



HERTFORDSHIRE POLICE AND CRIME PANEL

REVIEW OF THE PROPOSED APPOINTMENT OF DEPUTY POLICE AND CRIME COMMISSIONER

Gavin Miles, Head of Legal Services,
Broxbourne Borough Council

Item 8

6 December 2012

RECOMMENDATIONS

- 1 That the Panel considers the proposed appointment of a Deputy Police and Crime Commissioner at a separate meeting.
- 2 That the Panel conducts a pre meeting to plan the public hearing into the 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 28 November 2012 which means the review must be completed by 20 December 2012. 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 3 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>

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.

The guidance suggests, and it is entirely appropriate, that a confirmation hearing should be a meeting for that purpose alone. If other business is to be discussed it should be separated. In addition it is going to be essential to discuss in a pre-meeting the format and questions that might be asked to ensure the hearing is constructive and effective. Accordingly it is suggested the confirmation hearing takes place on 13 December at 7.00 pm at the offices of Broxbourne Borough Council. The guidance also suggests that there should be a pre-meeting to agree to format and questions that will be asked of the candidate. It is proposed that takes place prior to the public meeting on 13 December at 6.30pm.

Conclusion

The Panel needs to hold a confirmation hearing in respect of the proposed appointment of a Deputy Police and Crime Commissioner. Because the hearing needs to be in public and must explore the suitability of the candidate it is recommended the hearing takes place with no other business on the agenda and the Panel has a pre-meeting to agree the format and questions to be asked.