

Warwickshire Police and Crime Panel

Date: Monday 16 December 2024
Time: 9.30 am
Venue: Committee Room 2, Shire Hall

Membership

Andy Davis (Chair), Independent Member
Andrew Davies, Independent Member
Councillor Claire Edwards, Rugby Borough Council
Councillor Jenny Fradgley, Warwickshire County Council
Councillor Natalie Gist, Stratford-on-Avon District Council
Councillor Dave Humphreys, Warwickshire County Council
Councillor Ray Jarvis, North Warwickshire Borough Council
Councillor Tim Jenkins, Nuneaton and Bedworth Borough Council
Councillor Bhagwant Singh Pandher, Warwickshire County Council
Councillor Jill Simpson-Vince, Warwickshire County Council
Councillor Jim Sinnott, Warwick District Council

Items on the agenda: -

1. General

(1) Apologies

To receive any apologies from members of the Panel.

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. Any changes to matters registered or new matters that require to be registered must be notified to the Monitoring Officer as soon as practicable after they arise.

A member attending a meeting where a matter arises in which they have a disclosable pecuniary interest must (unless they have a dispensation):

- Declare the interest if they have not already registered it
- Not participate in any discussion or vote
- Leave the meeting room until the matter has been dealt with

- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting

Non-pecuniary interests relevant to the agenda should be declared at the commencement of the meeting.

The public reports referred to are available on the Warwickshire Web

<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

2. Appointment of a Chief Constable

5 - 18

To consider the appointment of the Chief Constable of Warwickshire Police in accordance with Schedule 8 of the Police Reform and Social Responsibility Act 2011.

Monica Fogarty
Chief Executive
Warwickshire County Council
Shire Hall, Warwick

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Confirmation Hearing for the Appointment of a Chief Constable

Report for the Police and Crime Panel

Executive Summary

The purpose of this report is to enable members of the Police and Crime Panel to give consideration to the Police and Crime Commissioner's proposed appointment for the position of Chief Constable of Warwickshire Police.

The report provides an overview of the appointment process that has been undertaken by the Police and Crime Commissioner for Warwickshire, Philip Seccombe, to select the Chief Constable for Warwickshire Police. Detailed within the report are the reasons why the proposed candidate has been selected for consideration by the Police and Crime Panel. This report should be read in conjunction with the Independent Member's Report, which is listed on the agenda.

Recommendation:

It is recommended that the Police and Crime Panel consider the PCC's preferred candidate, Alex Franklin-Smith for the role of Chief Constable, at the Confirmation Hearing on Monday 16 December 2024.

1. Introduction

- 1.1 Chief Constable Debbie Tedds retired on 26 September 2024. A recruitment process was subsequently launched to seek the next Chief Constable of Warwickshire Police.
- 1.2 Schedule 8 of the Police Reform and Social Responsibility Act 2011 states that the Commissioner must notify the Panel of the

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proposed appointment of a chief constable and must include the following information:

- the name of the person the PCC is proposing to appoint;
 - the criteria used to assess the suitability of the candidate;
 - why the candidate satisfies the criteria; and
 - the terms and conditions upon which the candidate is to be appointed.
- 1.3 The purpose of the Confirmation Hearing is to enable the Police and Crime Panel to review the process undertaken in making the proposed appointment and to be assured that the proposed candidate meets the criteria and to make recommendations on the proposed appointment. This report and the associated supplementary information is presented to assist Members in making their recommendation.
- 1.4 The PCC has ensured that the appointment process followed the relevant legislation such as the Police Reform and Social Responsibility Act, Home Office Circular 013/2018 and the Guidance on Appointing Chief Officers developed by the College of Policing.
- 1.5 The Office of the Police and Crime Commissioner (OPCC) has worked with the College of Policing in developing and delivering this appointment process.

2. Preparatory Activity

Advertisement

- 2.1 The advertisement for the role of Chief Constable was developed based on the key criteria and requirements for the role incorporated within the Role Profile and Person Specification.
- 2.2 Regulation 11 of the Police Regulations 2003 specifies that Chief Officer vacancies must be advertised on a public website, or some other form of publication which deals with police matters circulating throughout England and Wales, and that the closing date for applications must be no less than three weeks after the date of the publication of the advertisement.

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2.3 The advertisement for the role of Chief Constable was placed on the PCC's website on 29 October and was also placed on the College of Policing website and on Chiefsnet (the NPCC website) Significant social media activity also took place. In the online advertisement the PCC clearly set out what he was seeking from the next Chief Constable of Warwickshire. The closing date for the receipt of completed applications was 20 November.

