

Independent Report

Chief Constable of North Yorkshire Police

December 2023

Fay Dawson

Executive Summary

The purpose of this report is to provide an independent view to enable members of the Police, Fire and Crime Panel to consider the Police and Crime Commissioners' preferred candidate for the appointment for the position of Chief Constable of North Yorkshire Police.

The report provides an overview of the appointment process undertaken by the Police, Fire and Crime Commissioner for North Yorkshire Zoe Metcalfe, to select the Chief Constable for North Yorkshire Police.

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Introduction

Home Office Circular 013/2018 outlines that it is for the Police, Fire and Crime Commissioner (PFCC) to decide how they wish to run their appointment process for a Chief Constable and which candidate they wish to appoint, subject to confirmation by the Police, Fire and Crime Panel.

However, they should involve an Independent Member in the assessment, shortlisting and interviewing of candidates. The Independent Member is responsible for providing a report to the Police and Crime Panel with their account of the process for consideration by the panel at the preferred candidate Confirmation Hearing.

The process is the responsibility of Police, Fire and Crime Commissioner Zoe Metcalfe.

The aim of this report is to provide an assessment of the extent to which the appointment process in North Yorkshire has been conducted fairly, openly and based on merit in line with the College of Policing Guidance for Chief Officer Appointments. In addition, it details the extent to which the panel fulfilled their responsibility to challenge and test the candidates' suitability against the requirements of the role.

1. Independent Member's role

The role of the Independent Member is defined in Home Office Circular 013/2018, and more fully on p14 of the Guidance for Chief Officer Appointments (Appendix C) produced and maintained by the College of Policing in consultation with a wide range of stakeholder groups within policing.

As outlined within the guidance, Independent Members should be identified through a fair, open and merit-based process.

The Office of the Police, Fire and Crime Commissioner (OPFCC) of North Yorkshire ran a campaign on their website and using social media from 16th October to 31st October 2023. Candidates for the post of Independent Member were asked to submit an expression of interest to the OPFCC written application, detailing evidence of suitable experience, qualifications and skills. This process focussed on my suitability as someone skilled in assessment, capable of quality assuring assessment processes and my experience of merit-based open and fair recruitment and promotion selection.

I am an experienced external independent selection panel member and have many years' experience of acting as the independent HR representative on interview panels for leaders at the most senior levels in organisations. I have a wealth of experience in open and fair merit-based selection. I am very familiar with the use of a competency and values framework in recruitment and selection.

Further details of my role as Independent Member are set out in the role profile in Appendix A and information about my relevant occupational experience in Appendix B.

2. Independent Member remit

My role as independent member was confirmed on 6 November 2023, well in advance of the shortlisting and assessment process.

The application pack with the role requirements and person specification were put together by the Director of Delivery and Assurance at the OPFCC. Ensuring that this adhered closely to the Guidance for Chief Officer Appointments, and these were drawn up in consultation with the College of Policing and some wider panel members.

From the advertisement stage onwards, I read the guidance for appointing chief officers provided by the College of Policing, read the overview of the competency and values framework for policing provided by the College of Policing, had a lengthy telephone conversation with Stephen Smith, College of Policing, to discuss the role, the assessment process and appointment process and talked through the guidance document and the competency and values framework. I supported the panel on 21 November 2023 with the shortlisting of all the applications received by the closing date. I ensured the panel adhered to the principles of fairness, openness, and merit and am assured that the decision as to which applicants to progress to the next stage of assessment was fair, open, honest and merit based.

3. Appointments panel

The appointments panel role is set out on p13 of the Guidance for Chief Officer Appointments. This outlines that the panel should be confirmed by the PFCC before any stage of the appointment process takes place and that consideration may be given to involving panel members in helping to define the requirements of the role. In addition, it states the purpose of the panel is to challenge and test that the candidate meets the necessary capability and suitability requirements to perform the role and that the PFCC should select a panel capable of discharging this responsibility.

The PFCC should also ensure that panel members are diverse and suitably experienced and competent in selection practices and that they must adhere to the principles of merit, fairness, and openness. All members should have a copy of this guidance to ensure they are familiar with its content prior to the appointment process.

In addition, it is the PFCC's responsibility to ensure that all panel members undertake appropriate briefing/assessor training.

