

**Report of: Police and Crime Panel Secretariat**

**Date: 12<sup>th</sup> October 2015**

## **CONFIRMATION HEARING PROCEDURE**

### **1 Introduction**

- 1.1 This briefing note informs Police and Crime Panel (Panel) Members of the process for conducting confirmation hearings for the post of Chief Constable.
- 1.2 It has been compiled taking account of Local Government Association (LGA) Guidance 'Police and Crime Panels – Guidance on Confirmation Hearings' (August 2012), the Police Reform and Social Responsibility Act 2011 and Part 3 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012.

### **2 Recommendations**

**That the Police and Crime Panel:**

- i) Note the Confirmation Hearing Procedure set out in the report;**
- ii) Undertakes a Confirmation Hearing for the appointment of the Chief Constable of West Midlands Police, in accordance with legislative requirements; and**
- iii) Makes a report and recommendation to the Police and Crime Commissioner on the outcome of the Confirmation Hearing.**

### **3. The Rules Relating to Confirmation Hearings**

- 3.1 Schedule 8 of the Police Reform and Social Responsibility Act (2011) sets out the process which must be followed for conducting confirmation hearings for the Chief Constable, as follows:
  - The Police and Crime Commissioner (PCC) notifies the Panel of the proposed appointment;
  - The PCC provides the Panel with specific information in relation to the individual and the appointment;
  - The Panel reviews the proposed appointment within three weeks and holds a public confirmation hearing to question the candidate; and
  - The Panel writes a report to the PCC on the proposed appointment, this must include a recommendation as to whether or not the individual should be appointed.
- 3.2 The rules are very similar to those for the confirmation of the Chief Executive and Chief Finance Officer; however there is one crucial difference: the panel has a veto over the appointment of the chief constable (see section 9 below).

#### **4 Information Provided to the Panel**

4.1 The PCC must provide the Panel with as a minimum the following information:

- The name of the candidate;
- The criteria used to assess the suitability of the candidate for the appointment;
- Why the candidate satisfies those criteria; and
- The terms and conditions on which the candidate is to be appointed.

4.2 The above information is provided at item 11(ii) on the agenda.

4.3 The independent panel member (appointed by the PCC to observe the assessment, shortlisting and interviews of candidates with the purpose of ensuring that the appointment process is conducted in line with the principles of merit, fairness and openness) must also produce a written report for the Police and Crime Panel on the appointment process. This report is provided at item 11(iii) on the agenda.

4.4 In addition, three Police and Crime Panel members acted as observers to the appointment process and will have a view as to whether a fair and transparent process had been conducted.

#### **5 Purpose of the Confirmation Hearing**

5.1 The purpose of the confirmation hearing is for the Panel to assess the suitability of the candidate proposed by the PCC in terms of professional competence and personal independence and put questions to the candidate. The Panel should also satisfy itself that the appointment process was properly conducted and adhered to the principles of merit, openness and fairness. The hearing is not supposed to duplicate the PCC's appointment process.

#### **6 The Hearing**

6.1 It is proposed that the Hearing will consist of the following stages:

1. The Chairman to welcome the Candidate to the meeting and explain the Panel's intention of focussing on satisfying itself as to the candidate's professional competence and personal independence.
2. Chair to clarify the options available to the Panel in terms of approval, refusal or veto of the appointments and emphasise the seriousness of making a recommendation to refuse or veto.
3. Chair to give the Candidate and the Commissioner the opportunity to clarify any matters of process before the hearing gets under way.
4. The Commissioner to demonstrate to the Panel the rigor of the selection process and why the Candidate has been selected.

5. The Candidate to introduce themselves to the Panel and to outline briefly their suitability for the role in terms of professional competence and personal independence.
6. The Panel to ask questions of the Candidate.
7. The Commissioner and the Candidate to be given the opportunity to clarify any answers and ask any questions of the Panel.
8. Chair to confirm the next steps of the decision-making process, including the decision embargo period agreed between Panel and PCC.
9. Chair adjourns the public meeting to allow the Panel to consider its recommendation.
10. Panel to write to PCC this its decision.

## **7 Questioning**

- 7.1 LGA guidance suggests the Panel focuses its questioning on the following two key areas:
- i) Professional competence:
    - The ability to carry out the required role
    - Professional judgement and insight
  - ii) Personal independence:
    - The ability to act in a manner that is operationally independent of the PCC.

## **8 Coming To a View and Reporting the Panel's Recommendation**

- 8.1 This stage of the meeting will be undertaken in private, closed session. The Panel will evaluate the responses provided by the candidate in order to come to a judgement on their suitability for the role.
- 8.2 The Chair of the Panel will write to the PCC on the next working day to outline the decision and recommendations of the Panel.
- 8.3 It is proposed that the Panel will wait five working days before it publishes any information about its recommendation unless it has been agreed with the PCC that this information can be released earlier.
- 8.4 The Panel has three options
- a. to support the appointment without qualification or comment;
  - b. to support the appointment with associated recommendations, or
  - c. to veto the appointment of the Chief Constable (by the required majority of at least two thirds of the persons who are members of the Panel at the time when the decision is made).