Recruitment pack

2.4 The recruitment pack was available on the OPCC website. As well as general information about the process, the county of Warwickshire and the force, it included the Role Profile and key Terms and Conditions of the appointment.

Role profile and person specification

2.5 The Role Profile is a key document in the appointment process. It sets out who the Chief Constable is accountable to, what they are responsible for and the job purpose. It reflects the expectations and requirements of the public of Warwickshire. The Person Specification sets out the key personal qualities and professional competencies required to perform the role of Chief Constable of Warwickshire Police.

2.6 In line with recommended practice in selection and assessment, the Role Profile and Person Specification were used to form the basis for subsequent decisions about the appointment process including, application form, shortlisting criteria and interview questions.

Application form

2.7 The application form was designed to collect key information about the applicant's suitability for the role.

2.8 The application form was prepared with regard to the College of Policing Competency and Values Framework 2024 which outlines what effective behaviour looks like at different levels in policing. The candidates were required to provide evidence against a number of these competencies in their application form and were tested against them during the appointment process.

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- 2.9 The application form also detailed the eligibility criteria required pursuant to the determinations of the Home Secretary, this being the satisfactory completion of the Strategic Command Course (SCC). Each candidate was required to confirm when they had passed the course, and this was verified with the College of Policing.

Terms and conditions

- 2.10 The terms and conditions were compiled in accordance with Police Regulations and the Home Secretary's determination, using the national contract and guidance available.
- 2.11 The term of appointment will be for a fixed term of five years, together with any extension which may be approved by the PCC. The spot salary for the Chief Constable of Warwickshire is £173,937
- 2.12 A copy of the Terms and Conditions of the post can be found in Appendix A

3. Application, Shortlisting and Interviews**Information Sharing with Candidates**

- 3.1 All interested candidates were advised to make contact with the OPCC Chief Executive, who had an initial discussion with each about the process and to offer to provide information as required. Candidates were introduced to the PCC where necessary. A bundle of information was made available to each of the candidates, providing an open, transparent and equal opportunity for all and to ensure that as far as possible, no candidate had an advantage in the process due to prior knowledge of Warwickshire Police.

Applications and Shortlisting

- 3.2 Three potential candidates were in contact with the OPCC, who all subsequently submitted applications.
- 3.3 The Appointment Panel supported the Commissioner in shortlisting the applications. A shortlisting template was designed and shared with Panel members, along with the completed application forms.

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The Panel agreed unanimously that 2 out of the 3 candidates should be brought forward for interview. Feedback was offered to the candidate who was not shortlisted.

- 3.4 Once shortlisting had taken place further familiarisation briefings and visits were made available, as appropriate for each candidate. A briefing took place on 27 November at the OPCC offices which both shortlisted candidates attended.

Pre-Interview stage

- 3.5 Once shortlisted both candidate's details were shared with the College of Policing for them to complete a personality assessment. This took the form of a 16PF-5 Personality test, which consisted of an online questionnaire followed up with an interview. The reports were shared with the OPCC Chief Executive, and a briefing offered. The outcomes of these assessments helped identify further areas for probing in the interviews.
- 3.6 Two Advisory Panels were also convened and these took place on 2 December. The Advisory Panels were convened to seek the views of key stakeholders or representative organisations in the process. Two Panels were convened, one comprising officers and staff from Warwickshire Police, and the other external Partners. Participants were selected based upon the body, group or organisation they represented, as well as their background, experience and position held. Diversity of thought, knowledge and experience was considered particularly important as the appointment must promote trust and confidence in policing across Warwickshire.
- 3.7 Each Panel had an agreed set of questions to ask each candidate. The questions were prepared not to formally assess the candidates, rather to provide an insight and understanding of each candidate. The answers and information provided were used to identify areas of particular interest or concern that the Appointment Panel could question or explore further during the interview stage of the process. Each Panel was facilitated by a member of the OPCC staff, who supported the Panel Chairs in preparing a report for the Appointment Panel.

