

Independent Member's Report

Recruitment of Chief Constable for Devon and Cornwall Police

1. Introduction

- 1.1 This is the Independent Member's report relating to the appointment process for the next Chief Constable for Devon and Cornwall Police. It provides my assessment of the appointment process used by the Office of the Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly which I consider to have been conducted fairly, openly and based on merit. It also details the extent to which the interview panel fulfilled their responsibility to challenge and test the candidates' suitability against the requirements of the role.
- 1.2 Home Office Circular 13/2018 outlines that it is for the Police and Crime Commissioner (PCC) to decide how they wish to run their appointment process for a Chief Constable. It is for them to decide at the end of the process which candidate they wish to appoint, subject to confirmation by the Police and Crime Panel. However, they should involve an Independent Member in the assessment, shortlisting and interviewing of candidates.

2. Independent Member's role

- 2.1 The role of the Independent Member is laid out in Home Office Circular 13/2018. It is described more fully in the Guidance for Chief Officer Appointments produced by the College of Policing.
- 2.2 The independent panel member should not be a PCC, a member of the PCC's staff, a member of the PCP, a Member of Parliament, a Member of the European Parliament, a local councillor, a serving or retired police officer or member of police staff, a civil servant, a member of the National Assembly for Wales, a member of the Northern Ireland Assembly, a member of the Scottish Government, an employee of Her Majesty's Inspectorate of Constabulary, an employee of the Independent Police Complaints Commission, or an employee of the College of Policing.
- 2.3 The types of people suitable for the role of independent panel member might include, but is not limited to, Magistrates, Chief Executives of local authorities, and representatives of community organisations.
- 2.4 As the Chief Executive for Cornwall Council I meet the specified criteria as an Independent Member and was selected by the Commissioner for this purpose.

Independent Member Role Profile Home Office Circular 13/2018 states that at least one member of the appointment panel should be an Independent Member. It is important that the Independent Member is suitably experienced in selection and assessment practices, so they can determine the extent to which the appointment process is conducted in line with the principles of merit, fairness and openness. The role as set out in College of Policing Guidance for Appointing Chief Officers requires the independent member to:

- Be suitably experienced and competent in assessment and selection practices
- Undertake appropriate briefing/assessor training

- Be aware and have an understanding of the needs and interests of the recruiting force and local community
 - In collaboration with the PCC and other panel members, shortlist and assess applicants against the agreed appointment criteria and consider which candidate most closely meets the appointment criteria
 - Produce a written report on the appointment process, to be submitted to the Police and Crime Panel at the same time as the name of the preferred appointee, expressly and explicitly addressing the appointment principles of merit, fairness and openness and the extent to which the panel was able to fulfil its purpose (e.g. to challenge and test that the candidate meets the necessary requirements to perform the role).
- 2.5 I was invited by the Police and Crime Commissioner (OPCC) to become involved in this appointment prior to advertising. The application pack with the role requirements and person specification was assembled by the OPCC. It adhered closely to the Guidance for Chief Officer Appointments and was checked in draft by the College of Policing to ensure it met current requirements.
- 2.6 As a relatively small pool of candidates is not uncommon at this level the post was advertised through the OPCC website, the College and Policing Website and via the International Police Association to maximise the size of the pool and to demonstrate openness to all who might apply. The PCC and her staff actively demonstrated from the outset that in the interests of public accountability, they were committed to adhering to the principles of openness, fairness and merit.

3. Appointments panel

- 3.1 The role of the appointments panel is set out in the Guidance for Chief Officer Appointments. This outlines that the panel should be convened by the PCC before any stage of the appointment process takes place. There should be no conflicts of interest between panel members and the applicant pool.
- 3.2 The purpose of the appointment panel is to challenge and test if the candidates meet the necessary requirements to perform the role, and that the PCC should select a panel capable of discharging this responsibility. The PCC should also ensure that panel members are diverse, suitably experienced and competent in selection practices. They must adhere to the principles of merit, fairness and openness. All members were provided with a copy of this Guidance when they were invited to join the panel to ensure they are familiar with its content prior to the appointment process. The PCC's responsibility to ensure that appropriate briefing/assessor training is undertaken by all panel members. This was conducted by the Chief Executive of the Office of the Police and Crime Commissioner. It is suggested that a panel of approximately five members is convened, but this is at the discretion of the PCC.
- 3.3 Alison Hernandez PCC for Devon, Cornwall and the Isles of Scilly, actively followed this advice. Within this appointment process the panel had been agreed at the outset as consisting of the following members:
- Alison Hernandez, Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly
 - Frances Hughes, OPCC Chief Executive and Monitoring Officer (non-scoring Chair of the Panel)
 - Karime Hassan, Chief Executive of Exeter City Council and Exeter City Futures
 - Mark Shelford, Police and Crime Commissioner for Avon and Somerset

