

Gloucestershire Police and Crime Panel

Guide to Confirmatory Hearing

1. The panel is required by the Act to review the Police and Crime Commissioner's proposed appointments of Chief Constable, Chief Executive, Chief Finance Officer and Deputy Police and Crime Commissioner. The panel is required to hold confirmation hearings in public for these posts.
2. The candidate is requested to appear for the purpose of answering questions relating to the appointment. The hearing will be a relatively focused opportunity to explore key issues relating to professional competence and personal independence.
3. The Panel must be provided with:
 - The names of the person whom the PCC is proposing to appoint
 - The criteria used to assess the suitability of the candidate for the appointment
 - Why the candidate satisfies the criteria
 - The terms and conditions on which the candidate is to be appointed.

Prior to the Hearing

4. Following notification by the Police and Crime Commissioner to the panel, the Chair should write to the candidate, advising them of the date of the meeting and notify them of the principles of professional competence and personal independence on which they propose to evaluate the candidate.
5. The Panel should convene a pre-meeting following receipt of the papers from the PCC's Office and before the Confirmatory hearing itself. At this meeting questions and themes for discussion should be agreed.
6. Questions should be determined by the documents provided in support of the appointment and consideration of the following:
 - Professional Competence- relates to the candidate's ability to carry out the role through a comparison of the candidate's CV and job profile. In addition questions regarding professional judgement and insight.
 - Personal Independence – relates to the need for a candidate to act in a manner that is operationally independent of the Commissioner.

- Obtain evidence of the candidate's understanding of the various stakeholders that would need to be involved and engaged with
- An understanding of the separation of the Commissioner from operational independence

The Hearing in public

7. The first part of the meeting will comprise of the confirmatory hearing itself conducted in public and structured as follows:
 - a) Welcome the candidate to the meeting
 - b) Candidate has an opportunity to present to the Panel his/her understanding of the role
 - c) Opportunity for the Panel to ask questions of the candidate.
 - d) Candidate is given opportunity to clarify any answers given during the hearing and ask questions of the panel about the next stage of the process.

Decision Making

8. Immediately following the confirmation hearing, the panel should go into closed session to decide on its recommendations.
9. The Panel should discuss the following:
 - Whether the candidate has the professional competence to exercise the role as set out in the role profile.
 - Whether the Panel feels that the candidate has the personal independence to exercise the role, as set out in the role profile.
10. Where a candidate does not meet the minimum standards in these areas based on the role profile, this would suggest a significant failure in the appointments process undertaken by the Police and Crime Commissioner.
11. If the Panel believes that there has been a significant failure in the appointments process, for a Chief Constable position it may be appropriate to use the veto. For candidates for all other appointments, (the veto is not an

option) the Panel should provide advice to the Police and Crime Commissioner in the form of a letter making recommendations.

12. Where a candidate meets the standards but there is still cause for concern about his or her suitability, it may be appropriate to outline those concerns in the Panel's response to the Police and Crime Commissioner.

Communicating the Decision

13. Any recommendation to appoint should be communicated to the Police and Crime Commissioner in writing immediately following the making of the decision (i.e. next working day). The candidate should be copied into this communication.
14. Refusal should only be recommended rarely under the circumstances identified previously. The Police and Crime Commissioner should be notified on the next working day of the refusal in writing. Appended to this should be a separate document including the principal reasons for that refusal.
15. It is suggested that a period of five working days should elapse between the hearing and the release of information about any recommendation the panel to the public (whether positive or otherwise).