



**Wednesday 8th January 2020**  
**10.30 am John Meilke Roon, Somerset West and Taunton Council The Deane House, Belvedere Road, TA1 1HE**

**Membership:**

Bath & North East Somerset	Alastair Singleton
Bath & North East Somerset	Andy Wait
Bristol City Council	Asher Craig
Bristol City Council	Afzal Shah
Bristol City Council	Peter Abraham
Independent Member	Richard Brown
Independent Member	Joseph Mullis
Independent Member	Andrew Sharman
Independent Member	Vacancy
Mendip District Council	Heather Shearer
North Somerset Council	Roz Willis
North Somerset Council	Richard Westwood
Sedgemoor District Council	Janet Keen
Somerset County Council	Josh Williams
South Gloucestershire Council	Patricia Trull
South Gloucestershire Council	Franklin Owusi-Antwi
South Somerset District Council	Martin Wale
Somerset West and Taunton Council	Chris Booth

**Contact Officer: Patricia Jones**  
Principal Democratic Services Officer  
07855 284506  
[pljones@somerset.gov.uk](mailto:pljones@somerset.gov.uk)

Agenda published: 23<sup>rd</sup> December 2019  
Somerset County Council  
County Hall, Taunton  
TA1 4DY



**RNID typetalk**



# Agenda

## Public Information Sheet

Guidance about procedures at the meeting follows the agenda. This meeting will be open to the public and press, subject to the passing of any resolution under Section 100A (4) of the Local Government Act 1972. This agenda and the attached reports and background papers are available on request prior to the meeting in large print, Braille, audio tape & disc and can be translated into different languages. They can also be accessed via the council's website on [www.somerset.gov.uk/agendasandpapers](http://www.somerset.gov.uk/agendasandpapers)

**\*\* Public Guidance notes contained in agenda annexe \*\***

1 **Apologies for Absence**

2 **Public Question Time**

Statements or questions should be e-mailed to [PLJones@somerset.gov.uk](mailto:PLJones@somerset.gov.uk), or sent to the Democratic Services Team, County Hall Taunton TA1 4DY (marked for the attention of Patricia Jones). Statements must be received no later than 12.00 noon on **Tuesday 7<sup>th</sup> January 2020**. Questions must be received no later than 3 clear working days before the meeting on **Thursday 2<sup>nd</sup> January 2020**.

3 **Declarations of Interest**

The Statutory Register of Member's Interests can be inspected by contacting Patricia Jones in the Democratic Services Team on Tel: 07855 284506 or [PLJones@somerset.gov.uk](mailto:PLJones@somerset.gov.uk).

4 **Confirmation Hearing - Proposed Appointment of Interim Chief Executive Officer**  
(Pages 7 - 28)

5 **Exclusion of the Press and Public**

**Recommended – that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the consideration of the following item, on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act (as amended).**

6 **Panel decision on the proposed appointment to the position of Interim Chief Executive Officer**

7 **Date of Next Meeting**

Tuesday 4<sup>th</sup> February 2020 at 10.30am

This page is intentionally left blank

# Avon & Somerset Police and Crime Panel

## Public Information Sheet

### Inspection of Papers/Register of Member Interests

You can find papers for all our meetings on our website at [www.somerset.gov.uk](http://www.somerset.gov.uk)

Please contact Patricia Jones, Senior Democratic Services Officer on telephone: 01275 885788 if you wish to inspect the papers or the Statutory Register of Member's Interests.

### Public Question Time

Members of the public may make a written statement to most meetings, provided that:

- the statement is received by the Democratic Services Team no later than **12.00 noon on the working day before the meeting**; and
- the statement is about a matter the Panel has responsibility for.

Statements should be e-mailed to [PLJones@somerset.gov.uk](mailto:PLJones@somerset.gov.uk) or sent to Somerset County Council, Democratic Services Team, County Hall, Taunton, TA1 4DY.

Any statement submitted should be no longer than one side of A4 paper. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.