## **9 In The Event of a Veto**

- 9.1 If the Panel vetoes the appointment of the candidate, the report to the Commissioner must include a statement that the Panel has vetoed the appointment with clear reasons for the veto. Once vetoed, the PCC must not appoint the candidate.
- 9.2 Part 3 of the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012 sets out the further steps to be taken in the event that a panel vetoes a proposed appointment of a chief constable. These are illustrated in annex A.

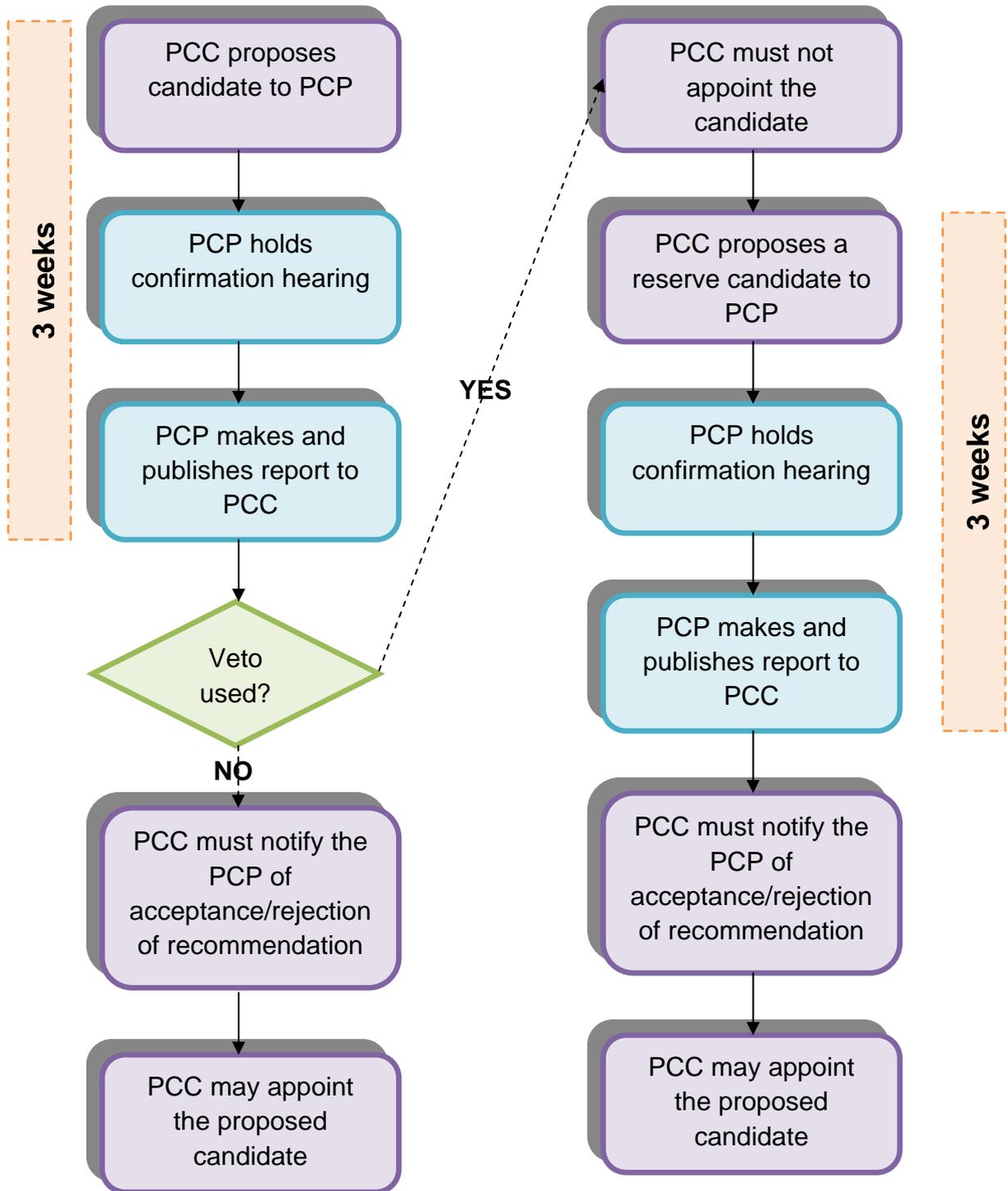
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Process for PCP scrutiny of chief constable appointments



**Police and Crime Panel**

**6 October 2015**

**Nomination of Chief Constable**

**Report to the  
West Midlands Police and Crime Panel**

Report of West Midlands Police and Crime Commissioner

**Purpose**

1. The purpose of this report is to notify the Police and Crime Panel of the proposed appointment of a Chief Constable for West Midlands and to request that they review the proposed appointment and make a recommendation to the Commissioner about the appointment.