- Angela Cossins, South West Regional Director of Probation
 - Kate Kennally, Chief Executive Cornwall Council
- 3.4 The panel included an appropriate range of stakeholders from different parts of the public sector, while Karime Hassan also brought business experience from the private sector. Its composition and role mirrored the importance placed on partnership working in the locality.
 - 3.5 All panel members were identified for their strategic leadership experience to allow them to challenge and test others at executive level. All were given a briefing and access to a copy of the Guidance for Chief Officer Appointments, ensuring they were well informed on their duties in this appointments process. I consider the panel to be sufficient diverse in terms of ethnicity, sex and experience.
 - 3.6 The College of Policing Senior Leaders Hub was also appointed as a Professional Recruitment Advisor by the PCC, and the support and advice of the College of Policing was used extensively throughout, including at the interview stage. They did not however have a role in the decision-making process.
 - 3.7 The role of the Chief Executive (as defined in College of Policing guidance) is to support the PCC by ensuring the appointment procedure is properly conducted in line with the requirements set out in legislation, meeting the principles of fairness, openness and selection on merit. In addition, the Chief Executive is required to ensure appropriate monitoring of the procedures.
 - 3.8 The Chief Executive of the OPCC worked consistently to maintain standards, collaborating openly and helpfully with all of the panel members on the main panel and stakeholder panels members throughout the planning and administration of the appointment process.

4. Recruitment Advert

- 4.1 The application pack was drawn up by staff of the OPCC in line with the national guidance. The post was advertised on 8th June 2022 with applications closing on 6th July 2022 via the websites for the Devon and Cornwall PCC, and the College of Policing Senior Leadership Hub. In this way all eligible applicants in the UK pool were made aware of the opportunity. It was also circulated to the International Police Association for distribution amongst their membership.
- 4.2 Every effort was made to be transparent about the availability of the post and to encourage all potential applicants to consider it. The aim was to attract the strongest possible field of applicants, demonstrating openness. The published application pack was comprehensive, with links offering more detail. The pack included terms of appointment and met legal requirements. There was a clear intention to be open and transparent with candidates from the earliest stages of the process being published. The exercise was successful in that it attracted eleven initial enquiries, resulting in five applications.
- 4.3 The application form used was in line with the College of Policing guidance. It required details of the previous experience training, including successful completion of the Strategic Command Course; and evidence of skills and experience within the last three years related to the role profile. In being based on evidence of previous achievements, it was an appropriate tool to support merit-based judgements.

- 4.4 The application form included setting a word limit for each answer, thereby being fair to candidates in giving them clear expectations of the length of response required.

5. Role profile

- 5.1 The selection panel received a briefing on the role profile as advertised. This reflected the national guidance, including primary accountabilities, the competencies required and the terms and conditions offered. In the introduction to the candidate pack by the Police and Crime Commissioner she was very clear about her expectations of the role.

6. Initial Response to Advert

- 6.1 There were eleven requests for an application pack once the advertisement was released. Prior to formally submitting an application for the role, once their eligibility was confirmed, all prospective candidates were offered the opportunity to visit Devon and Cornwall on an informal basis and all prospective candidates were given an open offer from the PCC and the Chief Executive to have an informal briefing to discuss any matters prior to the formal process being initiated. A two-day informal familiarisation process was arranged with the opportunity to meet with a number of operational police officers and police staff. This comprised two days of meetings at locations in Cornwall and Devon which were organised by the Staff Office in Devon and Cornwall Police. Three candidates took up this opportunity. Candidates were able to discuss the process with both the PCC and OPCC Chief Executive at this stage.

- 6.2 The process subsequently translated into five completed applications from both male and female candidates. The size of the response represented a success when seen in the national context as the average number of applicants for posts of this nature is two. This evidenced that appropriate efforts had been made to keep the process as open as possible.

7. Devon and Cornwall Police Officers and Staff Engagement

- 7.1 Running parallel to the recruitment process the PCC ran an online questionnaire for police officers and staff across the Force asking their thoughts about what they believed would make a good Chief Constable. There were over 700 responses and the results of this survey were used by the PCC to design the questions for the interview. A summary of these results was also provided to the candidates prior to the final interviews and the main interview panel.

