

**REPORT OF THE NORTH YORKSHIRE POLICE AND CRIME PANEL
TO THE NORTH YORKSHIRE POLICE AND CRIME COMMISSIONER
CONFIRMATION HEARING FOR
DEPUTY POLICE AND CRIME COMMISSIONER**

INTRODUCTION AND SUMMARY

1. On 28 September 2016, the Panel received formal notification from the North Yorkshire Police and Crime Commissioner of the proposed appointment to the role of Deputy Police and Crime Commissioner (DPCC).
2. This report describes the recommendations of the North Yorkshire Police and Crime Panel (hereafter referred to as ‘the Panel’) in respect of the proposed appointment of Mr William Naylor to the role of DPCC, and is submitted to Julia Mulligan, the North Yorkshire Police and Crime Commissioner (“the Commissioner”) in accordance with the requirements of Schedule 1 of the Police Reform and Social Responsibility Act 2011 (“the Act”).
3. The report recommends that Mr William Naylor should be appointed to the role of Deputy Police and Crime Commissioner for North Yorkshire. However, this recommendation is subject to some particular issues of concern being addressed by both the Police and Crime Commissioner and by Mr Naylor, as outlined within the report.
4. The Panel would like to thank Mr William Naylor for his attendance at the confirmation hearing on Thursday, 6th October 2016.

NORTH YORKSHIRE POLICE AND CRIME PANEL

5. The Membership of the Panel for the Confirmation Hearing was as follows:

Hambleton District Council	Cllr Peter Wilkinson
North Yorkshire County Council	Cllr Carl Les
Richmondshire District Council	Cllr Helen Grant
Scarborough Borough Council	Cllr Sandra Turner
Selby District Council	Cllr Mel Hobson
City of York Council	Cllr Ashley Mason
City of York Council	Cllr Peter Dew
Santokh Singh Sidhu	Community Co-opted
Paula Stott	Community Co-opted

Elected co-opted

Cllr Steve Shaw-Wright

Also in attendance at the meeting were the following:

Office of the Police and Crime Commissioner – Julia Mulligan (Police and Crime Commissioner); Fraser Sampson (Interim Chief Executive Officer); William Naylor (Chief of Staff)

North Yorkshire County Council - Barry Khan (Assistant Chief Executive, Legal and Democratic Services and Monitoring Officer); Diane Parsons (Panel Secretariat).

POWERS OF THE NORTH YORKSHIRE POLICE AND CRIME PANEL

6. In accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011. The Panel is enabled to:

- review the proposed appointment, by holding a Confirmation Hearing within three weeks of notification being given (a ‘confirmation hearing’ 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 Police and Crime Commissioner as to whether or not the candidate should be appointed; and
- publish the report to the commissioner made under this paragraph.

BACKGROUND CONTEXT TO THE CONFIRMATION HEARING – ELIGIBILITY FOR THE ROLE OF DPCC

7. The Panel met on Thursday 6 October 2016 in the Civic Chamber at Selby District Council, Selby Civic Centre, Selby YO8 9FT. The meeting incorporated the Confirmation Hearing for the role of DPCC (Item 8) as one of several items of business that morning.
8. The Panel took the opportunity to discuss under Item 6 of the agenda (main meeting) the broader context to the Commissioner’s appointment of a DPCC. This included discussion about the recruitment and selection process; a full note of which will be provided in the detailed meeting minutes. Whilst these discussions did not form part of the subsequent Confirmation Hearing at Item 8, a key issue of concern to the Panel was considered at this stage and which had some bearing on the specific candidate proposed; this is outlined below.
9. Following legal guidance provided to the Panel by Mr Barry Khan under Item 6 of the meeting agenda on 6th October 2016, the Panel expressed concerns that the PCC cannot appoint a member of the PCC’s Staff to the role of the DPCC as provided for by Section 18(6)(h) of the Act.

10. Mr Fraser Sampson indicated that should the Panel make a positive recommendation regarding Mr Naylor's proposed appointment, the formalisation of that appointment would rest on Mr Naylor not being employed as Chief of Staff. Mr Sampson's interpretation as provided to the Panel was that if Mr Naylor terminated his current employment prior to the point of him formally commencing in the role as the DPCC, then there would be no conflict with the governing legislation and that it was lawful for the PCC to propose an existing member of staff as a DPCC.
11. The Panel expressed some concerns regarding the robustness of this handling of the legislative provisions. A key issue for the Panel to bear in mind prior to commencing the Hearing proceedings was therefore that should a positive recommendation be made, it would need to be conditional on Mr Naylor no longer being employed by the Commissioner in his current capacity and for the PCC to satisfy herself on the legality of the proposed and actual appointment.