**Background**

2. The Police Reform and Social Responsibility Act 2011 (the Act) requires Police and Crime Panels to scrutinise proposed chief constable appointments. .
3. Schedule 8, paragraph 3 specified that 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.
4. 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 chief constable appointment.

5. The Panel is required to hold a confirmation hearing before making a report and recommendation under Schedule 8, Paragraph 4 to the Police and Crime Commissioner in relation to a proposed senior appointment.
6. The Panel may veto the appointment of the candidate. To do so would require a decision by a majority of at least two thirds of persons who are members of the panel at the time when the decision is made.
7. If the Police and Crime Panel does not veto the appointment, Schedule 8 paragraph 7 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

### **Chief Constable Appointment**

8. In addition to this report, the Panel is also presented with a full report from the independent members who took part in the recruitment process – Ms Val Ainsworth and Mr Jan Britton. The report from the two independent members contains comprehensive information on the criteria used to assess the suitability of the candidate proposed for appointment.
9. The proposed appointment is offered on a five year fixed term. The salary for all chief constables is set by the Secretary of State in accordance with Police Regulations 2003. For the West Midlands, the salary for the Chief Constable is set at £186,954. In addition, a vehicle will be provided in accordance with the scheme currently in place to provide vehicles for command team police officers (Chief Constable, Deputy Chief Constable and assistant chief constables), and indemnity insurance will be paid through the scheme operated by the Chief Police Officers Staff Association.

### **10. Recommendation**

11. In accordance with the Police Reform and Social Responsibility Act 2011, Schedule 8, paragraph 4 the Panel is invited to:
  - (i) Review the proposed appointment of Mr David Thompson as the Chief Constable for West Midlands Police.
  - (ii) To make a recommendation to the Commissioner as to whether Mr Thompson should be appointed in accordance with the Act.

## ANNEX 1



### Chief Constable West Midlands Police Role Profile

<b>Purpose</b>	
<ul style="list-style-type: none"><li>• To provide leadership, direction and control of West Midlands Police in accordance with the Police Act 1996 in order to provide the West Midlands with an effective and efficient police service</li><li>• To fulfil of all the statutory and legal obligations of the office of Chief Constable</li></ul>	
<b>Main duties and responsibilities</b>	
1.	Work with and be accountable to the Police and Crime Commissioner, and set the strategic direction for policing in the West Midlands
2.	Provide high profile leadership to the force by communicating a consistent vision of what must be achieved
3.	Build and lead an effective chief officer team
4.	Strategic and operational management of West Midlands Police and effective management of the police budget to ensure the safety and security of the people of the West Midlands
5.	Ensure the high performance of the force, matching resources to priorities through robust financial management and improvements in value for money
6.	Harness the full potential of officers and staff ensuring equality of opportunity and innovation in workforce and succession planning
7.	Ensure the Force develops to meet the changing demands of policing in the West Midlands including ensuring that the Force engages with the communities that it serves and understands their policing needs
8.	Work with the Commissioner and/or policing colleagues to develop policing nationally, regionally and by function

9.	Promote values that ensure the Force is ethical in all aspects of policing delivery and trusted by the communities of the West Midlands
10.	Recognise and understand the diverse and dynamic nature of the communities that constitute the West Midlands, and lead a police service appropriate for these communities
11.	Encourage, support and participate in partnerships with other agencies and the public in order to fulfil the aims of the Police and Crime Plan
12.	Ensure the provision of professional advice to the Commissioner to support them in fulfilling their functions.

### **Knowledge and experience**

- Experience of strategic command at a senior rank in a range of demanding operational policing environments, including major security/incident situations
- Developing, implementing and evaluating strategy, plans, programmes and procedures for the services of the police force with a track record of this delivering demonstrable improvements in policing
- Ability to demonstrate improvements in policing through the successful and innovative management of resources, both people and financial, with a focus on value for money
- Working in partnership with local authorities, other partners and communities to deliver policing which enhances trust and confidence and reduces harm to communities
- Experience of delivering improving performance, through leading organisational change
- Ability to operate in complex organisational structures and political environments
- Awareness of and demonstrable commitment to equality and diversity for the benefits of both those employed within the police service and the communities they serve
- Experience of influencing and contributing to the development of policing at a national level
- Awareness of potential new arrangements for policing governance
- Participating and directing media and public relation matters

### **Other**

- Demonstrates commitment and devotion of time to activities required for the post
- Able to respond to out of hours call from home within a reasonable period
- Professional and personal integrity of the highest standing
- Personal qualities should accord with those described in the Police Professional Framework Executive Level Personal Qualities. These are set out further below in this document.

