

PROPOSED APPOINTMENT OF A CHIEF CONSTABLE

Purpose of the Report

1. To enable the Panel to review this proposed senior appointment by the Police and Crime Commissioner (PCC).

Information and Advice

Background

2. Section 38 of the Police Reform and Social Responsibility Act 2011 specifies that the Police and Crime Commissioner (PCC) for a police area is to appoint the Chief Constable of the police force for that area.
3. Schedule 8 of the 2011 Act requires that a PCC must notify the relevant Police and Crime Panel of the proposed appointment of a Chief Constable. In such cases the PCC must also notify the Police and Crime Panel of the following information.
 - a. The name of the person the PCC 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
 - d. The terms and conditions on which the candidate is to be appointed
4. When a Police and Crime Panel is notified of such a proposed appointment it is required to review it and to make a report on it to the PCC. The report must state the outcome of the review by the Panel. In the case of the proposed appointment of a Chief Constable, these outcomes are either:
 - a. A recommendation as to whether or not the candidate should be appointed
 - b. A veto of the proposed appointment, if at least two-thirds of the members of the Police and Crime Panel vote in favour of making that decision.
5. The 2011 Act requires that a Police and Crime Panel must review the proposed appointment at a confirmation hearing. A confirmation hearing is defined as: "A meeting of the Panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment." Supporting guidance produced by the Local Government Association (LGA) and the Centre for Public Scrutiny (now the Centre for Governance and Scrutiny) advises that a confirmation hearing should not be dealt with as an item of business at a standard Panel meeting but conducted as a separate meeting.

6. The process of reviewing and reporting on a proposed appointment must be completed within three weeks of a Police and Crime Panel being notified of it by the PCC.
7. This confirmation hearing of the Nottinghamshire Police and Crime Panel has been convened to enable the Panel to review and make a report on the proposed appointment by the Police and Crime Commissioner for Nottinghamshire of a Chief Constable for Nottinghamshire Police following notification of the proposed appointment by the Commissioner.

The appointment

8. The PCC gave formal notice of the proposed appointment of Kate Meynell to the post of Chief Constable of Nottinghamshire Police to the Panel by way of a report submitted on 12 September 2022 (see **Appendix A**). As a result, the Panel must now review this proposed senior appointment via a confirmation hearing.
9. The report includes the PCC's reasons for the appointment and details of the candidate's suitability for the role, including how this was assessed, and the proposed terms and conditions on which the appointment will be made. Also included were the role profile and an overview of the recruitment process.

Process

10. The confirmation hearing should be held in public, with the proposed appointee requested to attend to answer questions.
11. At the start of the hearing the PCC will introduce her candidate and explain why she feels that the candidate is the most appropriate to undertake this role, about which members of the Panel will have the opportunity to ask questions.
12. The Independent Member who was involved in the selection process, Professor Dame Elizabeth Fradd DBE DL, will present her report, with the Panel again invited to ask questions.
13. This will be followed by questions from Panel Members to the candidate.
14. In line with guidance from the Local Government Association and Centre for Public Scrutiny, the focus of questioning from the Panel should be limited to issues of **professional competence** and **personal independence**.
15. This guidance also recommends that the Panel's decision-making should take place in closed session rather than in public.
16. Following the decision-making, the Panel must make a report, including a recommendation as to whether or not the appointment should be made, or if two thirds of the members of the Panel vote in favour, that the proposed appointment be vetoed.

17. In response to the Panel's report, the Police and Crime Commissioner must then notify the Panel whether they will accept or reject the Panel's recommendation. There is no duty for the PCC to give reasons for their decision.

Other Options Considered

18. None – the Panel is required to hold a confirmation hearing for any senior appointment made by the Police and Crime Commissioner.

Reasons for Recommendation/s

19. To enable the appointment of the Chief Constable for Nottinghamshire to be considered by the Panel in line with the confirmation process.

RECOMMENDATION/S

1. That the Panel reviews the proposed appointment of Kate Meynell to the post of Chief Constable of Nottinghamshire Police and make a report to the Police and Crime Commissioner.

Background Papers and Published Documents

- 1) 'Police and Crime panels – Guidance on confirmation hearings' – Local Government Association and Centre for Public Scrutiny (published)
- 2) Briefing Note for Panel Members on Schedule 1 Appointments

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