**By participating in Public Question Time business, we will assume that you have consented to your name and the details of your submission being recorded in the papers circulated to the committee. This information will also be made available at the meeting to which it relates and placed in the official minute book as a public record.**

**We will try to remove personal information such as contact details. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Statements will not be posted on the council's website.**

#### Process during the meeting:

- Public Question Time is normally one of the first items on the agenda. If a statement concerns a specific item on the agenda, it may be taken just before the item concerned.
- The Chair will call each submission in turn. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- You may direct any questions or comments through the Chairman. You may not take direct part in the debate.
- Your time allocation may have to be strictly limited if there are a lot of submissions before the meeting.
- You do not have to speak or even attend the meeting at which your submission is being taken. However, if you do not present it, then it will not be read out. It will nevertheless be noted by Members.

## Emergency Evacuation Procedure

In the event of a fire alarm sounding, you are requested to leave the building via the nearest available signposted emergency exit and make your way to one of the assembly points around the building. Officers and councillors will be on hand to assist.

## Excluding the Press and Public

Occasionally, there will be items on the agenda that cannot be debated in public for legal reasons and these will be highlighted on the agenda as appropriate. In these circumstances, the public and press will be asked to leave the room and the Panel will go into Private Session.

## Recording of Meetings

Somerset County Council supports the principles of openness and transparency. It allows filming, recording and taking photographs at its meetings that are open to the public providing it is done in a non-disruptive manner. Members of the public may use Facebook and Twitter or other forms of social media to report on proceedings and a designated area will be provided for anyone who wishing to film part or all of the proceedings. No filming or recording will take place when the press and public are excluded for that part of the meeting. As a matter of courtesy to the public, anyone wishing to film or record proceedings is asked to provide reasonable notice to the clerk so that the Chairman can inform those present at the start of the meeting.

We would ask that, as far as possible, members of the public are not filmed unless they are playing an active role such as speaking within a meeting and there may be occasions when speaking members of the public request not to be filmed.

## AVON AND SOMERSET POLICE AND CRIME PANEL

8<sup>th</sup> January 2020

Report title: Confirmation Hearing Process for the role of Interim Chief Executive Officer

### 1. Executive Summary

1.1. Under the provisions of the Police Reform and Social Responsibility Act 2011, the Police and Crime Commissioner is required to appoint 'a person to be the head of the Commissioner's staff' (Schedule 1, 6 (1)(a)). This document explains the process to be followed by the Panel in respect of the proposed appointment of the preferred candidate to the role of interim Chief Executive Officer in the Office of the Police and Crime Commissioner.

### 2. Powers of the Avon and Somerset Police and Crime Panel

2.1. The Panel has functions conferred by Schedule 1 Part 10 of the Police Reform and Social Responsibility Act 2011 (Scrutiny of Senior Appointments) which require the Panel to:-

- Review the proposed senior appointment by holding a Confirmation Hearing within three weeks of notification being given. This is a meeting of the Panel, held in public, at which the candidate is requested to appear for the purpose of answering questions relating to the appointment;
- Make a report to the Commissioner on the proposed senior appointment.
- Include a recommendation to the PCC as to whether or not the candidate should be appointed.
- Publish the report to the Commissioner made under this paragraph.
- Determine the manner in which the recommendation is to be published

### 3. Confirmation Hearing for the role of Chief Executive

#### *Prior to the Hearing*

3.1 The Panel received notification from the Commissioner of the proposed appointment to the role of Chief Executive on 20<sup>th</sup> December 2019.

3.2 This appointment is an interim appointment pending PCC elections in May 2020. It is subject to the public scrutiny that is required as part of a proposed senior appointment process set out in Schedule 1 of the Police Reform and Social Responsibility Act 2011 <http://www.legislation.gov.uk/ukpga/2011/13/schedule/1>

3.3 On 25<sup>th</sup> November 2019 the Commissioner formally invited 2 members of the Panel to take part in the Stakeholder Panel part of the appointment process.

The Stakeholder Panel was constituted as follows:-

- Two members of the OPCC SLT
- Two members of the Avon and Somerset Chief Officer Group
- Two members of the Police and Crime Panel

The format for the stakeholder process ran parallel to the formal Appointments Panel on 19<sup>th</sup> December 2019 and involved stakeholders asking the shortlisted candidates a set of pre-determined questions after each candidate interview. Feedback was provided to the Appointments Panel by the Chair of the Stakeholder Panel but stakeholders were not involved in a formal evaluation of the candidates. The Appointments Panel consisted of the Commissioner, David Fothergill, the Leader of Somerset County Council, and Mark Simmonds, the Chief Financial Officer in the Office of the Police and Crime Commissioner.

