



HERTFORDSHIRE POLICE AND CRIME PANEL

REVIEW AND CONFIRMATION HEARING OF THE PROPOSED APPOINTMENT OF THE POLICE AND CRIME COMMISSIONER'S CHIEF EXECUTIVE OFFICER

Gavin Miles, Head of Legal Services,
Broxbourne Borough Council

Item 4

14 March 2013

RECOMMENDATIONS

- 1 That the Panel considers the proposed appointment of the PCC's Chief Executive Officer.
- 2 That the Panel makes a report to the PCC on the proposed appointment including a recommendation whether or not to make the proposed appointment.

Purpose of Report

For the Panel to conduct a confirmation hearing in respect of the proposed appointment of the PCC's Chief Executive Officer.

Background

The Police Reform and Social Responsibility Act 2011 provides that a PCC must appoint a head of the PCC's staff, referred to in the Act as the PCC's Chief Executive. 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 25 February 2013 which means the review must be completed by 19 March 2013. That is the date by which the Panel must report to the PCC having conducted a confirmation hearing. The relevant information that must be provided by the PCC 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 by 19 March 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. The hearing is for the purpose of the Panel asking the candidate questions relating to the appointment. 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>.

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 the Police and Crime Commissioner’s Chief Executive and report to the PCC by 19 March 2013. The report must be published.