

**REPORT OF THE NORTH YORKSHIRE POLICE, FIRE
AND CRIME PANEL**

TO THE NORTH YORKSHIRE POLICE, FIRE AND CRIME COMMISSIONER

**CONFIRMATION HEARING FOR
CHIEF FINANCIAL OFFICER/s151 OFFICER**

INTRODUCTION AND SUMMARY

1. On 27 November 2018, the Panel received formal notification from the North Yorkshire Police, Fire and Crime Commissioner of the proposed appointment to the role of Chief Financial Officer/s151 Officer (Treasurer) to the North Yorkshire Police, Fire and Crime Fire and Rescue Authority.
2. This report describes the recommendations of the North Yorkshire Police, Fire and Crime Panel (hereafter referred to as “the Panel”) in respect of the proposed appointment of Mr Michael Porter to the role of Chief Financial Officer/s151 Officer (hereafter referred to as “the CFO”), and is submitted to Julia Mulligan, the North Yorkshire Police, Fire and Crime Commissioner (“the Commissioner”) in accordance with the requirements of paragraph 11 of Schedule A2 to the Fire and Rescue Act 2004 (“the Act”).
3. The report recommends that Mr Michael Porter should be appointed to the role of CFO to the North Yorkshire Police, Fire and Crime Fire and Rescue Authority.
4. The Panel would like to thank Mr Porter for his attendance at the confirmation hearing on Tuesday, 4th December 2018.

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

Hambleton District Council	Cllr Peter Wilkinson
Harrogate Borough Council	Cllr Michael Chambers MBE
North Yorkshire County Council	Cllr Carl Les
Ryedale District Council	Cllr Val Arnold
Scarborough Borough Council	Cllr Sandra Turner
Selby District Council	Cllr Mel Hobson
Santokh Singh Sidhu	Community Co-opted
Paula Stott	Community Co-opted

Also in attendance at the meeting were the following:

Office of the Police, Fire and Crime Commissioner – Julia Mulligan (the Commissioner); Michael Porter (Chief Financial Officer to Police and Crime Commissioner) Fraser Sampson (Interim Chief Executive Officer);

POWERS OF THE NORTH YORKSHIRE POLICE, FIRE AND CRIME PANEL

6. In accordance with paragraph 11 of Schedule A2 to the Act, the Panel is enabled to:
 - review the proposed appointment of a Chief Finance Officer, 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 Commissioner as to whether or not the candidate should be appointed; and
 - publish the report to the Commissioner made under this paragraph.
7. The Panel is required to assess the candidate's capabilities and expertise at the hearing. In particular, they are required to determine whether, taking account of the minimum standards of professional competence and personal independence, the candidate meets the criteria set out in the role profile. This is done through scrutiny of the supporting documents provided by the Commissioner and by asking questions of the candidate relating to these two general principles.
8. The Commissioner may accept or reject the Panel's recommendation as to whether or not the candidate should be appointed.
9. The Commissioner must notify the Panel of the decision whether to accept or reject the recommendation.

CONFIRMATION HEARING

10. The Confirmation Hearing was held on 4 December 2018 in the Grand Meeting Room at County Hall, Northallerton. The hearing was held in public.
11. Drawing on the submission provided by the Commissioner and Mr Porter's own personal statement, the Panel asked Mr Porter a series of questions to assist them in establishing whether he met the minimum standards for the role relating to professional competence and personal independence.
12. Mr Porter illustrated for the Panel how he has ensured that he is able to provide both independent advice and appropriate challenge within the role undertaken to date in respect of CFO for the Police and Crime Commissioner. He made reference to the focus on responsibility for safeguarding public funds and drawing on the expertise of other CFOs regionally to ensure that he is fully sighted and maintaining independence of thought around decision-making. He also exemplified where he has challenged colleagues or senior officers where business propositions put forward have not appeared to be sustainable.

13. In terms of exemplifying his professional competence, Mr Porter referred to how he has brought his past experience to the benefit of the role in North Yorkshire. This included having led on a change programme in Cleveland which has enabled him to apply learning around Value for Money and consequently identify where transformation could occur within North Yorkshire Police. He has brought about improvements to financial processes in his current role and has already been able to look across both policing and the fire service to identify where further learning from good practice can be best transferred and applied.
14. While the Panel considered that Mr Porter clearly met the requirements for the appointment, the members expressed their concern at the sustainability of the proposed arrangement between the Commissioner and Cleveland Police and Crime Commissioner for Mr Porter to discharge this extended role. The two bodies have agreed that Mr Porter will increase his time at North Yorkshire from two to three days a week and will continue to work for Cleveland as CFO and Assistant Chief Executive for two days a week. The Panel considered that not only in view of the extended remit of his role to incorporate fire and rescue, but in view of the financial challenges which have been identified in particular for the North Yorkshire Fire and Rescue Service and North Yorkshire Police in recent months, Mr Porter's task would be considerable. There was concern that the allotted 22.5 hours of time for North Yorkshire may therefore not be sufficient for the role and that this may also impact on Mr Porter himself.
15. Both Mr Porter and the Commissioner provided reassurance to the Panel that ensuring work-life balance for Mr Porter in his role would continue to be critical and that should there be any difficulties experienced in this respect over time then this would be raised at the earliest opportunity. Mr Porter felt comfortable with the level of commitment required and his ability to accomplish the extended role as proposed. He also conveyed his keen interest and enthusiasm for taking on the extended role.
16. By way of an additional safeguard in this respect, the Panel welcomed that the agreement in place between Cleveland and North Yorkshire will be formally reviewed in six months' time. The Panel requested that the Commissioner provide a brief update on the position following this review in six months.

RECOMMENDATION

17. 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 is pleased to endorse its recommendation of the appointment of Mr Michael Porter to the role of Chief Financial Officer/s151 Officer (Treasurer) to the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority.

Cllr Carl Les

CHAIRMAN

11 December 2018