3.4 In order to assist the Panel in reviewing the suitability of the preferred candidate, the Commissioner has provided the following documentation:

- Letter to the Chair
- Report from the Commissioner stating the name of the preferred candidate and why the candidate meets the role criteria
- Advert for the role
- Role Profile
- Independent Member statement from the recruitment process
- Terms and conditions of appointment

These documents are attached to this report as Appendix A.

3.5 The Panel should follow a narrow set of key lines of enquiry and ask questions of the candidate which relate to his/her professional competence and personal independence. In accordance with guidance, the Panel will hold a private meeting immediately before the hearing to discuss potential key lines of enquiry and finalise questions. It is important to recognise that the confirmatory hearing process should complement the internal systems for appointing staff and should not duplicate nor restage the OPCC appointments process. Guidance also states that in addition to the Lead Officer, the Panel might benefit from the advice of a Monitoring Officer or HR Specialist and accordingly, SCC's Monitoring Officer Scott Wooldridge will be present at the hearing.

#### *At the Hearing*

3.6 The first part of the meeting will be conducted in public and structured as follows:

- a. The candidate will be welcomed to the meeting.
- b. The Commissioner will be given the opportunity to summarise her report and comment on the candidate and the proposed appointment.
- c. The candidate will have an opportunity to present to the Panel his/her understanding of the role.
- d. The Panel will have the opportunity to ask questions of the candidate.
- e. The candidate will be given opportunity to clarify any answers given during the hearing and ask questions of the Panel about the next stage of the process.



#### **4. Closed Session**

- 4.1 The Panel will hold a closed session in order to decide on its recommendations to the Commissioner regarding the appointment of the preferred candidate to the role of Chief Executive Officer.
- 4.2 The Panel will 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.
- 4.3 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.
- 4.4 Where a candidate does not meet the minimum standards in the areas set out in paragraph 3.7, this would suggest a significant failure in the appointments process undertaken. If the Panel believes that there has been a significant failure in the appointments process, the Panel may choose to not recommend the candidate to the role of Chief Executive Officer.

#### **5. Following the Confirmation Hearing**

- 5.1 The outcome and any recommendations emerging from the Confirmation Hearing will be communicated to the Commissioner in writing the next working day.

Patricia Jones  
PCP Lead Officer  
07855 284506

[PLJones@somerset.gov.uk](mailto:PLJones@somerset.gov.uk)

This page is intentionally left blank

20<sup>th</sup> December 2019

Cllr Richard Brown  
Chair – Police & Crime Panel  
By email: [R.Brown@somersetwestandtaunton.gov.uk](mailto:R.Brown@somersetwestandtaunton.gov.uk)

Dear Richard

**Proposed appointment of Interim Chief Executive and Monitoring Officer**

In accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011, I write to inform you that I propose to appoint Mark Simmonds as Interim Chief Executive and Monitoring Officer for the Office of the Police & Crime Commissioner for Avon and Somerset.

Please find enclosed a report to enable members of the Police and Crime Panel to consider my proposed appointment. The report provides an overview of the appointment process conducted in November and December to select a preferred candidate.

I look forward to receiving the Panel's report on this proposed appointment.

Best regards



*Sue Mountstevens*

**Sue Mountstevens**  
Police and Crime Commissioner  
for Avon and Somerset

This page is intentionally left blank



## Proposed Appointment of Police & Crime Commissioner's Interim Chief Executive and Monitoring Officer

### Summary

The purpose of this report is to enable members of the Police and Crime Panel (PCP) to consider the Police and Crime Commissioner's (PCCs) proposed appointment of a Chief Executive and Monitoring Officer (CEO) and to report back to the Commissioner.

The report provides an overview of the appointment process that was undertaken in November and December 2019 by the Commissioner to select a preferred candidate.

### Background

The previous CEO, John Smith, resigned on 9 October 2019.

Schedule 1, paragraph 6, of the Police Reform and Social Responsibility Act 2011 (PR&SRA) states that "the Police & Crime Commissioner (PCC) must appoint a person to be the head of the commissioner's staff (referred to in this Part as the commissioner's chief executive)".

In addition, Schedule 1, paragraph 7 of the Act states that the PCC must appoint a person to act as Chief Executive, if and for as long as "that post is vacant".