Zoe Metcalfe, PFCC for North Yorkshire and her team, actively followed this advice. The panel consisted of five members:

- Zoe Metcalfe, the Police, Fire and Crime Commissioner for North Yorkshire.
- Jonathan Dyson, Chief Fire Officer, North Yorkshire Fire and Rescue Service.
- Jenni Newbury*, Director of Commissioning and Partnerships at the OPFCC.
- Roy Wilsher OBE QFSM, His Majesty's Inspector of Constabulary, His Majesty's Inspector of Fire and Rescue Services.
- Fay Dawson, Independent member.

*Originally the recruitment pack, published on 26th November 2023, stated this role would be undertaken by Simon Dennis, Chief Executive and Monitoring Officer at the OPFCC. However, due to personal reasons Simon was unable to fulfil this role and was abstracted from work during the entire process. The Director of Delivery and Assurance amended the recruitment pack on 8th November 2023, mid-way through the campaign, and all candidates who attended a familiarisation session on the 10th November 2023 were advised of this change. Additionally, in the absence of the Chief Executive, Jenni Newbury is the delegated deputy Chief Executive. The role of the Chief Executive (as defined in College of Policing guidance) is to support the PFCC by ensuring the appointment procedure conducted in line with requirements set out in legislation and meets the principles of fairness, openness, and selection on merit.

The five proposed panel members were white, with no declared protected characteristics, consisting of three females and two males. According to the latest 2021 census, the population in North Yorkshire 94.2% white, with non-white minorities representing the remaining 5.8% of the population. In view of the profile of the local population, I consider that diversity needs were met.

The Director of Delivery and Assurance of the OPFCC, and her team aided the panel at each stage of the process working consistently to maintain standards, collaborating openly and helpfully with the Independent Member and other panel members throughout the planning and administration of the appointment process.

The OPFCC also consulted extensively with the College of Policing on technical aspects of the planning and assessment methods. Stephen Smith from the College of Policing was able to support the panel as advisor for shortlisting and assessment. In addition, Kerry West, a people services representative was also present during the shortlisting and assessment to provide independent HR advice.

4. Panel briefing and training.

No formal training was delivered to panel members. All panel members have significant relevant occupational experience in recruitment selection and appointment on promotion. This is inline with the College of Policing guidelines if panel members have received prior training and experience the need for formal training is negated.¹ All panel members were reminded of the principles of open, fair and merit-based selection against the criteria in the competence and values framework. Panel members were reminded of the need to be aware of potential unconscious bias, personal preferences and the need for objectivity in assessment and selection. Panel members were also reminded of the ORCE model (observation, recording, classification, evaluation) when considering the evidence of competence provided by the candidates. The broadly consistent scoring during both shortlisting and the final interview panel demonstrates that all panel members were competent at assessing the evidence presented to them by the candidates.

5. Role profile

The role profile as advertised reflected the national Guidance, including key deliverables, competencies and terms and conditions. It also contained specific local priorities. For example, building further trust of the public in the police, putting the community at the heart of policing to ensure legitimacy. Whilst leading from the front in addressing new and emerging threats in policing for example, Cyber and Serious Organised Crime. Additionally, reinforcing the importance of working closely with OPFCC and the future Combined Authority team to drive up public confidence in policing through service excellence, transparency and accountability, and engagement. It had been prepared by the OPFCC in conjunction with the College of Policing.

The OPFCC also conducted an online survey which asked the public what crime and community safety issues that the public felt should be the priority for the next Chief Constable of North Yorkshire Police to focus on. This generated 852 individual responses and the results were used to formulate a presentation which candidates had to undertake as part of the assessment process.

6. Advert

The OPFCC posted the advert online, as well as on the websites of the Association of Chief Police Officers and the College of Policing. The OPFCC also sent two letters, written by the Commissioner, one at the start of the campaign and one mid-way through which were circulated by the College of Policing to all eligible candidates.

The OPFCC made significant effort to be transparent about the availability of the post and to encourage all eligible applicants to consider it. The aim was to attract a strong field of potential

¹ Pg 41. College of Policing [Guidance for appointing chief officers \(college.police.uk\)](https://college.police.uk/guidance-for-appointing-chief-officers)

applicants, demonstrating openness. The published application pack was comprehensive, with links offering more detail. The OPFCC published a clear and detailed timetable to help candidates understand the process. This included the advertising of a familiarisation event which took place on the 10th November via Teams. The pack included terms of appointment and met legal requirements. There was a clear intention to be open and transparent with candidates.

The OPFCC ensured that all candidates were supported following shortlisting and ensured that requests to meet people to prepare for the assessment and interview were supported. The OPFCC also made sure that all candidates were provided with the same information during this time to avoid any bias between those candidates who worked for North Yorkshire Police and those who did not.

