

Appointment of Chief Constable

Report to the Police & Crime Panel

1. INTRODUCTION

- 1.1 The purpose of this report is to notify the Police and Crime Panel (“the Panel”) of the Police and Crime Commissioner’s proposed appointment for the position of Chief Constable for Cheshire Constabulary.
- 1.2 The report provides an overview of the appointment process that has been undertaken by the Police and Crime Commissioner for Cheshire (“the Commissioner”) to select the Chief Constable.
- 1.3 The report also provides details of 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 provided herewith, see Appendix 1.
- 1.4 The proposed candidate is Mr. Darren Martland.

2. BACKGROUND

- 2.1 In June 2018 the former Chief Constable, Simon Byrne’s fixed term appointment (FTA) expired. At this point ‘acting up’ arrangements were already in place due to Mr Byrne being suspended in relation to on-going gross misconduct proceedings. These arrangements remained in place following the end of the FTA and until the appointment of a substantive Chief Constable following the conclusion of the proceedings.
- 2.2 The Commissioner announced his decision to recruit a new Chief Constable on Thursday 15 November 2018 by publishing an advertisement to open the recruitment process.
- 2.3 Prior to commencing recruitment the Commissioner agreed with the Chief Executive of the College of Policing, Mike Cunningham that the College of Policing Senior Leaders Hub would provide ‘expert’ advice and support to the process. This was done to ensure that the process was as objective and robust as possible.
- 2.4 The Police Reform and Social Responsibility Act 2011 (“the Act”) Schedule 8, paragraph 3 requires the Commissioner to notify the Police and Crime Panel of each proposed appointment of a chief constable, and include the following information:

- a) The name of the person he is proposing to appoint;
- b) The criteria used to assess the suitability of the candidate for the appointment;
- c) Why the candidate satisfies those criteria; and
- d) The terms and conditions on which the candidate is to be appointed.

2.5 Schedule 8, paragraph 3 of the Act states that the Police and Crime Panel must review the proposed appointment and make a report to the Commissioner on the proposed appointment, including a recommendation to the Commissioner as to whether or not the candidate should be appointed. This must be done within a period of three weeks beginning with the day on which the Police and Crime Panel receives notification from the Commissioner of the proposed appointment.

2.6 Schedule 8, paragraph 6 of the Act states that the Panel must hold a confirmation hearing before making a report and recommendation to the Commissioner in relation to the proposed appointment.

2.7 Schedule 8, paragraph 7 and 8 provides information on the Panel's right to veto the Commissioner's proposal for appointment.

3. APPOINTMENT PROCESS AND CRITERIA

3.1 Legislation and Guidance

The relevant legislation and guidance used are:

- a) Police Reform and Social Responsibility Act 2011, Schedule 8
- b) Home Office Circular 013/2018: selection and appointment of Chief Officers
- c) Police Regulations 2003
- d) College of Policing - Guidance for appointing chief officers
- e) Statutory Instruments - The Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012

3.2 The Appointment Panel

3.2.1 The Commissioner has the discretion to appoint the members of the Appointment Panel. The panel members were selected in order to provide a diverse range of perspective and all have previous experience of selection processes at senior levels.

The Panel Members were:

- David Keane, Police and Crime Commissioner
- Gill Lewis, Independent Member
- Mark Cashin, Chief Fire Officer
- Kath O'Dwyer, (Acting) Chief Executive – Cheshire East Council
- Celvyn Jones, Chief Office of Cheshire Special Constabulary and private sector business representative (Mr Jones was involved at shortlisting stage but due to unforeseen and avoidable personal circumstances he was not able to attend the interview stage)

3.2.2 The Panel was supported by the following advisors who provided support and advice to the panel but did not have a role in the decision making process:

- Professional Recruitment Advisors – College of Policing
- OPCC Monitoring Officer – Chief of Staff, Peter Astley MBE

3.2.3 The Appointment Panel members received a copy of the College of Policing Guidance for the Appointment of Chief Officers. See Appendix 7. The College of Policing delivered detailed training to the panel members on the appointment process, the College of Policing Competency and Values Framework and the assessment approach. The documents and training provided the panel members with a full understanding of the recruitment process and what was required of them.

3.2.4 The Commissioner included the panel members in the whole process, from development of questions, training, shortlisting, feedback from forums and personality questionnaires, and interview.

3.3 Advertisement for Chief Constable

3.3.1 The advertisement was drafted in co-ordination with the College of Policing and incorporated the key criteria and information on how to access an application form and information pack. See Appendix 2. Full details of the skills, experience, knowledge and qualifications required were provided in the Role Profile which was included in the information pack.

