



Devon and Cornwall Police and Crime Panel

16th September 2022

CONFIRMATION HEARING FOR THE PROPOSED APPOINTMENT OF CHIEF CONSTABLE OF DEVON AND CORNWALL POLICE

1. PURPOSE OF THE REPORT

- 1.1 To provide notification of the Police and Crime Commissioner's preferred candidate for the role of Chief Constable for Devon and Cornwall Police, and to seek confirmation of this proposed appointment through a confirmation hearing conducted by the Police and Crime Panel, as required by the Police Reform and Social Responsibility Act 2011.

2. RECOMMENDATION

- 2.1 That the Police and Crime Panel support Mr. Will Kerr OBE as the confirmed candidate to the role of Chief Constable for Devon and Cornwall Police.

3. INTRODUCTION

- 3.1 Mr. Will Kerr OBE is the Police and Crime Commissioner's (the Commissioner's) preferred candidate for the role of Chief Constable for Devon and Cornwall Police following a rigorous and robust application and interview process.
- 3.2 The Police Reform and Social Responsibility Act 2011 (PRSRA 2011) sets out a range of information that must be supplied by the Commissioner to the Police and Crime Panel as part of the confirmation process, as follows (Schedule 8, 3):
- the name of the person whom the PCC is proposing to appoint [given in paragraph 2.1],
 - the criteria used to assess the suitability of the candidate for the appointment [given in section 9, Criteria];
 - why the candidate satisfies those criteria [given in section 8]; and
 - the terms and conditions on which the candidate is to be appointed [given in Appendix A, Candidate Information Pack].
- 3.3 The Police and Crime Panel must review this information and make a report to the Commissioner on the proposed appointment.

4. BACKGROUND

- 4.1 Following Chief Constable Shaun Sawyer QPM's decision to retire from his role in August 2022, a full, open recruitment process was undertaken to identify a Chief Constable for



Devon and Cornwall Police, in accordance with the requirements of the PRSRA 2011 and the College of Policing guidance for appointing chief officers.

4.2 The recruitment process resulted in five applications for the role being received.

5. PROCESS

5.1 The recruitment process for Chief Constables is set out in the Police Reform and Social Responsibility Act 2011; the Police Regulations 2003; the Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012; and Home Office Circular 20/2012 (as amended).

5.2 The Chief Executive ensured the recruitment process met the legislative requirements and was developed in accordance with the College of Policing's 'Guidance for Appointing Chief Officers', 2018.

5.3 The vacancy was advertised on the Devon and Cornwall OPCC website and via the College of Policing Website and was also circulated to the International Police Association for them to distribute to their members. Feedback received confirmed that the national chief officer cohort knew about the vacancy, and a number of conversations were had with eleven potentially interested parties. The post was advertised on 8th June 2022 and closed on 6th July 2022. (Appendix C)

5.4 The shortlisting and interview panel was arranged. Given the significance of the Chief Constable role, a suitably skilled, experienced and senior panel was convened whom represented areas which had an impact on the delivery of policing services, as follows:

- Alison Hernandez, Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly (Appointing Officer)
- Karime Hassan, Chief Executive of Exeter City Council and Exeter City Futures
- Mark Shelford, Police and Crime Commissioner, Avon and Somerset
- Angela Cossins, South West Regional Director of Probation
- Kate Kennally, Chief Executive of Cornwall Council (Independent Member)

5.5 In addition, the panel was advised and chaired by Frances Hughes (Chief Executive and Monitoring Officer, Devon and Cornwall OPCC) and Mr. Stephen Smith from the College of Policing.

5.6 Collectively, the panel has extensive experience of recruiting at a senior executive level. It was confirmed that no panel member had any conflict that necessitated declaration.

5.7 Relevant national guidance requires at least one of the panel to be an independent member. A key role of the independent member is to ensure the appointment principles of merit, fairness and openness are followed and to verify the extent to which the panel were able to fulfil their purpose (for example, to challenge and test that the candidate meets the necessary requirements to perform the role).

Kate Kennally, Chief Executive of Cornwall Council agreed to act as the independent member of the panel and has written a separate report to the Police and Crime Panel confirming the fairness of the process and decision making (Appendix D).

5.8 A comprehensive information pack for candidates was produced by the Chief Executive, and the supporting information was reviewed and revised. This included the terms and conditions of the appointment being confirmed by the Alliance HR department, and the assessment criteria being reviewed by the College of Policing.