## **POLICE LEADERSHIP DOMAINS**

### **1. Professional Policing Skills Incident Command**

- Firearms
- Public order at major sporting events
- Civil contingencies
- Strategic management of intelligence
- Doctrine & history of UK policing
- Criminology
- Sociology and socio economics
- Operational risk
- Management and health & safety
- International policing

### **2. Business Policing Skills**

- Managing and using resources
- Financial management
- Business planning
- Strategic people management
- Demand management
- Utilising ICT
- Science & technology
- Programme management (OGC)
- Marketing, communication & influencing
- Performance management & continuous improvement
- Equality & diversity

### **3. Executive Policing Skills**

- Personal leadership and emotional intelligence
- Governance
- Government strategic working
- Partnership working
- Political acumen
- Stakeholder management
- Ethical Policing
- Doctrine of leadership

## **POLICE PROFESSIONAL FRAMEWORK**

### **EXECUTIVE LEVEL – PERSONAL QUALITIES**

#### **SERVING THE PUBLIC**

Promotes a real belief in public service, focusing on what matters to the public and will best serve their interests. Ensures that all staff understand the expectations, changing needs and concerns of different communities, and strive to address them. Builds public confidence by actively engaging with different communities, agencies and strategic stakeholders, developing effective partnerships at a local and national level. Understands partners' perspectives and priorities, working co-operatively with them to develop future public services within budget constraints, and deliver the best possible overall service to the public.

#### **LEADING STRATEGIC CHANGE**

Thinks in the long term, establishing a compelling vision based on the values of the Police Service, and a clear direction for the force. Instigates and delivers structural and cultural change, thinking beyond the constraints of current ways of working, and is prepared to make radical change when required. Identifies better ways to deliver value for money services that meet both local and national needs, encouraging creativity and innovation within the force and partner organisations.

#### **LEADING THE WORKFORCE**

Inspires people to meet challenging organisational goals, creating and maintaining the momentum for change. Gives direction and states expectations clearly. Talks positively about policing and what it can achieve, building pride and self-esteem. Creates enthusiasm and commitment throughout the force by rewarding good performance, and giving genuine recognition and praise. Promotes learning and development within the force, giving honest and constructive feedback to colleagues and investing time in coaching and mentoring staff.

#### **MANAGING PERFORMANCE**

Translates the vision into action by establishing a clear strategy and ensuring appropriate structures are in place to deliver it. Sets ambitious but achievable timescales and deliverables, and monitors progress to ensure strategic objectives are met. Identifies and removes blockages to performance, managing the workforce and resources to deliver maximum value for money. Defines what good performance looks like, highlighting good practice. Confronts underperformance and ensures it is addressed. Delegates responsibilities appropriately and empowers people to make decisions, holding them to account for delivery.

## **PROFESSIONALISM**

Acts with integrity, in line with the values and ethical standards of the Police Service. Delivers on promises, demonstrating personal commitment, energy and drive to get things done. Defines and reinforces standards, demonstrating these personally and fostering a culture of personal responsibility throughout the force. Asks for and acts on feedback on own approach, continuing to learn and adapt to new circumstances. Takes responsibility for making tough or unpopular decisions, demonstrating courage and resilience in difficult situations. Remains calm and professional under pressure and in conditions of uncertainty. Openly acknowledges shortcomings in service and commits to putting them right.

## **DECISION MAKING**

Assimilates complex information quickly, weighing up alternatives and making sound, timely decisions. Gathers and considers all relevant and available information, seeking out and listening to advice from specialists. Asks incisive questions to test facts and assumptions, and gain a full understanding of the situation. Identifies the key issues clearly, and the inter-relationship between different factors. Considers the wider impact and implications of different options at a local and national level, assessing the costs, risks and benefits of each. Prepared to make the ultimate decision, even in conditions of ambiguity and uncertainty. Makes clear, proportionate and justifiable decisions, reviewing these as necessary.

## **WORKING WITH OTHERS**

Builds effective working relationships through clear communication and a collaborative approach. Maintains visibility and ensures communication processes work effectively throughout the force and with external bodies. Consults widely and involves people in decision-making, speaking in a way they understand and can engage with. Treats people with respect and dignity regardless of their background or circumstances, promoting equality and the elimination of discrimination. Treats people as individuals, showing tact, empathy and compassion. Negotiates effectively with local and national bodies, representing the interests of the Police Service. Sells ideas convincingly, setting out the benefits of a particular approach, and striving to reach mutually beneficial solutions. Expresses own views positively and constructively. Fully commits to team decisions.



west midlands  
office of the police  
and crime commissioner

**APPOINTMENT PROCESS**  
**for the post of**  
**CHIEF CONSTABLE**  
**of the**  
**WEST MIDLANDS FORCE**

# **CHIEF CONSTABLE OF WEST MIDLANDS POLICE**

## **APPOINTMENT PROCESS**

### **INDEPENDENT MEMBER REPORT    SEPTEMBER 2015**

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## **INTRODUCTION**

Home Office Circular 20/2012 outlines that it is for the Police and Crime Commissioner to decide how s/he wishes to run her/his appointment process for the Chief Constable and which candidate s/he wishes to appoint. However, s/he should involve an Independent Member during assessment, shortlisting and interviewing of candidates.