The appointment term will be part-time on a 9 month fixed term contract. Secondments were also considered with written support of the employer. PCC elections will be held in May 2020 and the fixed term appointment is required to provide continuity of advice to the PCC and management of the OPCC team. The interim post will allow the elected PCC in May 2020 to appoint their own substantive Chief Executive Officer.

The PCC worked with HR advisers, the outgoing CEO and the Chief Finance Officer (CFO) to devise a recruitment process for the interim CEO post.

### The Appointment process

The post was advertised as follows:

- A&S PCC website;
- PCC social media networks including Twitter, Facebook and LinkedIn;
- Guardian on-line listing;
- APCC website;
- APACE website;
- Via Business West contacts.

The advert is attached as Appendix A. The advertising campaign went live on 18 November 2019 and closed at 12 noon on 9 December.

Candidates were required to submit applications via a Competency-based Self-Assessment application form. Candidates were also asked to complete an Equality Monitoring form (in compliance with the Equality Act 2010).

### **Role Profile**

The role profile defines what experience activities, skills and behavioural qualities or competencies are required to meet the demands of the role and for effective performance.

The role profile reflects the PCC's priorities and local requirements.

The APACE statement on the role of the Chief Executive and Monitoring Office of the PCC and the Police Reform and Social Responsibility Act 2011 were included in the application pack as reference material.

The seven Principles of Standards in Public life were included in the role profile.

The previous CEO job description was reviewed and other OPCC CEO job descriptions were also considered. The role profile is attached as Appendix B.

### **Appointment Panel**

The Appointment Panel was convened by the PCC before any stage of the selection process took place. The panel members were as detailed:

- PCC Sue Mountstevens;
- Mark Simmonds, OPCC Chief Finance Officer;
- Independent Member – Councillor David Fothergill Leader of Somerset County Council

The Appointment Panel were asked to declare prior knowledge of any of the candidates.

### **Independent Member**

Public appointments must be made on **merit, fairness and openness** in addition to the eligibility and legal requirements of the posts. An independent member was appointed by the PCC to ensure the selection and appointment process was conducted fairly. The independent member was asked to produce an endorsement of the appointment process. The statement is attached as Appendix C.

### **Applicants**

The campaign attracted five candidates three male and two females.

### **Shortlisting**

The applicants were assessed against an agreed appointment criteria and scored against a rating scale. The Avon and Somerset OPCC have a policy to interview all applicants declaring a disability who meet the minimum essential criteria and consider them on their abilities (in compliance with the Equality Act 2010).

The panel undertook a paper-sift of all candidates and a short list was agreed.

### **Selection**

Each element of the selection process was related to evaluating the role profile and core competencies. The Bramshill rating scale was used to score the selection process. This is a 1-7 (+3 to -3) rating scale developed by the Police College to assess candidates for the Senior Police Staff Assessment Process for Strategic Command where a score of zero represents, “ a sound and acceptable performance. Candidates are required to score 0 or above in all areas to progress at selection stage.

There were three elements to the selection day:

1. Presentation. The brief was issued to the candidates in advance with the application pack. The candidates were asked to give a 10 minute presentation to the Appointment Panel.
2. Written test. The brief was issued to candidates on the day. Candidates were asked to prepare advice and a written response to a complaint letter (redacted). They were given 30 minutes to prepare their response.
3. Interview. A 45-minute interview where candidates were asked questions related to the essential experience and competencies identified for the role and their responses were evaluated against the relevant core competencies.

### **Stakeholder Panel meeting**

Each candidate met with a Stakeholder panel directly after their interview. The meeting was 30 minutes in duration and the same set of questions were asked of each candidates. The Stakeholder panel members were:

- Two members of COG
- One member of OPCC SLT
- Two members of Police & Crime Panel

The Chair of the Stakeholder panel fed back any issues raised to the Appointment Panel.

### **Proposed Candidate**

The Appointment Panel unanimously supported the PCC in her recommendation to the Police & Crime Panel that none of the candidates were appointable following the appointment process.

Therefore, the PCC is proposing to appoint Mark Simmonds as interim CEO and Monitoring Officer. Mark will continue to act as the 151 Officer.

Mark has been the CFO and 151 officer for over 9 years and he is more than capable of fulfilling this role. He will be provided with support by OPCC SLT to manage the additional workload and we are also exploring additional support on the monitoring and finance aspects of the role on a call off basis.