8. Shortlisting

- 8.1 Shortlisting was undertaken via Teams over two sessions due to challenges with getting all panel members together. I initially met with the OPCC Chief Executive to give my thoughts about each candidate and an indicative score and the remainder of the panel met by Teams later the same week to do likewise. The Chief Executive of the OPCC represented my views in this meeting and a shortlist was derived based on a consensus of those present. I received an update on the shortlisted candidates immediately after this meeting. At these meetings all members were asked whether they had a conflict of interest with any of the candidates and none were identified. The PCC and some panel members had met some of the candidates previously in a professional capacity. In order to ensure fairness of the process, it was noted that judgements would be based only on the evidence available in front of the panel, not on prior knowledge. This was to ensure impartiality, consistency and fairness.

8.2 Two candidates were selected for interview.

9. Psychometric Testing

9.1 On the day the shortlisted candidates were confirmed, the candidates' details were provided to the College of Policing to commence the psychometric testing process. The results of this process were discussed with the candidates by the College of Policing and a written report on each was provided to the Chief Executive of the OPCC and made available to the main interview panel as part of their document pack.

9.2 Information gained from a personality assessment of each candidate was used to inform questioning, but not to rank candidates, in order to avoid biasing the selection panel.

10. Formal Familiarisation Days

10.1 The two candidates selected were invited to two days of formal familiarisation on 8th and 9th August and were given the opportunity to meet a range of senior members of the OPCC Executive and Devon and Cornwall Police Executive Team. The OPCC also arranged for young people from Young Devon to come and meet the candidates to discuss what it is like to be a young person growing up in the locality currently, and also a community member from South Devon. The current Temporary Chief Constable and Director of Finance were not available for this event and Teams calls were arranged prior to the interviews with both candidates. This was for candidates to inform themselves about the local context. It was not used to gain additional information about them. This was once again to ensure transparency and fairness. Both candidates had the same amount of time with each subject matter expert.

10.2 Both candidates were provided with additional identical information throughout the process.

11. Stakeholder Panels

11.1 Three stakeholder panels were used the day before the formal interviews.

(i) Internal Stakeholder Panel

The composition of the internal stakeholder forum included a mix of representatives from Unison, the Police Federation, the Chief Superintendents' Association, the Special Constabulary, LGBT Network, Chair of All Together Different, Police Cadets, Chair of Staff Support Hub and a number of police staff. Those attending were invited to suggest questions for the stakeholder panel. These were collated and refined by the Chief Executive with the support of the College of Policing.

(ii) External Stakeholder Panel

The composition of the external stakeholder forum included a mix of representatives from community and voluntary sector, local authorities (officers and elected members), other statutory agencies drawn from across Devon and Cornwall. Those attending were invited to suggest questions for the external stakeholder panel. These responses were collated and refined by the Chief Executive with the support of the College of Policing.

A common set of questions was put to each candidate, to ensure consistency and fairness. The two stakeholder forums were supported by staff from the College of Policing and were also attended by a Chair selected by the OPCC, to monitor their delivery. Each stakeholder forum spent one hour with each candidate, with timing spread equally between the question areas. Feedback was reported to the selection panel the following day and was used to inform which areas might need further exploration by the selection panel. The order in which candidates were seen by the panels was varied throughout the process. This was further evidence of how the process sought to be fair to all.

Questions asked by stakeholders were well considered, appropriately challenging and probing. The feedback comments collated afterwards were balanced and insightful. The sessions were well chaired and managed, with good time management, again to ensure consistency and fairness.

It was agreed in advance that the opinions of the two stakeholder forums would not be scored or totalled numerically in such a way as to rank candidates. This was because members participating had not been trained in this and were not making measurable judgements linked to the competency areas. They were to be advisory only, to ensure that all final assessments and decisions were merit based.

(iii) Unseen Media tasks with a panel of partners as observers

The OPCC created an unseen task which could be a situation which any Chief Constable could find themselves in. Candidates were provided with data and information on a range of relevant police topics including disproportionality, drugs and stop and search and were then interviewed and filmed by a journalist. Each interview had the same time allocated. These interviews were filmed and observed by a panel of stakeholders from across partner organisations which included young people from the police cadets. For the Unseen Media Task the observing panel were asked to score the candidate against the College of Police competencies. The scores, together with the observing panel's comments, were fed back to the final interview panel.