3.3.2 Part Two of Annex B of the Secretary of State's determinations, made under Regulation 11 of the Police Regulations 2003, specifies that 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 the closing date for applications must be at least three weeks after the date of the publication of the advertisement.

3.3.3 The position was advertised from Thursday 15 November 2018 until Wednesday 12 December 2018 (a period of 4 weeks) as follows:

- Police and Crime Commissioner's website
- Cheshire Constabulary website
- National Police Chiefs' Council website & circulation
- College of Policing jobs board
- Association of Police and Crime Commissioner's website
- APACE – email circulation
- Social media and a press release was also used to highlight the vacancy

3.4 Information Pack and Application Form

3.4.1 The information pack consisted of a letter from the Commissioner, role profile, terms and conditions and the timetable and selection process for the appointment. The information pack was developed by the OPCC in consultation with the College of Policing and the Independent Panel Member. See Appendix 3.

3.4.2 The self-assessment application form was developed in conjunction with the College of Policing. The Independent Panel Member was also consulted. It was decided that the information required for the application form would focus on candidates providing evidence against the four values within the College of Policing

Competency and Values Framework. The competency elements were to be tested during the assessments and interview process. The application form was clear in what information candidates had to provide. See Appendix 4.

3.5 Terms and Conditions

- 3.5.1 The terms and conditions, which can be viewed in the 'Conditions of Service' section of the information pack, were compiled in accordance with Police Regulations and Determinations. The advertisement and terms and conditions stated that the appointment will be for an initial term of up to 4 years. The 'spot rate' salary (as determined by the Secretary of State) is £149,142 was advertised by the Commissioner. There are also annual leave, other benefits and requirements included in the terms and conditions.
- 3.5.2 The salary has been conditionally offered and agreed at the level advertised.
- 3.5.3 The candidate has also indicated that he will be living in close proximity to the force area.

3.6 Role Profile

The role profile was developed in collaboration with the College of Policing. It followed the national guidance as well as incorporating Cheshire specific information. The role profile incorporates the primary accountabilities, the competencies required and all the skills, experience and knowledge required from a Chief Constable. It is contained within the information pack at Appendix 3.

3.7 Engagement Day

- 3.7.1 Within the information pack the Commissioner detailed that he would be holding engagement days on the week commencing the 26 November 2018 for potential candidates. This was outlined as an opportunity to find out more about the Commissioner's vision for policing in Cheshire and raise any questions candidates may have regarding the process or the role.
- 3.7.2 Three potential candidates took up this offer, all of whom subsequently applied for the position.

3.8 Applicants

- 3.8.1 The closing date of 12 December 2018 was clearly shown on the advertisement, within the application form and information pack. By the closing day, three application forms were received.
- 3.8.2 Receiving a relatively low number of applications is not unusual as the pool of potential applicants is extremely small. The College of Policing's recent 'Chief Officer Appointments Surveys Results and Analysis Report' showed that forces (who responded to the survey) usually receive small number of applications.

3.9 Shortlisting

Shortlisting was undertaken by the full appointment panel on the afternoon 17

December 2018. This was preceded in the morning by a full briefing and training session from the College of Policing. The panel unanimously assessed that all three candidates were of the quality and caliber to progress to the next stage of the assessment process.

3.10 Personality Questionnaire

- 3.10.1 All shortlisted candidates were required to complete a personality questionnaire in the form of a NEO Personality Inventory (NEO P-IR). This was administered by the College of Policing.
- 3.10.2 Upon receipt of confirmation of the shortlisted candidates' contact details the College arranged for each candidate to receive candidate instructions. These explained the process of undertaking the personality inventory and included the purpose of the inventory, how it would be used, how the candidate's information would be managed and who candidate information would be shared with.
- 3.10.3 Within this information candidates were provided with unique log-in details that enabled them to complete the personality inventory on-line. Once the candidates completed the NEO P-IR their responses were analysed and a generic report produced to assist the subsequent stages of the appointment process.
- 3.10.4 Based upon the candidate's responses, results and generic report, each candidate undertook an exploratory interview facilitated by a College of Policing psychologist. The interview sought to explore the candidate's profile and obtain evidence which helped validate the findings of the personality inventory results. The intention was to obtain instances which exemplify where their behavior is consistent and inconsistent with their profile.
- 3.10.5 A final report and oral briefing regarding each candidate was provided to the appointment panel prior to interview.