### **Confirmation Hearing**

The Police Reform and Social Responsibility Act 2011 requires Police & Crime Panels to scrutinise senior appointments proposed by the PCC. Schedule 1 paragraph 9 defines senior appointments as the PCCs Chief Executive & Monitoring Officer, Chief Finance Officer and the Deputy PCC (if appointed). These are referred to as Schedule 1 appointments.

Under the Act, the PCC must notify the Police & Crime Panel of their preferred candidate for appointment as Interim Chief Executive and Monitoring Officer. The Police & Crime Panel must hold a confirmation hearing and provide a report to the PCC regarding the proposed appointment.

Schedule 8 of the Act states that the PCC must provide the following information:

- a) The name of the person whom the PCC is proposing to appoint;
- b) The criteria used to assess the suitability of the candidate and how the candidate satisfies these criteria; and
- c) The terms and conditions under which the candidate is to be appointed.

This information is set out in this report, to assist the PCP in considering the proposed appointment. In addition, this report provides the following information:-

1. A summary of the appointment, application and selection process;
2. Role profile.



Sue Mountstevens  
Police and Crime Commissioner for Avon and Somerset

### **Attached:**

- Appendix A – Interim CEO advert
- Appendix B – Interim CEO role profile
- Appendix C – Independent Member statement
- Appendix D – Terms and Conditions of Appointment





## Interim Chief Executive & Monitoring Officer

for a nine month fixed term contract

Salary FTE £105,849.00 (pro-rata)

The salary will be pro rata for the agreed part-time hours

Secondments will be accepted with the written support of the employer.

Are you an experienced Chief Executive Officer with a strong sense of civic duty?

Are you passionate about the importance of accountability, fairness and equality in policing and criminal justice services?

Come and join us and you could play a vital role in an organisation that provides a voice, on these key issues, to people living and working in our area.

The opportunity has arisen for an Interim Chief Executive Officer within Avon and Somerset's Office of the Police and Crime Commissioner (OPCC) based in Portishead.

The OPCC, and its elected commissioner, sets the strategy for policing in the area, oversees governance of the police service, commissions victim support services and co-ordinates innovative change projects across criminal justice partner agencies.

This exciting and varied role will involve:

Supporting and advising the Commissioner, and leading the team, in effective delivery of key priorities in the Police & Crime Plan.

Leading the OPCC team through PCC election in May 2020

Overseeing engagement strategy across the organisation.

Facilitating effective and appropriate scrutiny of the police force.

Being the statutory monitoring officer of the elected Police and Crime Commissioner (PCC).

You will be a dynamic, confident, leader who is not afraid to challenge and takes an analytical and problem solving approach to complex issues.

You will be used to a demanding workload, and have a successful track record of managing multiple work streams, people, resources and a busy schedule - which may require working flexible hours (including some evenings).

You will be adept at managing and maintaining essential relationships with key stakeholders at high levels across all public sector agencies and local, as well as central, government.

You will have strong influencing and advocacy skills and an abundance of experience in corporate governance strategy and legislation in the setting of a large and complex organisation.

You must be a person with the highest levels of integrity and the ability to make objective decisions in the public interest.

If this sounds like you, and you relish a challenge, then we'd like to hear from you.

For details of how to apply for this post please visit our website

<https://www.avonandsomerset-pcc.gov.uk/Take-Part/Interim-Chief-Executive-and-Monitoring-Officer.aspx>

You can also e-mail [pcc@avonandsomerset.pnn.police.uk](mailto:pcc@avonandsomerset.pnn.police.uk) or call 01278 646188 to request an application pack.

The closing date for applications is 12noon 9 December 2019.

The Selection day will be held on 19 December 2019.

## AVON & SOMERSET OFFICE OF POLICE & CRIME COMMISSIONER

### Role Profile

<b>JOB TITLE:</b>	Interim Chief Executive & Monitoring Officer
<b>REPORTS TO:</b>	Police & Crime Commissioner (PCC)
<b>TEAM:</b>	Staff of the PCC – 18 FTE
<b>SALARY:</b>	FTE £105,849.00 pro rata for part-time/fixed term contract
<b>TERM:</b>	9 month fixed term contract
<b>HOURS:</b>	Part time
	Secondments will be accepted with written support of the employer.
	Due to the nature of the role, the applicant will be required to be flexible in terms of the total number of hours worked each week and their availability. It is expected that a small proportion of duties will take place during evenings and weekends, for which no additional recompense is provided.
<b>LOCATION:</b>	Office of the Police & Crime Commissioner Police Headquarters, Valley Road, Portishead, Bristol. BS20 8JJ.