The Appointment Panel

- 3.8 Whilst the Police Reform and Social Responsibility Act 2011 states that it is the responsibility of the PCC to appoint a Chief Constable, the College of Policing guidance suggests that the Commissioner should convene an Appointment Panel and this must include a serving Chief Constable as a Policing Advisor and an Independent Advisor.
- 3.9 The role of the Independent Advisor is to ensure the appointment process is conducted in line with the principles of merit, fairness and openness and that the successful candidate is selected on merit. The College of Policing provides some guidelines on who is well fitted to be the Independent Advisor, and these were taken into account when selecting an appropriate individual.
- 3.9 The Appointment Panel consisted of:
- Philip Seccombe, Police and Crime Commissioner
 - Emma Daniell, Deputy Police and Crime Commissioner
 - Ben Brook, Chief Fire Officer, Warwickshire FRS, also carrying out the role of Independent Advisor
 - Paul Sanford, Chief Constable, Norfolk Police, also carrying out the role of Policing Advisor.
- 3.10 The Appointment Panel received reports from the College of Policing Personality Tests and from both Advisory Panels. Questions were derived from these, and from the College of Policing Competency and Values Framework.
- 3.11 A written note was prepared by the College of Policing to refresh the panel members about good practice in recruitment and to support a process built on merit, fairness and openness.
- 3.12 On the interview day each candidate first took part in in a media interview. A briefing note was provided to each candidate, and after 10 minutes an interview took place, which was videoed. Candidates were not given any notice of the types of questions that would be asked. The videos were later shown to the interview panel and scored.

The Preferred Candidate

- 4.1 The Appointment Panel unanimously agreed to the appointment of Alex Franklin-Smith as Chief Constable of Warwickshire Police. He achieved the top overall score and was judged to meet all of the required personal qualities of the Competency and Values Framework and the PCC and Appointment Panel were totally satisfied that he was the best candidate and suitable as the next Chief Constable of Warwickshire Police.
- 4.3 Accordingly, the PCC formally proposes to the Police and Crime Panel that Alex is the preferred candidate. Alex has served in Warwickshire Police since 2007 is currently serving as temporary Chief Constable, from his substantive post of Deputy Chief Constable.
- 4.4 A copy of the preferred candidate's application has been provided to Police and Crime Panel Members separately as a confidential document, as it contains personal information.
- 4.6 Subject to the Police and Crime Panel's decision today, the remainder of the recruitment checks will be completed, including vetting, and a start date will then be agreed for Alex to commence duty in the substantive role of Chief Constable of Warwickshire Police.

Implications of the appointment

- 4.7 **Financial** – The financial implications of the appointment of a Chief Constable are contained within the existing police budget.
- 4.8 **Legal** – In progressing the recruitment of a new Chief Constable the Commissioner has had regard to the legislation referred to within the report, as well as College of Policing guidance.
- 4.9 **Risk** – Failure to proceed to appoint the preferred candidate would require the undertaking of a new recruitment process. This would not necessarily result in more applications from suitable candidates, in fact the reverse may be true. This could lead to instability in the Force and reduction in public confidence in policing in Warwickshire.

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- 4.10 **Human Resources / Equality** – the appointment process has been open to all eligible candidates and has been conducted in accordance with the requirements of the Equality Act to ensure a fair and equitable process. Any requests from candidates for reasonable adjustments have been met.
- 4.11 The Independent Member appointed to the Appointment Panel endorses that the principles of fairness, openness and selection on merit were fully applied at every stage of the process.

Appendix A: Key Terms and Conditions of the Role

1. The salary for the post is set out in Annex F of the Police Regulations 2003 – Circular 006/2024, currently set as £173,937, and is subject to such pay awards and any nationally agreed adjustments, in accordance with Police Regulations. Salary, allowances and expenses will be paid in accordance with the prevailing Regulations.
2. **Vetting** - The appointment is subject to security clearance at Management Vetting (MV) level (NPPF) and also Developed Vetting (UKSV). These levels of clearance must remain valid throughout the duration of the appointment.
3. **Place of Work** - The normal place of work will be Leek Wootton Police Headquarters, and the postholder will be expected to undertake regular travel within and outside of the Force area.
4. **Agile and Flexible Working** - The PCC encourages the Chief Constable to set a positive and progressive example in respect of work – including location and working hours, commensurate with the requirements for visible leadership that the role commands.
5. **Hours of Work** - Hours of work will be in accordance with the prevailing Regulations.
6. **Annual leave** - Entitlement to annual leave is regulated by the Annex O Determination to Regulation 33 Police Regulations 2003. The current entitlement is 35 days. Rest days are to be taken in accordance with Police Regulations.
7. **Vehicle Provision and Personal Mileage** -A vehicle is provided and must be used in accordance with the force Chief Officer Vehicle

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policy. All private mileage undertaken in a provided vehicle must be reimbursed in accordance with force policy and any applicable procedure.