7. Assessment design

The application form used was in line with the College of Policing guidance. It required details of the previous three postings held by the applicant; training including successful completion of the Strategic Command Course; and evidence within the last three years of personal qualities and experience against the competencies of the College of Policing Competency and Values Framework (CVF) at level 3 which is for strategic leadership level. This supplied evidence of the level of qualifications and experience required to support merit-based selection.

The choice of interview questions, unseen presentation topic and media exercise was designed to test candidates in areas the panel agreed they wished to probe further.

The OPFCC jointly designed the assessment process with advice from the College of Policing and from Kerry West, People Services representative.

To complement the assessment process, providing further clarity to the panel of areas to consider further, the OPFCC also ran a stakeholder briefing event. The OPFCC invited internal and external partners and representatives from North Yorkshire to a briefing session with all candidates. Candidates were asked to prepare a PowerPoint presentation on the following;

“If you were to be successful in being appointed as our Chief Constable, what would your leadership style, aims, ambitions and vision for North Yorkshire Police be?”

Following delivery of the presentation there was 25 minutes allocated for a question-and-answer session with the stakeholders. Questions had been sought prior to the session and reviewed by the OPFCC to ensure that all candidates were asked the same questions to ensure equality of opportunity to all candidates. This was not a scored part of the process, but panel advisors were present to take notes of the session and provided feedback to the panel.

This was attended by approximately 15 Stakeholders.

8. Assessment delivery

The OPFCC advised that a small pool of applicants for senior posts is common in the Constabulary, and the situation is similar in other Forces. The College of Policing confirmed that applications are low nationally.

The Director of Delivery and Assurance and her team strictly observed and monitored the timetable for the presentation, media exercise and interviews. The candidate was provided eighteen minutes to read and prepare for a fictitious, observed, live media interview lasting ten minutes on a previously unseen, complex scenario. Initially the OPFCC had asked experienced journalist, Danny Shaw, to

conduct the media exercise but he was unable to do this and recommended Miriam Rich, of Rich Communications. Miriam has extensive experience in the creation and development of scenarios to assess candidates. Miriam designed and conducted the media interview and advised on the content of the exercise and gave feedback on the outcome of this to support the panels assessment, the interview panel were able to watch the candidate's performance in the media exercise prior to their final interview, as this had been recorded. In designing this exercise, the OPFCC had shared the results of a public survey they had carried out during the recruitment campaign to identify which areas the public felt should be a priority for the new Chief Constable of North Yorkshire.

The following day the candidates had fifty² minutes to prepare a presentation on a previously unseen topic and then deliver a fifteen-minute presentation, followed by ten minutes questions. The topic was drawn from the results of the public survey ensuring that the public voice was important in the process.

A structured interview followed consisting of 5 questions and a set of supplementary questions drawn from the personality profiling overview report, the summary of the stakeholder briefing provided by the College of Policing and the feedback from the media exercise. The weighting of questions followed the previous structure and supplemental questions were grouped to avoid weighting imbalance. The Panel Advisor was insistent throughout on seeking and adhering to external technical expertise, to ensure that the process would be objective and clearly based on merit.

9. Assessment decision making

On the assessment day the panel of five were supported by panel advisors Kerry West, People Services representative from North Yorkshire Police and Stephen Smith from the College of Policing. Kerry West proactively facilitated the panel's scoring deliberations, Stephen Smith observed and provided feedback when panel members had made their recommendations. Prior to the assessment day all panel members had been sent and read, each candidates Psychometric Test profile which had been carried out by the College of Policing prior to the assessment days.

Each candidate was given every opportunity to present the best of themselves to the panel and give supporting examples of past achievement. Prior to each candidate entering the room the panel viewed each their media session and read the written feedback provided by Miriam Rich but did not score this. This was used to inform discussion at the end of the assessment process. Following this, Stephen Smith briefed the panel on the feedback from the Stakeholder event which had taken place the day before. The panel had already read the written feedback from these events, but Stephen Smith was able to add some additional context. Candidates were then brought into the room and delivered their presentation, which was based on the results of the Commissioners online survey. The presentation was also not scored but used to inform discussion at the end of the assessment process to assess overall capability and suitability to be Chief Constable of North Yorkshire Police. All candidates were then asked the same five structured questions, one by each member of the panel. Where there was a need to probe, panel members asked supplementary questions.

