

POLICE AND CRIME COMMISSIONER FOR LEICESTERSHIRE

POLICE AND CRIME PANEL

Report Of	POLICE AND CRIME COMMISSIONER
Subject	FORMAL NOTIFICATION OF PROPOSED APPOINTMENT OF CHIEF CONSTABLE IN COMPLIANCE WITH SECTION 38(1) POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011
Date	10TH NOVEMBER 2022
Author	LIZZIE STARR, INTERIM CEO, OFFICE OF POLICE AND CRIME COMMISSIONER

Purpose of Report

1. The Police and Crime Commissioner is required by Section 38 Police Reform & Social Responsibility Act 2011 (PRSRA 2011) to appoint a Chief Constable for the Leicestershire Police force area.
2. Schedule 8 2 (1) (a) PRSRA 2011 provides that I may not appoint a person to be Chief Constable unless the end of the confirmation process has been reached. This is further specified by Schedule 8 2 (3) and (4) which sets out: that a period of three weeks should have elapsed since the Leicestershire Police and Crime Panel ('Panel') was notified of a proposed appointment of a Chief Constable without a report on the proposed appointment being provided to me; or, that following receipt from Panel of a report with recommendations on the appointment, I have notified it of my decision on whether or not to accept its recommendations.
3. Schedule 8 3 (1) and (2) provide that I must notify the Panel of my proposed appointment of a chief constable, and that I must additionally notify the Panel of the following information:
 - the name of the person I am proposing to appoint;
 - the criteria that were used to assess the suitability of the candidate;
 - why the candidate satisfies those criteria; and,
 - the terms and conditions upon which the candidate is to be appointed.

Recommendation

4. For the reasons set out in this report, and in accordance with Schedule 8 4 PRSRA 2011, I invite the Panel to:
 - a) Review the proposed appointment of Rob Nixon as the Chief Constable of Leicestershire Police;
 - b) Hold a confirmation hearing to inform a report on the proposed appointment; and,
 - c) Review the appointment and make a recommendation to me as to whether Rob Nixon should be appointed as Leicestershire Police's next Chief Constable, in accordance with Schedule 8 4 PRSRA 2011.

Background

5. Chief Constable (CC) Simon Cole advised me of his intention to retire from Leicestershire Police on 18th March 2022. I immediately asked my then Chief Executive to outline a process for recruiting a new Chief Constable.
6. CC Cole recommended that the then current Deputy Chief Constable, Rob Nixon, could act as a temporary Chief Constable from 19th March 2022 until an appointed candidate was able to start in post and was the right candidate to do so.
7. In order to maintain stable effective leadership, the Temporary Chief Constable made a number of changes in the Chief Officer Team. ACC Julia Debenham was asked to commence the role of Acting Deputy Chief Constable and C/Supt Streets was asked to commence the role of Acting Assistant Chief Constable joining ACC David Sandall and the already Acting Assistant Chief Constable Kerry Smith.
8. On T/DCC Debenhams departure to Lincolnshire Police, ACC David Sandall was asked to commence the role of Acting Deputy Chief Constable.
9. The appointment of a Chief Constable is set out in statute, s38 PRSRA 2011, and it requires that both Chief Constables and Deputy Chief Constable candidates in the UK must have first passed the Police National Assessment Centre/Strategic Command Course (PNAC/SCC) in order to be eligible to be appointed to either of those ranks.
10. Unfortunately, Covid caused suspension of PNAC and SCC processes, and additionally, pass rates have been in decline for some years – the rate for the most recent cohort was just over 30%. Consequently, most UK police forces now have at least one temporary Assistant Chief Constable, and Leicestershire as outlined above has a chief officer team made up completely of temporary promotions. Furthermore, research collected suggested most recent chief constable recruitment processes have attracted no more than three eligible candidates, with some attracting just one or two.
11. The College of Policing are conscious of the impact of the eligible chief officer shortage, and a review of the current process for training and developing chief officers is currently underway.
12. On learning of the devastating news of former CC Simon Cole's death I made the decision to pause the process of recruiting a new Chief Constable out of respect for both the immediate and wider policing family whilst the county and Force grieved the loss of CC Cole. I instructed the team to pause all recruitment until the beginning of July at the earliest. I was confident the interim arrangements for the leadership of the force were more than equipped to manage the force to the high standards required.

