



# HERTFORDSHIRE POLICE AND CRIME PANEL

## REVIEW OF THE PROPOSED APPOINTMENT OF DEPUTY POLICE AND CRIME COMMISSIONER

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### RECOMMENDATIONS

- 1 the Panel considers the proposed appointment of a Deputy Police and Crime Commissioner and conducts a confirmation hearing;
- 2 the Panel makes a report to the PCC on the proposed appointment.

### Purpose of Report

For the Panel to conduct a confirmation hearing in respect of the proposed appointment of a Deputy Police and Crime Commissioner.

### Background

The Police Reform and Social Responsibility Act 2011 provides that a PCC may appoint a Deputy PCC and delegate their functions to that Deputy. Such an appointment is a senior appointment within the terms of the Act and that means it is subject to review by the Panel. The PCC has notified the Panel of the proposed appointment on 17 July 2013 which means the review must be completed by 7 August 2013. The relevant information that must be provided is:

- (a) the name of the person whom the Commissioner is proposing to appoint (“the candidate”);

- (b) the criteria used to assess the suitability of the candidate for the appointment;
- (c) why the candidate satisfies those criteria; and
- (d) the terms and conditions on which the candidate is to be appointed.

The Panel must review the proposed appointment. The PCC and the candidate will be present at the meeting to answer questions on the proposed appointment.

The Panel must report to the PCC within three weeks on the proposal including whether or not the appointment should be made. The PCC will consider the report and may accept it or reject its recommendation. There is no veto on this proposed appointment.

### **Conduct of the Hearing**

The hearing must be held in public. There is joint Local Government Association and Centre for Public Scrutiny Guidance on confirmation hearings and is available at this link: <http://cfps.org.uk/publications?item=7190&offset=0>

Although the hearing must be in public and the decision of the Panel and its report to the PCC must be published, it may be appropriate if the Panel wishes to discuss the merits and demerits of the proposed candidate that discussion after the hearing in forming the decision is conducted in private. The Local Government Act 1972 does permit such parts of a meeting that discusses an individual to be conducted in the absence of the public. If the Panel desires to do this, it will be necessary to approve a motion to exclude the press and public for that reason.

It is most important that whilst the review must be searching with regard to capabilities and expertise of the candidate for the post and their personal independence, it must also be fair and not go into lines of questioning that are unfair or unreasonable.

### **Conclusion**

The Panel needs to hold a confirmation hearing in respect of the proposed appointment of a Deputy Police and Crime Commissioner and report to the PCC including whether to confirm the proposed appointment.