

**PROPOSED APPOINTMENT OF AN INTERIM CHIEF FINANCE OFFICER**

**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. Schedule 1 of The Police Reform and Social Responsibility Act 2011 requires Police and Crime Panels to hold confirmation hearings for proposed appointments to the posts of Chief Executive, Chief Finance Officer and Deputy PCC.
3. Paragraph 6(4) of the Schedule states that the Chief Finance Officer of a Police and Crime Commissioner must meet the criteria set out in section 113 of the Local Government Finance Act 1988.
4. Under section 113, the person having responsibility for the administration of the financial affairs of a relevant authority shall fulfil the requirement in one (or the requirements in each) of the paragraphs in subsection (2)

*(2) The requirements are that –*

- (a) He is a member of one or more of the bodies mentioned in subsection (3) below;*
- (b) immediately before the commencement day he had responsibility for the administration of the financial affairs of any of the authorities mentioned in section 111(2)(a) to (k) above under section 151 of the 19772 Act or section 73 of the 1985 Act.*

*(3) The bodies are –*

- (a) the Institute of Chartered Accountants in England and Wales,*
- (b) the Institute of Chartered Accountants of Scotland,*
- (c) the Chartered Association of Certified Accountants,*
- (d) the Chartered Institute of Public Finance and Accountancy,*
- (e) the Institute of Chartered Accountants in Ireland*
- (f) the Chartered Institute of Management Accountants, and*

*(g) any other body of accountants established in the United Kingdom and for the time being approved by the Secretary of State for the purposes of this section*

### The candidate

5. The PCC gave formal notice of the proposed appointment of Mark Kimberley to the post of Interim Chief Finance Officer to the Panel by way of a report submitted on 13 January 2022 (see **Appendix A**). As a result, the Panel must now review this proposed senior appointment via a confirmation hearing.
6. 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.
7. The curriculum vitae (CV) for the candidate was also included as an Appendix to the Commissioner's report.

### Process

8. The confirmation hearing should be held in public, with the proposed appointee requested to attend to answer questions.
9. 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. Members of the Panel will have the opportunity to ask questions of the Commissioner about the appointment. This will be followed by questions from Panel Members to the candidate.
10. 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**.
11. This guidance also recommends that the Panel's decision-making should take place in closed session rather than in public.
12. Following the decision-making, the Panel must make a report, including a recommendation as to whether or not the appointment should be made. A recommendation that an appointment is not made is different to a veto and the Police and Crime Commissioner could choose to ignore any such recommendation (with regard to appointments, the Panel only has power of veto over the appointment of a Chief Constable).
13. 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**

14. 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**

15. To enable the appointment of the Interim Chief Finance Officer of the Office of the Police and Crime Commissioner to be considered by the Panel in line with the confirmation process.

### **RECOMMENDATION/S**

That the Panel review the proposed appointment of Mark Kimberley to the post of Interim Chief Finance Officer for the Office of the Police and Crime Commissioner 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
- 3) Local Government Finance Act 1988

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