Rights

None

Crime and Disorder

This is a key focus of the role of the Police and Crime Commissioner and Police and Crime Panel.

Staffing

The report relates to the proposed appointment to the role of Chief of Staff. The PCC is required to appoint to this role under the Police Reform and Social Responsibility Act 2011.

Accommodation

None

Risk

None

Procurement

None.