Recruitment Process

13. I am required (Home Office Circular 013/2018) to include an Independent Member on my appointment panel to oversee the recruitment process for a Chief Constable. I am obliged to ensure that the appointment for a Chief Constable is open and transparent, and that my selection for a preferred candidate is based on merit. Guidance indicates that the Independent Member should be familiar with the local area, suitably experienced and competent in selection and assessment exercises, willing to attend any briefings/ training as needed, and able to produce a written report addressing the key appointment principles of merit, openness, and fairness. The Independent Member may be drawn from groups such as magistrates, chief executives of local authorities, representatives of community organisations and local business leaders.

14. My Office invited CFO Callum Faint to act as the potential Independent Member, on which he was happy to assist. I believe Mr Faint was the ideal candidate to act as the independent member due to having unrivalled knowledge of the local area, a great understanding of public sector recruitment and assessment processes and also the understanding of working and leading another blue light service.
15. I would like to express my sincere thanks to CFO Callum Faint for the excellent assistance he provided throughout the process, ensuring the Chief Constable recruitment process was conducted properly and based on integrity and merit.
16. I worked with my office to identify and invite members onto my final selection panel. I worked to identify panel members that offered a diverse set of backgrounds, experience and views as well as covering a good geographical reach. The final interviewing panel was therefore made up of the following:
 - a.) Baroness Nicky Morgan
 - b.) Cllr Hemant Rae Bhatia, Leicester City Council
 - c.) Mr David Woods, former High Sheriff of Rutland
 - d.) Mr Callum Faint, Chief Fire Officer – Independent Member
17. Further to this, I worked with my Office to identify key internal and external stakeholders, with a view to inviting them to participate in stakeholder panel interviews of the potential candidates. The decision on who to appoint as Chief Constable rests with me as elected Police and Crime Commissioner. However, while stakeholders should not score candidates, their views, and impressions, were very useful to understanding the relative strengths and areas for development with each candidate, as well as fit with the organisation and in the wider partnership landscape.
18. The invitation to be involved in the stakeholder panel interviews was very popular, and we further invited stakeholders to develop their own questions to ask of the candidates. As with the final interview panel it was very important to me that both panels had diverse coverage across different organisations, ranks, roles and beliefs to best represent the population of LLR. The questions were wide ranging, challenging and created a strong indepth test for the applicant.
19. The interview pack for the internal stakeholder panel can be found in Appendix 1. The internal stakeholder panel had the following representation:
 - a. Head of an Internal Force Department
 - b. HR Business Partner
 - c. Representative from the Force Volunteers
 - d. Representative from the Force Specials
 - e. Head of the Professional Standards Department
 - f. Neighbourhood Policing Commander
 - g. Unison Representative
 - h. Chair of the Police Federation
 - i. Police Constable
 - j. An OPCC representative
 - k. Representative from the Force Cadets
 - l. Chair of the Black Police Association
 - m. Chair of the Christian Police Association
20. The interview pack for the external stakeholder panel can be found in Appendix 2. The external stakeholder panel had the following representation:
 - a. Chief Executive from the City Council

- b. Chief Executive of the Leicester, Leicestershire and Rutland Integrated Care Board
- c. Director of Children and Family Services, Leicestershire County Council
- d. Director of the Violence Reduction Network
- e. A representative of young people/people zones
- f. Chair of the Joint Audit Risk Assurance Panel
- g. County Council Leader
- h. Director of Public Health at Leicestershire County Council and Rutland County Council
- i. Head of the Probation Service for Leicester, Leicestershire & Rutland
- j. Director of Hinckley town BID and local business owner

21. Following the development of the recruitment pack, with role profile and application form (see Appendices 3a, 3b and 3c), on the 28th July 2022 my office commenced the recruitment process for Chief Constable for Leicestershire Police It was held open until 23.59pm on 15th September 2022, fulfilling the requirement for it to be advertised for no less than three weeks. As the application window fell across the summer, I made the decision to allow applicants 7 weeks to complete and submit their application forms.

22. The Chief Constable vacancy was widely advertised and met the standards set by the guiding principles mandated by the College of Policing and legislation. The approach to the recruitment process followed stipulated guidance and requirements at all stages.

23. Advertisements were placed on the website for my Office, our social media platforms including LinkedIn, Twitter, Facebook and Instagram, as well as on the College of Policing chief officer vacancy portal. The advert webpage has since been retired and archived as it is no longer live, but the advert text that was used to promote the Chief Constable role is included at in Appendix 4.