12. Panel briefing / training

- 12.1 All panel members were provided with a detailed information pack electronically approximately a week before the interview. This pack included the application forms, results of psychometric testing, College of Policing Competencies, information on unconscious bias, staff survey results and a draft set of interview questions which had already been agreed with the College of Policing. Panel Members were requested to feed back to the Commissioner on the interview questions prior to the interviews, and these questions were subsequently amended to reflect the feedback received.
- 12.2 In addition, as the Independent Panel Member I was also provided with two references for each candidate and the guidance information and questions used by each of the stakeholder panels.
- 12.3 College of Policing guidance was followed in offering all members of the selection panel a briefing prior to the interview exercises. This set out the College of Policing guidance, helping to ensure the process would be transparent, objective and based on merit. This illustrated a willingness to make sure that the selection would be made on a clear evidence base, again demonstrating openness and transparency in the process.

- 12.4 Prior to the interviews commencing the main panel received feedback individually from all three stakeholder panel chairs and watched the filmed unseen task for each candidate. The feedback from the stakeholder panel chairs included the strengths that the panel observed as well as suggested areas that the main panel may wish to probe further at interview.
- 12.4 There was discussion in advance around what the minimum acceptable scores might be for each competency, to permit an appointment. The PCC's approach in establishing agreed standards and expectations in advance with all panel members was to ensure decisions would be based on evidence and merit, avoiding bias.
- 12.5 Consensus decision making by the panel was the preferred approach, but in the event of inability to achieve this, the PCC would be considered as first among equals on the panel. She would make the final recommendation on the preferred candidate, subject to ratification by the Police and Crime Panel.
- 12.6 The PCC and some panel members had met both of the candidates previously in a professional capacity. In order to ensure fairness of the process, it was noted that judgements would be based only on the evidence available in front of the panel, not on prior knowledge. This was to ensure impartiality, consistency and fairness.
- 12.7 Briefing of the panel prior to the interview was well planned. This helped the panel equip themselves for their role in being able to challenge and test candidates fairly. All panel members received an email version of the paperwork to support the interview process in advance and a printed version on the interview day itself.

13. Assessment design

- 13.1 The interview questions produced by staff of the OPCC in liaison with the College of Policing were of good quality in that they were open questions, including opportunities to probe, and were linked to the Competency and Values Framework and to local priorities.
- 13.2 The choice of interview questions was based on demonstration of evidence against the Competency and Values Framework for policing, with a focus on certain competencies. Panel members were asked to rate candidates on a five-point scale against each competency. This was designed to give transparent evidence of a fair and equal process for all candidates.
- 13.3 The timetable for the semi-structured stakeholder panels and final interview allowed adequate time for each element. The carefully planned timetable helped to ensure that the process would be objective, fair to all shortlisted candidates, and clearly based on merit.
- 13.4 The Police and Crime Commissioner undertook the delivery of the final decision to candidates and to co-ordinate feedback as required to the unsuccessful applicant.

14. Assessment decision making

- 14.1 Each panel member first scored separately at the interview stage. Scores were collated and any differences of opinion were discussed, in order to agree a moderated consensus view. This enabled the candidates to be carefully assessed on merit, with reference to evidence throughout.
- 14.2 Overall consensus scores were recorded by the Chief Executive and were endorsed by the PCC. Consensus was reached throughout after objective, evidence-based

discussion, leading to a jointly agreed recommendation regarding the preferred candidate. The successful candidate achieved high scores on all the selected areas of the Competency and Value Framework and was considered to be the best fit with local priorities.

- 14.3 The panel made a unanimous recommendation that Mr Will Kerr OBE be appointed.

15. Conclusions

- 15.1 Through the steps outlined above, the Police and Crime Commissioner fulfilled her responsibility to ensure the selection process was properly put in place in accordance with the responsibilities set out in the national guidance. Well planned use of the Competency and Values Framework throughout the process allowed clear evidence to be recorded and evaluated in order to make objective decisions. The panel rigorously challenged and tested the candidates against the necessary requirements for the role, giving assurance that the recommended appointment was appropriate. There was also carefully considered discussion between panel members before coming to a decision.
- 15.2 As the Independent Member I found that the decision-making process was demonstrably open and fair, with good efforts applied to seek the best available field of candidates. It was clearly based on merit, with decisions taken on careful analysis of evidence. Adherence to the highest standards throughout was taken seriously.
- 15.3 I can also confirm that the representative from the College of Policing was complimentary about the way in which the Chief Executive of the OPCC had managed the recruitment process for this most important policing role, commenting on the high-quality written resources and familiarisation opportunities for candidates and the wide engagement of Police staff and officers, partners and cadets in the recruitment process.
- 15.3 Therefore as the Independent Member I can confirm that the selection of the preferred candidate to be Chief Constable of Devon and Cornwall Police met the principles of fairness, openness and merit.

Kate Kennally

Chief Executive Cornwall Council