CONFIRMATION HEARING FOR THE ROLE OF DEPUTY POLICE AND CRIME COMMISSIONER

12. William Naylor gave a short presentation to the Panel to outline what he saw as being the key areas of work for a DPCC in North Yorkshire and York. These focussed around putting the public first and in particular:
- Service improvement;
 - Engagement;
 - Delivery of the Commissioner's manifesto and policy.
13. Drawing on the submission provided by the Commissioner (including the role specification and behaviour framework), Mr Naylor's own personal statement and the presentation given at the meeting, the Panel asked Mr Naylor a series of questions to assist them in establishing whether he met the minimum standards for the role of DPCC relating to:
- Professional competence; and
 - Personal independence.
14. Mr Naylor was keen to reinforce to the Panel his understanding of the broader landscape around the role and his engagement to date with the key stakeholders on issues of importance to the Commissioner. In particular, he explained that there are a number of issues which he felt a DPCC would bring greater focus to, such as the rural crime agenda, Community Speedwatch and engagement with North Yorkshire Police on improving the handling of harassment cases. He also felt there was scope for better engagement with the public and more Third Sector stakeholders.
15. Further to the advice received and summarised in paragraphs 7 to 11, above, the Panel were particularly keen to seek Mr Naylor's reassurance of his personal independence. Mr Naylor advised that he is comfortable with being honest, providing his own opinions to the Commissioner and having difficult conversations where this

would be required in putting the public first. The Panel also sought reassurance from Mr Naylor that he fully recognises the importance of the police force having uncompromised operational independence and that there is a clear requirement for a separation of political and operational responsibilities. Mr Naylor indicated that he was completely clear where this line needed to be drawn.

16. As part of attempting to better understand Mr Naylor's skillset and broader qualities against the requisite competencies for the DPCC role, the Panel also asked Mr Naylor whether he had any relevant experience which would demonstrate the personal resilience required to deal with such a public-facing role. Mr Naylor acknowledged that he did not thus far have any 'hands-on' experience of dealing with such pressures but hoped he would have sufficient strength of character to be able to cope sufficiently well.
17. The Panel then excluded all those attending the meeting except the supporting officers to the Panel and went into closed session to consider its conclusions. After detailed consideration of the written and verbal evidence presented to them in assessing the suitability of the preferred candidate, a majority vote was passed in favour of recommending the appointment of William Naylor to the position of DPCC, subject to outlining the following provisos and concerns to the Commissioner.
18. The Panel determined that in considering Mr Naylor as a proposed candidate against the two key principles of professional competence and personal independence, he met the minimum standards required. However, while he was able to demonstrate a good understanding of the locale and the key issues to address as DPCC, it was felt that there were some 'gap' areas in his expertise which would require the implementation of a personal development plan (PDP). This was particularly in relation to being able to effectively handle the demands of a heavily-scrutinised role and one which required a more rounded exposure and experience than he currently had. The Panel advised Mr Naylor that they would want to have sight of a PDP and to review it again in six months' time to determine progress made.
19. Additionally, the Panel wished to be clear that whilst a minimum standard had been met, there remained some concerns regarding Mr Naylor's personal independence in discharging the role due to him already having a senior role within the Commissioner's staff base.
20. Mr Fraser Sampson sought to reassure the Panel that his role as Monitoring Officer is key in ensuring that a clear line is drawn between operational and political responsibilities within the OPCC.

RECOMMENDATION

21. On the basis of the information provided by the Commissioner; the discussions held in the Confirmation Hearing; and examination of the evidence in both the public

meeting and the closed session; the Panel can confirm its recommendation of the appointment of Mr William Naylor to the role of Deputy Police and Crime Commissioner, subject to the following provisos:

- a. That the formalisation of the appointment to DPCC is conditional upon Mr Naylor not continuing to be Chief of Staff to the Commissioner;
- b. That a Personal Development Plan is drawn up between the DPCC and the Commissioner – to be shared with the Panel – to help address those areas of Mr Naylor's skillset which require development, as outlined in paragraph 18;
- c. That the Personal Development Plan be reviewed by the Panel after a period of 6 months into Mr Naylor assuming the role of DPCC.

Cllr Carl Les

CHAIRMAN

19 October 2016