

**OFFICE OF THE POLICE AND CRIME COMMISSIONER
FOR HUMBERSIDE
DECISION RECORD**

Decision Record Number: 2 /2013

Title: Independent member – appointment of Chief Constable

Executive Summary:

On the 28th November you approved in principle that David Taylor would be the independent member for the appointment of the next Chief Constable.

Recommendations:

That, David Taylor is confirmed as the independent member for the appointment process for Chief Constable.

Police and Crime Commissioner for Humberside

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with my code of conduct.

Any such interests are recorded below.

The above request has my approval.

Signature



Date 16.01.13

**POLICE AND CRIME COMMISSIONER
FOR HUMBERSIDE**

DECISION RECORD: SUPPORTING REPORT FOR DECISION

**Title: Independent member for process to appoint
 the Chief Constable of Humberside Police**

Date: 11th January 2013

1. Purpose

1.1 To confirm the appointment of David Taylor as the independent member for the appointment of the next Chief Constable.

2. Issue:

2.1 You gave principle approval for David Taylor to be the independent member on the 28th November and this report provides information for final approval.

3. Recommendations:

3.1 That approval is given for David Taylor to be the independent member for the process to appoint the Chief Constable.

4. Background:

Guidance on independent member

4.1 The Home Office circular¹ and supporting guidance² both refer to the role of independent member giving the role as:

- to ensure the selection and appointment process is conducted fairly and openly and the successful candidate is selected on merit.

4.2 The guidance expands upon the role of independent member, requiring them to be :

- suitability experienced and competent in assessment and selection practices,
- undertake appropriate briefing/assessor training,
- in collaboration with the panel members, shortlist applicants against the agreed appointment criteria,
- in collaboration with the panel members, assess all short-listed candidates against the agreed appointment criteria,
- in collaboration with the PCC and other panel members consider which candidate(s) most closely meets the appointment criteria,

¹ Home Office circular 20/12 Selection and appointment of chief officers.

² College of Policing Guidance for the appointment of Chief Officers

- produce a written report on the appointment process. This is to be submitted to the Police and Crime Panel at the same time as the name of the preferred appointee. This report should expressly and explicitly address the appointment principles of merit, fairness and openness, and the extent to which the panel were able to fulfil their purpose (e.g. to challenge and test that the candidate meets the necessary requirements to perform the role).

David Taylor

- 4.3 David Taylor was appointed as the human resources advice and support consultant to the Police Authority following a competitive tendering process held in the spring of 2012. Part of the specification being to support chief officer appointments.
- 4.4 David Taylor had previously provided this support to the police authority for the preceding 10 years, being part of a number of selection processes for chief officers, independent members of the authority and staff in the secretariat.
- 4.5 One of the roles David Taylor has undertaken is that of independent assessor for the appointment of police authority members. He was selected for this role from a list of 'suitable people' held by the Home Office. The independent assessor was part of the regulations governing the appointment process with their role being to :
- ensure all decisions of the panel are on merit only;
 - ensure equality of opportunity in all recruitment processes;
 - encourage as diverse a range of applicants as possible;
 - ensure openness and transparency in all recruitment processes;
 - ensure the selection panel provides the best possible service to communities.

Process

- 4.6 Tim Hollis notified the public of his intention to retire as Chief Constable of Humberside during the summer. On behalf of the Police Authority and as part of the transition to police and crime commissioner, I commenced work on the recruitment and selection process, with David Taylor providing the usual professional advice.
- 4.7 As a consequence from the summer onwards, I was in regular contact and supporting those charged with developing the new regulations and guidance relating to the appointment of chief officers and had sight of advanced copies code of practice and 'tool kits'.
- 4.8 This advanced knowledge assisted in ensuring our preparations were in line with future formal guidance and indeed that proved to be the case.

4.9 You will recall that upon taking office you were presented with the draft role profile and proposed appointment process and this enabled you to 'hit the ground running'.

Options for independent member

4.10 The circular and guidance suggest that the independent member should be selected through a fair and open process or from an accredited list.

4.11 David Taylor was appointed by the Police Authority through an open, fair and competitive tendering process for professional support for chief officer appointments.

4.12 Furthermore he was on the Home Office list as independent assessor for Humberside Police Authority member appointments until the 22nd November.

4.13 During November, the College of Policing commenced their work to develop a list of accredited independent members for chief officer appointments. I made attempts to include David Taylor on that list, but unfortunately their process was restricted to an existing 'assessor bank'.

4.14 However, I did get access to the 'job pack', which included the role profile of the independent member. Having reviewed this it is evident that the experience and competencies required, fit the professional support formerly provided to the Police Authority by David Taylor.

4.15 The College of Policing accredited list of independent members created from the 'assessor bank', was issued to Commissioners on the 19th December.

5 Risks/Implications:

5.1 There is potential that the appointment of David Taylor will be seen as a contravention of the direction set by the Home Office Circular and therefore creates a risk that his final certificate to you and the Police and Crime Panel as to the robustness of the selection process, may be questioned.

6 Financial Comments:

6.1 There are no financial considerations relating to this issue.

7 Legal Comments:

7.1 There is a legal requirement to ensure that the selection of the Chief Constable is conducted in an open and fair manner and that the appointment is made on merit. The independent members provide assurance that these legal principles have been adhered to.

8 Equality Comments:

8.1 There are no equality issues in the context of this report.

9 Summary

9.1 The circumstances surrounding the recruitment and selection process for the next Chief Constable of Humberside has unique aspects in relation to the appointment of the independent member:

- David Taylor has been the Police Authority's human resources adviser since 2000,
- David Taylor was appointed again as the Police Authority's human resources adviser following a competitive tendering process in February 2012,
- The tender specification for the role incorporated that of advising and assessing on senior appointments,
- David Taylor was on the Home Office accredited list of assessors for Police Authority member appointments, undertaking the role of ensuring an open and fair process with appointments made on merit, until the demise of Police Authorities on November 22nd 2012,
- In the summer of 2012 the Police Authority commenced the recruitment process for the next Chief Constable of Humberside Police, using David Taylor as professional adviser,
- The Home Office circular and related guidance was issued on 22nd November and included the role of independent member, which was akin to that undertaken previously for independent members of Police Authorities,
- The College of Policing list of accredited independent members was restricted to those in their 'assessor bank' and was issued in late December.

9.2 Having assessed the role of independent member, the principles contained within the guidance and the local circumstances I am content that the appointment of David Taylor as independent member is robust and the right thing to do.

9.3 He has the right background, credibility, experience and skills. He is highly regarded by past members of the Police Authority and indeed at the confirmation hearing for your deputy, the Chair and Councillor Inglis both confirmed their respect for his work. His integrity is without question and adequately meets the requirements of this role.

10 Background/Supporting Papers:

1. Tender document for human resources advice and support consultancy services to the Humberside police authority, February 2012
2. Home office Circular 20/2012

3. College of Policing Guidance
4. College of Policing 'Job Pack' for applicants for independent members
5. Decision records 4 & 7/2012.

Kevin Sharp
Chief Executive
Office of Police & Crime Commissioner