### JOB DESCRIPTION

#### Main Purpose of the Role:

Responsible for the strategic, operational and tactical leadership of the Office of the Police and Crime Commissioner (OPCC), to enable the effective development, support and delivery of the functions and priorities of the Police and Crime Commissioner (PCC), ensuring effective engagement with the community, key partners and stakeholders.

The post holder is the statutory monitoring officer to the PCC and is required to ensure effective corporate governance and to support and advise the PCC in carrying out her statutory duties.

The post-holder will carry out the duties of the Chief Executive Officer (CEO) as defined by legislation relevant to the PCC.

To work with the Police and Crime Commissioner to contribute to the effective delivery of the priorities identified in the Police & Crime Plan.

To facilitate the effective and appropriate scrutiny of the Police Force's activities.

## **Key Working Relationships**

- The Police & Crime Commissioner;
- Chief Finance Officers;
- All staff employed by the Police & Crime Commissioner;
- The Chief Constable and senior officers;
- The Police & Crime Panel;
- The community leaders, local partners and stakeholders of Avon & Somerset;
- Senior leaders in the wider policing network of the Avon & Somerset and South West region;
- Relevant government institutions, external bodies, associations and public sector strategic partners such as the Association of Police and Crime Commissioners Chief Executives, Home Office, HMICFRS, Ministry of Justice, local authorities and other offices of PCCs.

## **Role Specific Duties and Responsibilities:**

### **Management and Leadership**

- To ensure provision of appropriate advice to the PCC on discharging their statutory powers, duties, responsibilities, liabilities and procedures;
- To work with the PCC to agree a Police & Crime Plan with the Chief Constable and to hold the Chief accountable for its operational delivery and lead the OPCC team to deliver objectives of the plan;
- To seek and develop effective partner working with local partners and other police forces;
- To agree a budget for the Chief Constable in conjunction with the CFO and PCC;
- To lead the continued development and delivery of the OPCC team, activities and operations including commissioning services to support the delivery of the Police & Crime Plan;
- To provide clear and visible leadership and effective management to the staff of the OPCC including overall responsibility for their ongoing development and training, in order to give high quality support to the PCC in their oversight and scrutiny of the Police;
- To lead the OPCC team through PCC elections;
- To ensure that the OPCC performs its duties and responsibilities for equalities and diversity according to relevant legislation, and to promote the commitment to equality and diversity in all that the OPCC does;
- In conjunction with the Chief Financial Officer, to ensure propriety in the conduct of the PCC's business including making proper arrangements for tendering procedures and the letting of contracts and conduct management for PCC, DPCC and OPCC.

## **Statutory Responsibilities**

- To discharge the duties of Chief Executive as defined by legislation relevant to the PCC so as to enable and assist the OPCC to fulfil all its functions effectively and efficiently;
- Produce and publish an Annual Report, setting out the delivery against the Police & Crime Plan;
- To support and advise the PCC on the appointment of the Chief Constable and statutory duties relating to complaints against the Chief Constable;
- To carry out the statutory duties and responsibilities of the Head of the Paid Service and the Monitoring Officer including running an efficient and effective Independent Custody Visiting Scheme;
- The Avon and Somerset Police and Crime Commissioner's Chief Executive Officer is the data controller for the purposes of the GDPR
- Responsible for ensuring the OPCC Safeguarding policy and related procedures are implemented, monitored and consistently reviewed;
- Ensure that the OPCC performs its duties and responsibilities on equality and diversity in accordance with relevant legislation, promoting commitment to equality and diversity in all its functions and activities.