This is the Independent Member's report relating to the appointment process for the post of Chief Constable of West Midlands Police. The process is the responsibility of Police and Crime Commissioner for the West Midlands, David Jamieson.

The aim of this report is to provide an assessment of the extent to which the appointment process for this post in the West Midlands has been conducted fairly, openly and based on merit. In addition it details the extent to which the panel fulfilled its responsibility to challenge and test the candidates' suitability against the requirements of the role.

## **INDEPENDENT MEMBER'S GENERIC ROLE**

The role of the Independent Member is laid out in Home Office Circular 20/2012. It is described more fully within the Guidance for Chief Officer Appointments produced and maintained by the College of Policing in consultation with a wide range of stakeholder groups within policing. These include Her Majesty's Inspectorate of Constabulary, Association of Police and Crime Commissioners, Association of Chief Officers, Association of Police Authorities Chief Executives, Senior Police Officers' Association, Police Superintendents' Association and the Home Office. It was produced under the direction of the Police Advisory Board England and Wales Sub-group on Chief Officer Appointments.

As outlined within the guidance, Independent Members should be appointed through a fair, open and merit based process. They may be drawn from a pool of accredited Independent Members or Assessors. I am currently an Independent Member from a group accredited by the College of Policing. In order to become an accredited member of this group I was required to undergo a fair, open and merit-based selection process. This was designed to assess my suitability and skills to offer independent and impartial advice to others on assessment, and my capability in ensuring quality assessment processes. I have undergone an induction into this role from the College of Policing and I am continually quality assured in my delivery of services as an Independent Member of Chief Officer Appointments Processes. Further details of my role as Independent Member are set out in the role profile in Appendix A and my background is provided in more detail in Appendix B.

### **INDEPENDENT MEMBER'S REMIT IN THE APPOINTMENT PROCESS FOR THE POST OF CHIEF CONSTABLE OF WEST MIDLANDS POLICE, AUGUST/SEPTEMBER 2015**

I was invited by the College of Policing and the Police and Crime Commissioner for the West Midlands to be the Independent Member with regard to the above appointment for the Shortlisting and Interview parts of the process. The Police and Crime Commissioner's office made contact with me in mid-August 2015, and, in response to issues raised at the first contact, I was provided with details regarding

- A. The proposed composition of the shortlisting and interview panels
- B. The schedule for the appointment
- C. A copy of the application form
- D. A copy of the application pack sent to applicants

## **THE APPLICATION PACK**

This was comprehensive and provided prospective applicants with details of a Familiarisation Day to be held on August 24<sup>th</sup> 2015 before the closing date for receipt of applications. The pack met legal requirements and gave prospective candidates the assurance that the process would be fair, open and based upon merit.

The pack contained information from the Police and Crime Commissioner to applicants, a Job Description and Role Requirements, Person Specification, details of the qualities and attributes to be assessed and a timetable for the process. There was a clear statement within the pack that the proposed Familiarisation Day was not part of the assessment process.

## **ROLE PROFILE**

The Role Profile in the pack was produced in line with the present and future needs and priorities in the Force area, particularly in relation to the strategic vision for the Force. It was also made explicit that the role might change in line with changing priorities. Professional integrity and adherence to the highest of personal standards was demanded of all applicants.

Documentation included in the pack had already been finalised prior to my engagement as Independent Member in this appointment, but, from the time when I was contacted onwards, my independent advice was sought, welcomed, respected and responded to throughout the remainder of the process. Moreover, I was asked to comment upon the process thus far in terms of its structure, and was able to ascertain that the basic principles of fairness, openness and with a basis of merit had been followed in its design.

## **PRELIMINARY PANEL BRIEFING IN ADVANCE OF SHORTLISTING AND INTERVIEWS**

Contact was maintained with the Police and Crime Commissioner's office prior to the shortlisting which was scheduled for September 3<sup>rd</sup>. My input into the process, regarding the preparation of the panel, the formation of questions, and the format of a recording system for the Presentation and Interview, was sought. The one candidate's application form was emailed to me in good time prior to the meeting of September 3<sup>rd</sup>. I was also invited to be fully involved in any issues relating to the design of the later stages of the process after shortlisting. All five of the shortlisting panel were experienced in senior appointment processes; each was aware of her/his duties, revisited in discussion and in the documentation provided, including awareness of and avoidance of bias. Sufficient time was allowed for the processes to be revisited, to allow for any questions, and to build a confidence within this group that would lead to a valid and reliable result in the exercise ahead. Four of the Panel Members had some knowledge of the single candidate to a greater or lesser degree. I had no previous knowledge of the candidate. It was explicitly agreed that judgements regarding shortlisting would be made on the evidence presented in written form by the candidate. This was to ensure consistency, transparency and fairness throughout this stage of the process, to be continued in the later stages.

I was able to note that the preliminary stages had met with the best of good practice and had followed the guidance, namely, in the Application Pack (see previous notes) and in the advertisement (see below).