3.11 Stakeholder Panels

- 3.11.1 The stakeholder panels were undertaken to provide internal and external involvement and input into the appointments process. The stakeholder panels were held on 17 January 2019. The internal panel was for Cheshire Constabulary officer and staff representatives to participate and the external panel was for senior external stakeholders with whom any future Chief Constable would need to work. All attendees were confident in holding people to account and were passionate in their area of expertise. The Chair of the Police & Crime Panel was invited to observe the panels. The Independent Member on the Appointment Panel also attended to observe the panels.
- 3.11.2 The internal stakeholder panel was represented by staff and officers from the following:
 - Police Federation
 - Unison
 - Superintendents Association
 - Cheshire Women in Policing
 - LGBT Network

- Cheshire DISNET
- Cheshire Constabulary Minority Ethnic Group

3.11.3 The external stakeholder panel was represented by individuals from the following organisations or area of business:

- Cheshire Fire Authority
- Crown Prosecution Service
- National Probation Service
- Cheshire Youth Commission
- Cheshire Independent Advisory Group
- Voluntary, Community and Faith Sector
- NW boroughs NHS Trust
- Cheshire West and Chester Council

3.11.4 The panels were facilitated by the College of Policing. The College of Policing provided written and oral briefings to the panel members prior to the stakeholder panels and supported each panel through debriefing and assessment of candidate using an assessment template. The internal panel was chaired by the College of Policing and the Monitoring Officer chaired the external panel.

3.11.5 During each panel a core set of questions were asked to each candidate, which were followed by bespoke follow up questions from panel members. Five minutes were provided to candidates to provide answers. In the case of the external panel the candidates were provided an introductory question in advance to which they had three minutes to respond to.

3.11.6 The questions for the internal panel had been developed through consultation with Cheshire Constabulary officers and staff who had been asked to submit questions to the OPCC for consideration. These were analysed and themed by the College of Policing and OPCC, and approved by the Commissioner. The questions for the external panel were submitted by the attendees. These were analysed and themed by the College of Policing and OPCC, and final questions developed.

3.11.7 The outcome of the stakeholder panels for each candidate were reported and presented to advise the Appointment Panel prior to each respective candidate's interview. This supported the final stage of the assessment process.

3.12 Interview

3.12.1 Formal interviews were held on 18 January 2019.

3.12.2 The interview was assessed against the College of Policing's Competency and Values Framework, see Appendix 6. Each candidate was asked a core set of questions which were then supplemented by bespoke follow up questions. The questions were developed in consultation with the College of Policing and the Appointment Panel.

3.13 Deliberations

Following a comprehensive and rigorous selection process, the Commissioner with advice and consensus from the Appointment Panel determined that the preferred

candidate is Mr. Darren Martland and it is the Commissioner's proposal to appoint him as Chief Constable of Cheshire Constabulary.

All templates and core questions used are attached at Appendix 5

4. THE PROPOSED APPOINTMENT

4.1 The Commissioner considers that Mr. Martland satisfies the selection criteria set on the following basis:

4.2 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 of over 28 years in policing and has a proven operational and strategic background in Merseyside Police, Cumbria Constabulary and Cheshire Constabulary
- Demonstrated throughout the application and assessment process his unquestionable ability to not only lead Cheshire Constabulary, but to deliver improvements to the policing service in Cheshire
- 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 6), namely:

Values

- Impartiality
- Integrity
- Public Service
- Transparency

Competency

- Emotionally aware
- Take ownership
- Collaborative (stakeholder panels - advisory)
- Deliver, support and inspire
- Analyse critically
- Innovative and open-minded

4.3 In summary Mr. Martland 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 preferred candidate to be Chief Constable of Cheshire Constabulary.

5. REFERENCES, VETTING AND MEDICAL CHECKS

5.1 The Commissioner has received two references from previously serving Chief Constable's with whom Mr. Martland has worked confirming his ability to carry out

this role.

- 5.2 Mr. Martland has been operating as a Chief Officer for Cheshire Constabulary and has been vetted to the appropriate level for this position with the relevant checks having been carried out. These are being refreshed in line with his appointment.
- 5.3 Cheshire Constabulary Occupational Health Unit is undertaking a two stage medical assessment to confirm that Mr. Martland is medically fit to carry out the role. This will be concluded by 8 February 2019.

6. THE ROLE OF THE POLICE AND CRIME PANEL

- 6.1 The Police and Crime Panel are requested to review the proposed appointment and recommend to the Commissioner whether or not Mr. Darren Martland should be appointed as the new Chief Constable for Cheshire Constabulary.
- 6.2 The Panel are asked to report their recommendation to the Commissioner in writing.

7. INDEX OF APPENDIX

Appendix 1	Report of Ms Gill Lewis – Independent Appointment Panel Member
Appendix 2	Advert
Appendix 3	Information Pack
Appendix 4	Application Form
Appendix 5	Assessment Templates
Appendix 6	College of Policing's Competency and Values Framework (Overview)
Appendix 7	College of Policing Guidance for the Appointment of Chief Officers