## **Strategy and Resource Planning**

- To provide strategic advice and guidance to the PCC and OPCC team in developing long-term vision supported by appropriate strategies, policies and plans including the Police & Crime Plan and associated delivery plans;
- In conjunction with the chief finance officer(s) to lead the strategic development of the OPCC in the areas of strategic accounting, Information management, the management of strategic risk, the human resource and learning and development strategies, ensuring that the OPCC is compliant with current employment legislation;
- To be the strategic lead in respect of partnership working including community safety partnerships, criminal justice and health;
- To drive implementation of the OPCC corporate strategies, and of its day-to-day business, ensuring that effective governance arrangements are in place to enable the OPCC to monitor, review and improve its own performance;
- Support the OPCC in scrutinising Force performance, and supporting continuous improvement in the OPCC and in the Force;
- To prepare the OPCC for inspection by relevant audit bodies;
- In appropriate consultation with the elected PCC develop the short, medium and long-term planning process for the future of the OPCC;
- Oversee the needs assessment process development of the Police and Crime Plan and review and monitoring of the Police and Crime Plan;
- Comply with organisational policies and procedures including Code of Conduct, Health & Safety and Equalities policies.

## **Partnership Working, Commissioning & Service Delivery**

- To be the strategic lead on partnership and commissioning, developing, promoting and maintaining effective working relationships with key stakeholders, the Police and Crime Panel, politicians and external partners as required to further the aims and objectives of the PCC;
- To ensure the effective and efficient engagement with both internal and external partners and stakeholders in relation to commissioning and service delivery at local, regional and national level;
- To be accountable for the performance of the OPCC in all aspects of commissioning;
- To ensure effective engagement with the Chief Constable and all relevant Force personnel in planning and managing the OPCC business;
- To ensure that the OPCC contributes to the national consideration of issues concerning policing and reducing crime;
- To represent the OPCC at high level meetings with the Home Office, Her Majesty's Inspector of Constabulary, and other relevant bodies, Local Government Association and other outside bodies at regional and national level.

## **Engagement and Information**

- To deliver, review and improve performance against the Information Strategy in the areas of communication, consultation and engagement;
- To ensure that effective strategic needs assessments are undertaken which demonstrate the understanding of the communities served, enabling effective budget alignment and prioritisation;
- To distil and disseminate relevant information and advice to the OPCC enabling it to challenge where appropriate the Force's strategic and financial performance;
- To support the OPCC in raising its profile and communicating its values, strategies, achievements and views and in developing and delivering its communication strategy;
- To represent and promote the interests of the OPCC by developing and maintaining effective strategic partnerships with relevant public and private sector/voluntary organisations in the local community and at national and regional associations;
- To develop and implement effective two-way community engagement with all sections of the community;
- To ensure effective handling of contact and complaints in relation to the PCC;
- Responsible for all transparency activity, compliant with legislation and best practice.

## **Scrutiny, Evaluation & Performance**

- Contribute to the efficient and effective delivery of the Police & Crime Plan, together with any associated delivery plans;

- Develop and maintain a constructive working relationship with the Police & Crime Panel for the area;
- With the CFO, ensure the effective and efficient operation of both the internal and external audit functions and any other aspects of internal control or external inspection;
- To oversee and ensure the effective and efficient management of complaints;
- Manage the scrutiny of Constabulary performance against the Police & Crime Plan and other delivery partner performance;
- Establish and maintain effective independent scrutiny panels e.g. Scrutiny of Police Powers, Independent Residents Panels and Out of Court Disposal Scrutiny panel.

## PERSON SPECIFICATION

The Avon & Somerset Police & Crime Commissioner is looking for a person who can evidence that they have the following qualities:

1	To hold a degree or equivalent in a subject relevant to the role or operational experience at Chief Officer level.	Essential
2	Extensive track record of consistent achievement at senior management level within a complex organisation.	Essential
3	Proven track record of corporate management and participation in the formulation of corporate objectives, policies and strategies within a complex multi-disciplined organisation	Essential
4	Demonstrable and effective strategic planning expertise.	Essential
5	Experience of effective working within the democratic process and evidence of a clear understanding of the legal, financial and political workings of local government and the current social policy issues to be faced in a multi-cultural, rural and urban environment.	Essential
6	Successful track record of building effective and productive working relationships with elected Members, a variety of communities, government bodies, partner organisations, private sector providers, public agencies, statutory authorities and other stakeholders	Essential
7	Proven track record in the promotion and maintenance of the corporate reputation of a public organisation (or equivalent multi-disciplined organisation).	Essential
8	A record of success in people, financial, commercial and resource management.	Essential
9	Analytical thinking and problem solving skills. Able to analyse and present complex issues to individuals and groups, internally and externally.	Essential
10	Successful track record of establishing effective performance	Essential

	measures evaluating service quality and delivering significant improvements in performance.	
11	Demonstrable experience of effective change management on a large and complex scale.	Essential
12	Clear understanding and track record of promoting diversity in both employment and service delivery.	Essential

You will comply with the Staff Code of Conduct as varied from time to time, it is expected that the OPCC as a public authority support the Nolan Principles of Standards in Public Life. As such, the seven principles of conduct underpin the work of the OPCC and are used as the basis for working practices.