## **THE ADVERTISEMENT**

This had been placed by the Police and Crime Commissioner and his team, on 31<sup>st</sup> July 2015 both locally and nationally, to attract as wide a pool of candidates as possible. The closing date for applications to be received was noon on August 28<sup>th</sup> 2015, thus exceeding the recommended three weeks' exposure of the advertisement by one full week. It was placed on appropriate websites. It adhered to the guidance given by the College of Policing with regard to its content and in ensuring wide exposure to attract a suitably qualified pool of candidates.

## **APPOINTMENT PANEL**

The Appointment Panel role is set out in the Guidance for Chief Constable Appointments. This outlines that the Panel should be convened by the Police and Crime Commissioner before any stage of the appointment process takes place and that consideration may be given to having panel members involved in helping to define the requirements of the role. In addition, it states the purpose of the panel is to challenge and test that candidates meet the necessary requirements to perform the role and that the PCC should select a panel capable of discharging this responsibility

The PCC should also ensure that panel members are diverse and suitably experienced and competent in selection practices and that they must adhere to the principles of merit, fairness and openness. All members should be provided with a copy of this Guidance to ensure they are familiar with its content prior to the appointment process. In addition, it is the PCC's responsibility to ensure that appropriate briefing/assessor training is undertaken by all panel members. It is suggested that a panel of approximately five members is convened but this is at the discretion of the PCC.

## **SHORTLISTING PANEL**

This consisted of

Police and Crime Commissioner of West Midlands  
David Jamieson

Deputy PCC of West Midlands  
Yvonne Mosquito

Strategic Policing & Crime Board Member  
Brendan Connor

CEO Sandwell Council  
Jan Britton

Independent Member  
Val Ainsworth

There were three white males, one white female and one BME female as the Shortlisting Panel.

The shortlisting process was observed by Councillor Ken Hawkins, Solihull Council, and assistance was given, and the process observed, by Jonathan Jardine, CEO of the PCC's office.

## **APPOINTMENT PANEL COMPOSITION**

The same five people as at shortlisting were convened as the Appointment Panel.

To continue observation of each stage of the process, Councillor Paul Tilsley observed the Citizens' and the Youth Panel's contributions to the process; Councillor Darren Cooper observed the Presentation and Interview parts of the process. All five of the Interview Panel Members were very experienced in making senior appointments.

The ethnic composition of the local population across the West Midlands policing area is shown in the table below:

<b>Ethnic Origin</b>	<b>% of overall population</b>
White	66%
BME	34%

The ethnic composition of the West Midlands Police workforce is shown in the table below:

<b>Ethnic Origin</b>	<b>% of overall population</b>
White	
BME	

I was satisfied that the expertise of the Shortlisting Panel (see previous section) was more than sufficient to address the task in hand, and that it did not compromise the overall process. All panel members both at shortlisting and at interview stage had worked at senior level within their respective organisations and had previous experience of senior recruitment. Their senior operational experience in large organisations was sufficient to allow them to challenge and test others at executive level and all had been given a copy of the Guidance for Chief Officer Appointments, and were familiar with its content. Continuity for the process was thus effected at shortlisting and interview with five members throughout.

At this stage, and prior to the actual shortlisting exercise, the Police and Crime Commissioner requested that the assembled group (Sept 3<sup>rd</sup> 2015) should have sight of the public response to a request to them for suitable questions to be used during the later stages of the process, and that he would welcome any comments, additions or alterations to these prior to their publication to other members of the panel. This would then provide an additional opportunity for the group of five to agree the final questions to be used at interview.

## **ASSESSMENT DESIGN**

As part of the process, throughout July 2015, there was a consultation on the role and requirements for the post of Chief Constable, using the PCC's extensive consultation networks. Responders were invited to submit possible questions to be used at Interview. Twenty responses were received.

Recruitment for two panels, the Citizens' Panel and the Youth Panel was effected via the PCC's consultation networks throughout July. Both panels were diverse, and consisted of volunteers. Briefing for each panel took place on Monday and Tuesday, September 7<sup>th</sup> and 8<sup>th</sup> 2015.

Each of the two panels was to be chaired by a member of the Strategic Policing and Crime Board, Mr Ernie Hendricks, whose brief was to work with a facilitator to produce a report on the performance of candidates, to be submitted to the Appointment Panel prior to the Presentation and Interview parts of the process.

The input of the two separate panels, whose brief was to question the candidate prior to the Presentation and Interview parts of the process and to feed in the information which they had elicited and assessed as a group, was welcomed by the core group. It was made clear that the input of the Youth Panel and the Citizens' Panel was for information only, and did not

have the status of a vote for or against the candidate. The final decision therefore clearly rested with the PCC, though the rest of the convened five-person panel would assess methodically and present their findings to the PCC as part of the overall assessment.

The PCC, assisted ably by HR, led on the choice of the application form in line with the guidance from the College of Policing. The Application Form required details of the previous posts held by the applicant, including roles and responsibilities, key achievements, and any training in specialist areas. It was an appropriate tool for assessment based on merit.