6. ASSESSMENT

- 6.1 In the first instance, the Chief Executive assessed the candidate's application to have met the minimum eligibility criteria for the role, as set out in the role profile (and included in the candidate application pack). These included: holding the rank of Assistant Chief Constable/Commander or a more senior rank in a UK Police Force; having successfully completed the Senior Police National Assessment Centre and the Strategic Command Course; having Authorising Officer Training; and having wide ranging law enforcement experience.
- 6.2 The candidate was scored, by the panel, at both the shortlist and the interview stage against the College of Policing competencies.
- 6.3 Two candidates scored highly at the shortlisting phase, and it was the consensus of the panel that they be invited for interview. The panel identified a number of areas for further questioning at the interview.
- 6.4 To support the offer of proposed appointment, references were sought in advance of the interviews with the consent of both candidates. Both candidates provided strong, clear endorsements of suitability, with no issues being raised by either referee.

7. INFORMAL BRIEFING TO THE POLICE AND CRIME PANEL

- 7.1 On 10th August 2022 and prior to the interview process the OPCC Chief Executive gave an informal briefing via Microsoft Teams to the Devon and Cornwall Police and Crime Panel. This briefing was aimed at familiarising the Panel with the process which was being followed and the role of the Panel in the confirmation hearing. Panel had the opportunity to ask questions and clarify any issues as part of these discussions.

8. STAKEHOLDER PANELS

- 8.1 Three stakeholder panels were convened to provide internal and external involvement and input into the appointment process: an internal panel; and external panel and an unseen media task observed by internal and external partners. The Internal Panel was for Devon and Cornwall Constabulary officers and staff representatives to participate. The External Panel and Media Task observers were drawn from senior external stakeholders, both politicians and officers with whom any future Chief Constable would need to work. Each panel also included at least one police cadet.
- 8.2 The Internal Stakeholder Panel was represented by staff and officers including the following:
 - Police Federation
 - Unison
 - Superintendents Association
 - GMB Union
 - Special constabulary
 - LGBT Network
 - All Together Different network
 - Police Staff representatives.
 - Police Cadets

- Chair of the Staff Support Hub
- 8.3 The External Stakeholder panel was represented by individuals from the following organisations, or area of business:
- Devon and Somerset Fire Service
 - BtheChange, CIC
 - Victim Support
 - Torbay Together Partnership
 - Crimestoppers
 - Plymouth City Council (*no representative could attend*)
 - Devon and Cornwall Police Cadets
- 8.4 The Panels were facilitated by Chairs nominated by the Police and Crime Commissioner. The Chief Executive of the OPCC provided written and verbal briefings to the panel chairs prior to the stakeholder panels and developed an information pack for each stakeholder participating and supported each panel through debriefing and assessment of candidate using an assessment template. The Internal Panel was chaired by Alexis Poole, Assistant Chief Officer and Director of People at Devon and Cornwall Police. The External Stakeholder Panel was chaired by Mr Michael Saltern, Advisor to the Police and Crime Commissioner. The Unseen Media Task was Chaired by Mr Patrick Phelvin, Communications and Engagement Manager at the OPCC.
- 8.5 The questions asked by both Panels were developed by seeking questions in advance from those participating and by using the results from a whole staff survey undertaken by the Commissioner to seek the views of police officers and staff on their thoughts about the qualities of a new Chief Constable. This questionnaire generated over 700 responses. A question set of eight questions was developed for each panel and agreed in advance with the College of Policing. During each panel these core set of questions were asked to each candidate, which were followed by bespoke follow up questions from panel members.
- 8.6 The unseen media task was a filmed media interview undertaken by an external journalist. This media exercise was observed by invited stakeholders. The observers were not permitted to engage with the candidates but were present to score their performance under realistic conditions. Panel members included representatives from:
- Cornwall Council
 - Devon County Council (*no representative could attend*)
 - Torbay Council
 - Exeter City Council
 - Office of the Police and Crime Commissioner
 - Devon and Cornwall Police Cadets
- 8.7 A representative from the College of Policing, Mr Stephen Smith was present at each of the stakeholder panels and the main interview panel as an observer.

9. CRITERIA

- 9.1 The application form was designed to pose questions in relation to each of the competencies but allow candidates the opportunity to provide evidence of suitability, skills,

experience, and relevant continuing professional development. Each question had a maximum word limit for the answer.

- 9.2 The selection criteria used to assess the suitability of candidates at both the shortlisting and interview process reflected the national Competency and Values Framework recommended by the College of Policing to ensure that candidates demonstrate the key competencies required at the Chief Constable level.
- 9.3 The main interview followed a traditional structured format, with panel members taking turns to pose predetermined questions designed to probe each one of the assessment criteria. The panel received training and detailed information packs on the Chief Constable appointment process, delivered by Frances Hughes ahead of the shortlisting and interview process. The purpose of this training was for the panel to:
- gain a shared understanding of the assessment criteria;
 - discuss and agree what effective and ineffective performance looks like; and
 - understand the principles of fair and merit-based assessments and how to apply this consistently.

