

## PFCP PROCEDURAL RULES – PROCESS NOTE 1

### CONFIRMATION HEARINGS – SENIOR APPOINTMENTS

#### 1. Deputy Commissioner, Chief Executive in the OPCC, Chief Finance Officer (Police and Crime function) and Chief Finance Officer (Fire and Rescue function)

The Police, Fire and Crime Commissioner will notify the Panel of the need for a confirmatory hearing in respect of proposed senior appointment and will provide the Panel with the following information:

- The name of the proposed appointee ('The candidate)
- The criteria used to assess the suitability of the candidate
- An explanation as to why the candidate satisfies the criteria
- The terms and conditions on which the candidate is to be appointed

The Confirmation hearing will be held at the next available meeting of the panel unless the appointment timescale requires an earlier hearing, in which case an extraordinary meeting will be arranged (see below re timescale)

Confirmatory hearings will be held in public, where the preferred candidate is requested to appear for the purpose of answering questions relating to the appointment.

Questions will focus on determining the professional competence and personal independence of the candidate.

Following this hearing, the panel will meet in private to review the proposed appointment and make a report to the commissioner recommending whether or not the candidate should be appointed.

***The Panel must meet and make its report to the Commissioner within three weeks of the date of receiving notification of the need for a Confirmation Hearing.***

#### 2. Chief Constable and Chief Fire Officer

The Procedure and timescale detailed at 1 above applies.

For a confirmatory hearing for the proposed appointment of the Chief Constable or the Chief Fire Officer in addition to the requirement to review and make a report to the Commissioner, the panel has the power to veto the appointment.

Having considered the appointment, the panel will be asked to either:

- a) Make a report supporting the appointment without qualification or comment;
- b) Make a report supporting the appointment with associated recommendations, or

- c) veto the appointment (by the required majority of at least two thirds of the persons who are members of the panel at the time when the decision is made).

If the panel vetoes the appointment of the candidate, the report to the commissioner must include a statement that the panel has vetoed the appointment with reasons.

The Panel must publish their report in any manner they consider appropriate

***Where the Panel does NOT exercise its veto***

The Commissioner must accept or reject the Panel's recommendation and notify the Panel accordingly.

***Where the Panel DOES exercise its veto***

The Commissioner must not appoint that candidate

The Commissioner may propose a reserve candidate

The Procedure and timescale detailed at 1 above applies

Having considered the appointment, the panel is required to make a report to the commissioner including a recommendation on whether or not the reserve candidate should be appointed.

The Panel must publish their report

The Commissioner is required to have regard to the report (including the recommendation) and notify the Panel of his decision as to whether he accepts or rejects the recommendation.

The Commissioner can subsequently appoint the reserve candidate or proposed another person for appointment to the post; in the event of the Commissioner choosing the latter course of action, that candidate will become the 'reserve candidate' and the process above relating to reserve candidate will be repeated.