The choice of Interview questions was also based upon the PPF competencies, and on the Senior Leadership Domains, being appropriately worded to engage the candidate in the areas of policing which were being explored. Some questions suggested at the consultation stage were incorporated in the final list.

It was clear that the scheduled Familiarisation Day prior to the interview date would not be required, since the sole candidate was the current Deputy Chief Constable of West Midlands Police who was already aware of the local context.

A numerical marking scheme at shortlisting was deemed not to be required since there was only one candidate, though there was a requirement to make comment on the performance of the candidate, and to use a binary system to determine whether the candidate was above or below the bar of what was considered to be at least satisfactory performance as presented by the application form itself. A standardised sheet was provided for all interviewers at the Interview stage of the assessment process, with clear guidance as to the competencies being assessed.

Examples of probing questions were discussed, with regard to the fairness of the procedure in terms of the experience of the candidate, but with the intention of supporting the legitimacy of the need to clarify any points which needed further exploration with the candidate by the Panel.

## **SHORTLISTING EXERCISE AND ASSESSMENT OF CANDIDATE**

Only one application was received, that of internal candidate Deputy Chief Constable David Thompson. The Independent Member reiterated the option of a re-advertisement. A discussion took place amongst the group, where the advantages and disadvantages of a re-advertisement were considered. Using the method outlined above at the design stage, the panel agreed unanimously to refer the candidate for interview, as his application was clearly well above the bar for inclusion in the interview process. This was felt to be a good result and one which was conducted fairly, openly and based upon the merit of the sole candidate.

## **PRESENTATION AND INTERVIEW EXERCISES, CONDUCTED CONSECUTIVELY FOR THE CANDIDATE**

On the day of the Presentation and Interview, the sole candidate was assessed. The Panel revisited the object of the day's activities prior to the start of the Interview day, recalling the purposes of the day's assessments, and making clear the option of repeating the whole process if the candidate was not deemed to be appointable. The issue of further probing of answers to questions was discussed, and the questions allocated to individual members of the Panel.

Councillor Darren Cooper observed the process from the beginning to the end of the Presentation and Interview and was present during the subsequent discussion.

Mr Jonathan Jardine was also present in an advisory capacity, as CEO of the PCC's office.

The Chair was taken by the PCC himself, and he addressed the following areas in his preamble to the Presentation and Interview.

- What are we trying to achieve? Identification of the best person for the post.
- What if we do not find that in the shortlisted candidate? Start the process again.
- What will success look like? The result will be not just what the candidate can offer, but how he is/is not the best fit for this position.
- Which qualities/attributes must be satisfactory at least, and which will be deal-breakers by their absence in any candidate? A good general track record in delivering organisational change is essential, at a level appropriate to someone who has already had experience in the post on a temporary basis, though there may be a lack of experience or expertise in some areas which is tolerable.

The presence of Mr Ernie Hendricks was welcomed by the Panel Members, and he related the contents of a written report which was presented to each member of the Panel prior to the Presentation, along with a copy of the questions which the Youth Panel and the Citizens' Panel Members had asked, along with their assessments of the candidate. The Panels were diverse and representative of their groups. Mr Hendricks had chaired the Youth Panel and the Citizens' Panel when they met with the candidate the previous evening, this process being observed by Councillor Tilsley. The comments from Mr Hendricks were noted by the Appointment Panel.

Then the day's activities for the Appointment Panel began.

Each Panel Member first marked the candidate separately in the Presentation Exercise. Questions were then asked by all five panel members in relation to the content of the Presentation. The questions were appropriate and probing and came from all panel members.

The interview followed on directly and without a pause for conferring after the Presentation, with Panel Members posing previously agreed questions relating to the PPF. Further appropriate probing questions were asked by individual Panel Members, to clarify any issues under discussion in the answers given by the candidate. Comments were required from each Panel Member and evidence was collated and fully discussed, with a great degree of consensus in relation to the candidate's performance. Panel Members listened to and considered very carefully the evidence offered by other Panel Members. This enabled the candidate to be assessed on merit, using a five-point scale, with reference to evidence throughout the process, and prior to the consensus being recorded. Based on the comments and discussion across all the competencies, (copies of which were also provided for the Panel) there was little difference in the opinions expressed overall. Each panel member had noted and assessed the performance as well above the bar for such an appointment.

The Police and Crime Commissioner considered all the evidence which was before him, and concluded that DCC David Thompson was a suitable candidate for appointment to the position of Chief Constable of the West Midlands Police, and that he, the PCC, wished to present him to the PCP as his preferred candidate for the post.

The decision was therefore taken to present David Thompson as the preferred candidate for the position of Chief Constable of West Midlands Police.

The decision-making process was demonstrably fair, open and based upon merit according to those skills and attributes to be measured by the processes in use. Its thoroughness from beginning to end was exemplary in all respects.

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## CONCLUSIONS

Through the use of the steps outlined in this report, the Police and Crime Commissioner of the West Midlands fulfilled his responsibility to ensure that a process which was fair, open and based upon merit, was put in place and implemented at each stage of its use, in accordance with his responsibilities as laid out in the Guidance.