24. The statistics shown below show the estimated reach of the advertisement across the OPCC platforms:

	Reach	Engagement	Link Clicks	RT's/Shares	Likes
Twitter	624	47	25	7	3
OPCC Website	1,252				
Facebook	123	0	1	1	0
Instagram	30	1	5		
	2,029	48	31	8	3

25. One applicant applied for the role.

26. Prior to shortlisting all appointment panel members first received a briefing (see Appendix 5) from the Monitoring Officer (T/CEO Lizzie Starr), which set out fair and objective assessment principles, as well as techniques for ensuring consistency in assessment methods. A structured evidence-based method of assessment was used by all appointment panel members: Observe, Record, Classify and Evaluate.

27. Following the vacancy closing date, each panel member was sent a shortlisting pack which included the application form, guidance for shortlisting which reinforced fair and objective based assessment principles along with the role profile

28. A shortlisting panel session was held virtually on 23rd September 2022. Prior to this session each panel member submitted individual shortlisting scores, these were collected by the Monitoring Officer. The panel discussed each answer in detail along with the relative strengths and areas for improvement. The panel then came to a collective panel score. The decision of the appointment panel, based on scores achieved at that stage was that the candidate should be shortlisted for final interview. The candidate was of very high calibre and potentially suitable to be appointed as Chief Constable, subject to performance at further assessment stages.
29. The shortlisted candidate was further invited for stakeholder interviews on 26th October 2022, and to a final interview panel on 27th October 2022. The stakeholder panel members, chair of the stakeholder panels and final interview panel members received further pre-interview briefings from the Monitoring Officer, to reinforce the need for fair and objective assessments. The stakeholder panels were in person, at Force Headquarters, and they were overseen by the Monitoring Officer who also observed the final interview panel. Finally, members of the final interview panel received feedback on the candidate's performance at the stakeholder panels in their final briefing and interview packs.
30. The advertised recruitment process detailed a media exercise forming part of the assessment process, however due to the significant media coverage the candidate had been involved in relating to the East Leicester disorder, I made the decision that this element of the process could be removed as I, as PCC was satisfied with the candidate's ability to perform well in challenging, complex media interviews. Advice was obtained from the College of Policing who agreed with the decision and rationale for the removal of this element of the process in the attendance circumstances.
31. Each panel member of the stakeholder interviews was asked to write their own questions based on one behavioural cluster from the College of Policing CVF, which were circulated to each member prior to the interviews. The stakeholder panels were asked to assess the candidate based on a specific set of questions linked to the CVF provided in the briefing. This provided assurance to the final interviewing panel regarding the completeness for the assessment against the CVF.
32. The final interview panel were also asked to propose a number of questions they would like included in the final question set, these questions were collated, aligned to the College of Policing CVF and were reviewed by the College of Policing.
33. All interview questions were finalised and kept securely by my office until the day of the interviews. This was to ensure further integrity and confidentiality around the process. Supplementary questions were asked by the panel members, to ensure the interview panel was able to get as concise an understanding as possible of the candidate's abilities within each competency assessment area.
34. The candidate was asked, prior to interview, to prepare a 10-15 minute presentation on the following topic:

"My Police and Crime Plan highlights the challenges of policing the diversity of locations here in LLR. Whilst there are shared themes, the needs of communities living in urban areas such as St Matthews in the City are very different to those living in rural villages of Rutland such as Wing or Belton.

As Chief Constable how will you ensure that policing is delivered in such a way that it responds to the threats and risks facing different communities in different settings, whilst also addressing the need for policing to be visible and 'present' within communities?"

Follow up questions to the presentation were then asked of each candidate for up to 20 minutes by different final interview panel members. A 60-minute formal interview then followed.

35. The interview panel concluded the assessment of each candidate using a consistent scoring range and in line against the Competencies and Values Framework, as shown in the Assessment and Final Interview Pack at Appendix 7. Following conclusion of both interviews, the interview panel members then disclosed and discussed their scores, coordinated by myself as Chair. All scoring sheets and associated notes were collected in and will be kept securely stored within the OPCC, in line with our disposal and retention policy.