The Nolan principles are:

**Selflessness:** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

**Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership:** Holders of public office should promote and support these principles by leadership and example.

### **Political restriction**

Please note this is a “politically restricted post” in accordance with Local Government & Housing Act 1989.



**Interim Chief Executive and Monitoring Officer  
Appointment Process**

**Independent Member Statement**  
Councillor David Fothergill  
Leader of Somerset County Council

**19 December 2019**

I have reviewed the report to the Police and Crime Panel, by the Police and Crime Commissioner (PCC) Sue Mountstevens, on the proposed appointment of the OPCC Interim Chief Executive and Monitoring Officer.

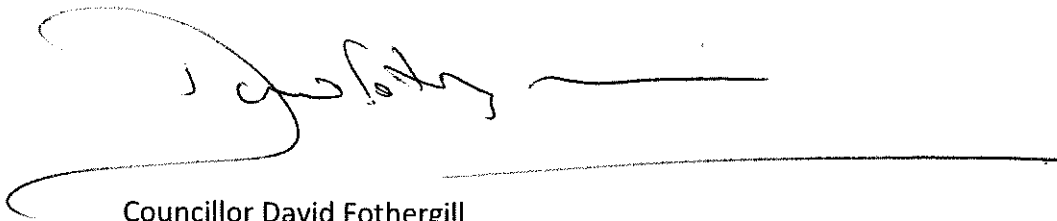
The report is a true account of the various stages of the appointment process.

My role as independent member of the Appointment Panel was to provide an assessment of the extent to which the appointment process has been conducted fairly, openly and based on merit.

I can confirm that:

- the process met the principles of merit, fairness and openness; and
- the Appointment Panel were able to fulfil their purpose, to challenge and test the candidate against the stated criteria.

The Appointment Panel unanimously supported Sue Mountstevens (PCC) in her recommendation to the Police and Crime Panel (PCP) that none of the candidates were appointable.



**Councillor David Fothergill  
Leader of Somerset County Council  
Independent Member**

This page is intentionally left blank

20<sup>th</sup> December 2019

Mark Simmonds

Dear Mark

As discussed and agreed on 19<sup>th</sup> December 2019, thank you for stepping forward to be the Interim CEO of the Office of Police & Crime Commissioner. Subject to the outcome of the Police and Crime Panel confirmation hearing, this new responsibility will start on the 9<sup>th</sup> January 2020.

I am confident that you have all the required attributes and experience to lead the team through the PCC Election period and to continue the key initiatives and priorities set out in my Police and Crime Plan.

This letter sets out the terms and conditions for this interim CEO appointment and is a contractual variation to your existing terms of employment.

**CEO role**

You will be the CEO and Monitoring Officer for the PCC and will lead the OPCC team to deliver my priorities.

**Term**

The interim CEO appointment is for a period of 9 months commencing 9<sup>th</sup> January 2020. At the end of the interim period you will return to your role as CFO to the PCC of Avon & Somerset

**Salary**

Your salary will increase to £84,679 for the period of your appointments as interim CEO and you will return to your current salary at the end of the interim period when you return to your current role of CFO to the PCC.

**Other contract terms**

Your other existing contractual terms are unchanged.

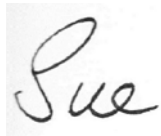
**S151 duties and workload**

You will continue to be my S151 officer during this interim period. We will agree increased support for you from the Constabulary Finance team.

I recognise the workload of acting as CEO and S151 and we have agreed that you will be supported by the wider OPCC team during this interim period. You will review the work of the previous CEO and we will agree an allocation of tasks between you and the senior OPCC team. In addition we will seek to secure an advisory service to be available for you on a call off basis from an experienced former PCC CEO should you need more expert legal/constitutional advice with respect to your Monitoring Officer responsibilities.

Thank you for your continued commitment to the work of the PCC and the OPCC team and I look forward to working with you over the coming months.

Yours sincerely



**Sue Mountstevens**  
Police and Crime Commissioner  
for Avon and Somerset