He sought, and took, advice at each stage, using the PPF as a basis to ensure that evidence was recorded and evaluated in order to make the most effective decisions with regard to this post.

The Panel at each stage rigorously challenged and tested the candidate against the necessary requirements for the role, giving assurance that the only candidate for the post was worthy to be appointed. They used robust and searching discussion to test the recorded evidence prior to agreeing with the PCC's final decision by consensus.

Thanks are due to the HR support of Andrea Gabbitas of the PCC of West Midlands office, to Linda Kirk, to Jonathan Jardine, to the PCC David Jamieson, and to the other members of all the panels for their professional attention to every aspect of the appointment process, including their willingness to engage with the advice sought and given by the College of Policing.

I am pleased, therefore, to confirm that the selection of the preferred candidate to be the next Chief Constable of West Midlands Police met the basic principles of fairness, openness and merit. I was honoured to have been part of this process.

Valerie M. Ainsworth  
Independent Member  
September 2015

## APPENDICES

Independent member role profile  
Independent Member pen picture

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## **APPENDIX A: Independent Member Role Profile**

1. To be familiar with the Guidance for the Appointment of Chief Officers, the appointment process procedures, and to adhere to the principles of merit, fairness and openness throughout the appointments process and to adhere to the principles of merit, fairness and openness throughout the appointments process.
2. To work collaboratively with the PCC/CC or Commissioner and other appointment panel members to challenge and test whether the candidates meet the necessary requirements to perform the role effectively throughout the appointments process.
3. In providing independent advice during the appointments process, where requested to do so, their responsibilities are likely to include the following:
  - a. To provide independent advice in the shortlisting of candidates against the agreed appointments criteria
  - b. To play an active role (where required) as part of the appointments panel and to provide independent advice in assessing shortlisted candidates against the agreed appointments criteria (this might include through use of interviews, presentations, psychometric measures, assessment exercises, etc.).
  - c. To provide independent advice on which candidate(s) most closely meet(s) the appointment criteria in line with the principles of fairness, openness and merit.

4. To produce a written report on the appointment process, which expressly addresses the appointment principles of merit, fairness and openness, and of the extent to which the panel was able to fulfil its purpose.
5. To provide feedback to the College of Policing on the appointment process and its role. Independent Members will be asked to share copies of their written reports with the College of Policing once released by the PCC/CC or Commissioner to help inform future training and development.

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## **Appendix B: Independent Member Profile – Val Ainsworth**

My background is in senior leadership posts in the fields of Secondary, Further and Higher Education, with wide and long experience in Management, Governance, Human Resources and Policy Development. I have effected major changes in large establishments and have made appointments at the most senior levels in the public, private and voluntary sectors, practising the principles of openness, fairness and merit, underpinned by the highest of personal standards. In the processes leading to appointing the best person for a post, I have trained others to improve their skills in drawing up an advertisement, preparing Job Specifications and Person Specifications, devising effective interview activities, sharpening observation and recording skills, and in the interviewing process itself screening out bias, overt and covert.

I am a Non-Service Member of the College of Policing, having had extensive experience of assessment at Senior PNAC, HPDS, Fast Track and Direct Entry levels; I have written detailed feedback reports to individual candidates and to Boards of Directors, giving a supportive independent and external view of the success of appointment procedures and practices, and addressing training needs as they become apparent and before they compromise the appointment process itself and its openness, fairness and its basis on merit.

I will pass on my skills in relation to making sound appointments, training wherever necessary during the process, and thus enabling you and others to feel confident in your ability to recruit the best person for a post, and to use those skills in the future. I will write a report for all involved in the task, so that a record and a reference point remain for future consultation and clarification. You will thus have a sound basis from which to demonstrate that the appointments you make are indeed based on sound systems which will withstand high levels of scrutiny.

Mr D Jamieson  
Police and Crime Commissioner  
c/o Andrea Gabbitas  
Office of the Police and Crime  
Commissioner West Midlands  
Aqua House, 20 Lionel Street,  
Birmingham, B3 1AQ.

Your ref: JB/TJK  
Please ask for: Jan Britton  
Telephone No: 0121 569 3500  
Email address: jan\_britton@sandwell.gov.uk  
Date: 28<sup>th</sup> September 2015

Dear David,

I am writing in my capacity as an independent member of the panel for the appointment of the new Chief Constable.

I have read the report on the appointment process written by Val Ainsworth from the College of Policing and I agree with its description and very positive conclusions about the appointment process.

For myself, I found the selection and appointment process to be fair and transparent – and doubly rigorous for the fact that there was only one candidate.

I am confident that the appointment process was conducted in the most appropriate manner, that it reflected the interests and communities of the West Midlands and that an excellent appointment will be made, once the confirmation process is complete.

I trust this letter satisfies your requirements for a formal record.

Yours sincerely,



Jan Britton,  
Chief Executive.