Outcome and Recommendation

36. Rob Nixon scored highly at final interview, with a total mark of 78% awarded for his responses to each of the nine questions, and for his presentation. I was grateful to receive advice and guidance from the final interview panel members and would like to record my thanks to them for participating in a demanding and rigorous process. They provided wise counsel throughout and agreed with my overall assessment that Rob was the outstanding candidate, being passionate and dedicated to the Force he had served at every rank for nearly 30 years.
37. Throughout the interview he demonstrated his outstanding commitment to working in partnership to deliver the best outcomes for the residents of LLR and provided evidence to the panel of his strategic influence and leadership across the force area. Rob provided substantial evidence of his ability to fulfil both the competency values required of a chief police officer.
38. Rob Nixon has therefore been identified as my preferred candidate to become Leicestershire Police's next Chief Constable.
39. I am confident that, in arriving at this proposed appointment, I have used all endeavours to undertake an open, rigorous, and transparent recruitment process. I am also confident that I have involved internal and external stakeholders at appropriate stages, as well as ensuring independent oversight throughout by involving an Independent Member to ensure the chief officer appointment principles of merit, openness and fairness were adhered to. I invite Police and Crime Panel members to scrutinise the report of the Independent Member, as attached at Appendix 8.
40. I wish to extend my sincere thanks to all those who assisted in the stakeholder panel interviews, the shortlisting and final panel interview and the Independent Member. I particularly wish to extend my gratitude to the task and finish group within my Office for their considerable assistance and hard work in ensuring a diligent and high-quality process was delivered throughout this recruitment exercise.
41. Subject to receiving a positive recommendation from the Police and Crime Panel, I propose that Rob Nixon be offered a five-year fixed term contract as Leicestershire's Police's Chief Constable, in accordance with the following terms and conditions as advertised:
 - Confirmation of security clearance at Management Vetting (MV) and Developed Vetting (DV)
 - Salary - The Chief Constable for Leicestershire's spot salary is £156,693 per annum. This salary will increase in line with national police pay settlements.

- Length of Appointment – This initial fixed term appointment will be for 5 years from date of commencement in post.
- Notice Period - Termination of this fixed term appointment will require a three-month notice period to be provided to the Police and Crime Commissioner, via the Chief Executive and Monitoring Officer.
- Working hours will be not less than 40 hours per week and such as are needed to fulfil the requirements of the post, subject to the requirements of the Working Time Directive. There is a requirement to be contactable 24 hours per day when not on leave. This role will require evening and weekend working including attending meetings and events during these times.
- The Chief Constable is provided with an unmarked operationally equipped vehicle that is fully maintained and insured. Further details are available upon request to the Office of the Police & Crime Commissioner.
- Expenses - The OPCC will provide reimbursement to the post holder of reasonable business expenses in line with Police regulations. The OPCC will meet the cost of: National Police Chiefs Council (NPCC) professional subscription;
 - Chief Police Officers Staff Association (CPOSA) legal expenses; and
 - Insurance, save that no part of any premium which underwrites the cost of claimant litigation against the Police and Crime Commissioner, or Police Force will be met by the OPCC.
- Continued Professional Development - Support for Continued Professional Development to include a formalised set of objectives
- Career Conversation Review - Participation in an annual career conversation review with the Police and Crime Commissioner, in which a revised set of personal objectives will be agreed.
- Location of residence and responding to operational needs - The Chief Constable's normal place of residence is expected to be in or close to the force area, in order that they are readily accessible to meet the operational needs and exigencies of the force.
- Relocation - If they move home into the Leicestershire Police force area, and it is in the interest of efficiency and effectiveness of the Force, the OPCC will pay all reasonable costs arising from the sale and purchase of property and removal expenses in line with national regulations.
- Annual Leave - The Chief Constable is entitled to leave in accordance with Police Regulations.
- Other Conditions - This post will be offered in accordance with the Police Regulations and other applicable legislation.

Attachments:

Appendix 1: Internal Stakeholder Interview Pack
 Appendix 2: External Stakeholder Interview Pack
 Appendix 3a: Chief Constable Recruitment Pack
 Appendix 3b: Chief Constable Application Form
 Appendix 3c: Chief Constable Equal Opportunities Monitoring Form
 Appendix 4: Chief Constable Advert
 Appendix 5: CC Interview Panel Briefing
 Appendix 6: CC Interview Shortlisting Pack
 Appendix 7: CC Interview Final Interview Pack
 Appendix 8: Independent Panel Member Report

Implications

Financial : None
 Legal : None
 Equality Impact Assessment : None
 Risks and Impact : None

Link to Police and Crime Plan : The Commissioner has a statutory responsibility to hold the Chief Constable to account.
Communications :

Person to Contact

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