8. **Force Policies** - The Postholder must abide by the force policy applicable in respect of gifts, hospitality, business interests, travel and subsistence
9. **Accountability and Performance** - Primary and secondary legislation governs the relationship of accountability between the Chief Constable and the Commissioner. In particular, the prevailing Policing Protocol Order makes detailed provision in respect of accountability. The postholder will be expected to commit to regular discussions with the PCC about the exercise of the functions of the office, in the spirit of mutual respect, trust and confidence.
10. **National Work** - NPCC and other national representational work may be undertaken following consultation with the PCC.
11. **Professional Development** - The PCC commits to and encourages professional development.
12. **Insurance and Professional Subscriptions** - The PCC shall pay such reasonable professional subscriptions and indemnity insurance where they are required for the proper performance of the role.)
13. **Ethical Behaviour** - The PCC expects the Chief Constable to exemplify the highest standards of public service leadership and values, including demonstrable adherence to the Code of Ethics.

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Report to the Police and Crime Commissioner for Warwickshire and Police and Crime Panel (PCP) Meeting on 16 December 2024

Subject: Report from the Independent Advisor on the appointment of the Chief Constable on 06th December 2024.

Report author and contact details: Ben Brook, Chief Fire Officer, Warwickshire Fire and Rescue Service.

Purpose of the Report:

1. To provide the Police and Crime Panel with a report on the merit, fairness and transparency of the process, documentation and conduct of the interview and assessment process for the appointment of the new Chief Constable.

Background

2. In October 2024 I was approached by Polly Reed, the Chief Executive Officer (CEO) for the Police and Crime Commissioner (PCC) Philip Seccombe, about the Independent Advisor role required for the appointment of the new Chief Constable. After confirming I held no exempting roles, I was accepted by the PCC for the role.
3. During November, I briefed myself on the College of Policing Guidance for appointing Chief Officers, particularly on the requirements in fulfilling the role of Independent Advisor. I also spoke with the CEO about the role and the requirements to ensure a full understanding. The CEO, who holds the position of Monitoring Officer of this interview process for the PCC to achieve merit, fairness and openness in the selection process, also provided me with a timetable of the process, a copy of the application pack, details of the extent and coverage for advertising the position widely and requesting responses from applicants and a virtual briefing on the whole process.
4. On the 20th November 2024 I received the applicants detailed responses together with a scoring system for rating them. I carefully reviewed the responses, assessed them against the criteria for scoring, rated them and advised the CEO that in my opinion both applicants achieved the standard to be taken forward for interview.

Advisory Panels and Interviews – 02nd December and 06th December 2024.

5. The Advisory Panels took place on the 2nd December. There were two Advisory Panels, one with an internal panel and the other with an external panel. The internal panel was made up of 7 people from a range of positions and ranks across Warwickshire Police. The external panel consisted of 8 people who are key stakeholders from across key partners in Warwickshire.
6. The interviews of the two applicants took place on the 6th December 2024 and were timed sessions with a set of 6 consistent questions. The interview process also included a media interview which was assessed alongside the interview questions by the interview panel.
7. The panels were provided with a consistent set of questions with space to record notes taken. The CEO gave each panel a briefing and a written summary was produced by each panel for consideration by the interview panel. The panels had been asked by the PCC not to rate or rank the applicants.
8. I attended the final interviews. Interview panel members were each provided with a briefing pack which included the feedback from the Advisory Panels, personality profiling, the College of Policing Guidance for appointing Chief Officers. The panel were also provided, prior to the day via email, with the application forms and references for each candidate. A printed set of the 6 consistent questions asked at the interviews and the marking guidance was also provided to each panel member. All of the interview panel members contributed fully to the interview process, were unbiased, objective and consistent. The PCC chaired the interview panels, with each panel member asking questions in turn.
9. At the end of the interviews the panel fully discussed the applicant's strengths and weaknesses and their responses to the 6 pre-set questions. Each member contributed fully to these discussions and then provided a summary of their assessment of each candidate and a scoring. The scores were collated by the CEO, a total score for each candidate recorded and a result declared by the PCC on merit. The successful applicant will be put forward by the PCC to the PCP for ratification at their meeting on 16th December 2024.

Conclusion and report

10. I have briefly outlined in this report the interview process I was asked to report on and attended on the day of the interviews for the appointment of a new Chief Constable for Warwickshire. This covers the documentation prepared and used in the process, the means and criteria used for the

applicant's assessment and scoring and the impartial and consistent conduct of the three interview panels to arrive at a result on merit.

11. I can confirm to the PCC and PCP that I was not aware of any bias, the selection process was robust, objective, fair and transparent.

Recommendation:

To review the contents of this report and comment as appropriate.

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