

## **Confirmation Hearing- Chief Constable of Lancashire-20<sup>th</sup> March 2017**

### **Procedural guidance note**

The Chair:

- 1] Opens the meeting by welcoming the proposed candidate and others present.
  - 2] Apologies.
  - 3] Declarations of interest.
  - 4] Before the PCC presents his report Chair briefly sets out the process and outlines for the benefit of the candidate the key themes that the panel hopes to explore - professional competence and personal independence.
  - 5] Explains the process for approval or refusal of appointments ,confirming there is a power to veto this position under Section 5 of Schedule 8 [of the Police Reform and Social Responsibility Act 2011].Requires 2/3 majority of panel members present making decision to vote in favour of veto. Veto is used rarely and can only be exercised in specific circumstances, that is, if candidate fails to meet minimum standards of professional competence and personal independence. The veto is further detailed towards the end of this guidance note.
- Approval-the Act requires recommendations to appoint to be communicated in writing to the PCC .This should be done the next working day. LGA guidance recommends a 5 day working period should elapse between the hearing and release of information about ANY recommendation from the panel whether positive or otherwise. The candidate will be copied into any letter recommending approval.
- Refusal-PCC should be notified in writing on next working day. The PCC is responsible for notifying the candidate.
- 8] Allow the candidate to ask any procedural questions he/she may have before presentation of report and questioning gets under way.
  - 9] At all times the candidate should be treated fairly and politely and the questions must be within the parameters of the Local Government Association Guidance on Confirmation Hearings.
  - 10] PCC presents his report. The LGA Guidance provides that the hearing should be relatively short and focused.
  - 11] Panel ask their questions [may include supplementaries].
  - 12] At the end of the session the candidate should be given the opportunity to clarify any answers that he or she has given in the course of the hearing, and ask any questions of the panel, for example about the next steps or the decision-making process.

13] The Panel will then immediately go into closed session to decide on its recommendations.

14] Within 5 working days after the hearing the Panel must make a report and recommendation to the PCC as to whether or not the candidate should be appointed. The report must be published in a manner which is considered appropriate and the Chair of the Panel will inform the PCC in writing of the Panel's views on the candidate's suitability for the post and the recommendation as to whether or not he candidate should be appointed. 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.

Where the PCP *does not veto* the proposed appointment the PCC may accept or reject the PCP's recommendation as to whether the individual should be appointed. In either case the PCC must notify the PCP of their decision.

*If the Panel vetoes* the appointment the report must include a statement that the panel has vetoed it. When the veto is exercised the PCC must not appoint the candidate.

If the veto is exercised the report would set out the steps to be taken to make another appointment in accordance with the relevant Regulations. The must propose another candidate for appointment as Chief Constable and the same scrutiny process is followed but the PCP will not have the power to veto again.