Panel members received feedback from the stakeholder panel chairs and viewed the video of the unseen task prior to commencing the main interview to ensure the full remit of each competency was tested.

- 9.4 Throughout the interview process each panel member questioned the candidates. Each member took extensive notes, and at the end of the process these were used to assist determining the performance and suitability of the candidate.
- 9.5 This detailed and rigorous process resulted in a unanimous decision to recommend that Mr. Will Kerr OBE be appointed.

10. THE PREFERRED CANDIDATE

- 10.1 The preferred candidate:
- Meets the criteria for appointment to the rank of Chief Constable as set out in law;
 - Has undertaken an open, transparent and rigorous recruitment process which included independent, internal and external scrutiny and met the principles of fairness, openness and merit;
 - Has a considerable and long-standing career in policing and has a proven operational and strategic background at a senior level both nationally and internationally;
 - Demonstrated throughout the application and assessment process his unquestionable ability to not only lead Devon and Cornwall Police, but to deliver improvements to the policing service in Devon, Cornwall and the Isles of Scilly
 - Was able to demonstrate that he met the values and competencies at senior manager/executive level as set out in the College of Policing Competency and Values Framework (Appendix D), namely: Values: Impartiality; Integrity; Public Service; Transparency; Competencies of: Emotionally aware; Take ownership; Collaborative; Deliver, support and inspire; Analyse critically; Innovative and Open-minded.
- 10.2 In summary Mr. Will Kerr OBE performed to an excellent standard throughout the application and assessment process, which rigorously challenged and tested the candidates against the necessary requirements for the role and is the Police and Crime

Commissioner's preferred candidate to be Chief Constable of Devon and Cornwall Police. At interview, Mr Will Kerr demonstrated the breadth of his policing experience, leadership, and ability to command a force and engage at the highest levels with local, regional and national stakeholders. It was the unanimous view of the panel that he held the skills, abilities and qualities required to lead Devon and Cornwall Police.

11. PREFERRED CANDIDATE BIOGRAPHY

- 11.1 Will Kerr is currently Deputy Chief Constable for Police Scotland. Before joining Police Scotland DCC Kerr spent over 27 years in the Police Service of Northern Ireland, where he held a number of command-level posts, including Assistant Chief Constable Belfast and ACC Crime and Operations. His responsibilities included being the Counter Terrorism Lead in Northern Ireland, and the Chair of the NI Strategic Coronation Group with MI5 colleagues. These decisions took place against a "severe" threat level and a high demand and risk operational environment and a complex political environment.
- 11.2 He joined the National Crime Agency in 2017 where, as director, he was national lead for co-ordinating the UK's domestic and international response to child sexual abuse and exploitation, modern slavery, human trafficking and organised immigration crime. He was also the strategic lead for the NCA's relationship with devolved administrations and partners in Scotland and Northern Ireland. In this role he chaired the UK's "Strategic Governance Group" for each of these crime threats and was responsible for delivering strategic action plans against each threat across a wide range of key partners.
- 11.3 DCC Kerr, who was awarded the OBE in 2015, joined Police Scotland in 2018 as Deputy Chief Constable for Local Policing. There his responsibilities include partnerships, prevention and community wellbeing and criminal justice. He is a member of the Justice Board for Scotland, a member of the Sentencing Council for Scotland (a Ministerial appointment) and was elected as the UK's delegate to INTERPOL's (12 person) Executive Committee.
- 11.4 As Deputy Chief Constable he has had strategic portfolio responsibility for over 16,000 officers and staff, with an overall pay and non-pay budget of over £710m. He is responsible for the delivery of local policing services across Scotland's 32 Local Authority areas, with line management responsibility for 5 Assistant Chief Constables. In this role he has invested very heavily both in terms of personal relationships and enabling structures in improving policing's strategic partnerships with all 32 Councils (individually and via the Convention of Scottish Local Authorities) and other key partners in civic society across Scotland. These relationships are now fundamentally more positive, underpinned informally by mutual respect and support, and formally by Collaboration Agreements/Strategic Partnership Frameworks. Critically, these communities, whether in urban, rural, remote or island communities across Scotland are now at the heart of policing decisions and considerations.

12. TERMS AND CONDITIONS OF APPOINTMENT

- 12.1 The terms and conditions on which the candidate is to be appointed are given in the candidate information pack (Appendix A).

13. LIST OF APPENDICES

- A. Candidate Information Pack (incorporating terms and conditions of appointment)
- B. Application Form
- C. Recruitment timeline
- D. Assessment Criteria/College of Policing Competency Framework
- E. Independent Member report: Kate Kennally

Contact for further information:

Pierre Doutreligne

Governance Officer

Office of the Police and Crime Commissioner for Devon and Cornwall

pierre.doutreligne@devonandcornwall.pnn.police.uk

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