Each panel member scored candidates answers to the structured and supplementary questions that were focused on achievement and outcomes against the criteria in the Competencies Values Framework (CVF). The people services representative collated all the scores onto a spreadsheet. Broadly, scoring was consistent across the five panel members. Where there were minor discrepancies of more than one point difference, there was a re-examination of the evidence the

² An extra five minutes was given to the previously advertised information given to candidates to compensate for environmental factors outside of the OPFCC's control.

panel members had captured in their notes and an objective discussion took place as to whether or not panel members wished to revise their scores. This resulted in minimal changes to scores but prompted significant discussion amongst the panel about each of the candidates. At this point, performance in the media exercise and the presentation were also discussed. All three candidates performed well, this was evidenced by the closeness of the scoring.

Once the individual scores had been discussed and a final mark was agreed, due to the closeness of the overall scores it was deemed to be inappropriate to appoint based purely on that basis. As a result, there was a need to further discuss candidates' performance in all aspects of the assessment process to best identify the candidate who would most closely meet the requirements of the post and the specific needs of North Yorkshire Police as outlined by the Commissioner. As per the College of Policing guidelines³ the decision on who to appoint is ultimately the responsibility of the PFCC, based upon the final marks that have been agreed by the appointment panel and all the information that has been gained throughout the appointment process.

The discussion then evolved into the merits of the two top scoring candidates and their suitability for the post and in particular meeting the needs of the North Yorkshire Police Force in the immediate and longer-term future. The PFCC required more time to make a decision at this point, it had been a very long day and the panel were supportive of her doing this and her desire to take some additional time in order to make sure that she made the right decision for North Yorkshire Police.

The following day the Commissioner advised the panel members of her final decision. This was to recommend Tim Forber as the preferred candidate to be put forward to the Police, Fire and Crime Panel for the confirmation hearing on the 11th January 2024. The Commissioner's decision was based upon the final marks that had been agreed and all the information that had been gained throughout the appointment process. In reaching this decision PFCC considered the view of the Panel, stakeholder feedback, the presentation and media exercise. In doing so PFCC ensured that the needs of North Yorkshire Police and the public of York and North Yorkshire had been at the forefront of her mind. The preferred candidate's (Tim Forber) commitment was clearly aligned to the attributes the PFCC had set out in the recruitment pack to lead North Yorkshire Police on its journey to outstanding. This included but was not limited to:

1. collaboration internally and with external partners including the third sector and victims.
2. significant awareness of weight of the VAWG agenda
3. prevention and early intervention
4. neighbourhood policing in the rural and urban areas
5. use of scrutiny panels
6. people centred approach with a clear leadership style
7. breadth and depth of experience being part of the senior leadership team in a force that had made significant progress and has achieved some HMICFRS outstanding grades.

The preferred candidate was able to demonstrate an approach which was not limited to the performance metrics upon which the force is measured. He also articulated the importance and impact of Policing within the communities and engagement with all stakeholders in North Yorkshire and York.

In my opinion the decision was made based on merit as identified by the information gained through a fair and open selection process.

10. Conclusion and Recommendations

³ P46 College of Policing [Guidance for appointing chief officers \(college.police.uk\)](https://college.police.uk/guidance-for-appointing-chief-officers)

Through the steps outlined above, the PFCC fulfilled her responsibility to ensure the selection process was in accordance with the responsibilities set out in the Guidance. There was effective use of the CVF throughout the process which allowed evidence to be evaluated to make objective decisions.

There was also robust discussion between panel members to compare and weigh up recorded evidence.

Recommendations for future:

1. That the OPFCC considers making recommendations to the College of Policing and the Home Office to suggest ways to increase the pool of available candidates for Chief Constable. Particularly encouraging more applications from Assistant Chief Officers because actively supporting this rank to apply could potentially increase the pool of candidates.
2. The College of Policing make the application form much more structured in terms of asking candidates to provide evidence of achievement in all the required competencies.
3. The College of Policing should include in the guidance what should or should not be included in the covering letter. The lack of consistency was unhelpful.
4. Greater awareness raising for candidates in the completion of application forms which are to be scored against the CVF to ensure they understand how the panel will sift, assess, and score their applications.
5. Greater awareness raising amongst candidates of the need to provide evidence against the values and not just the CVF.
6. The PFCC gives comprehensive feedback to all candidates which makes it clear where their applications and assessment performance met and did not meet the required criteria so this can be used as continuous professional development.

Appendix A: Independent Member role profile

1. To be familiar with the Guidance for the Appointment of Chief Officers, the appointment process procedures, and to adhere to the principles of merit, fairness and openness throughout the appointments process.
2. To work collaboratively with the PCC/CC or Commissioner and other appointment panel members to challenge and test whether the candidates meet the necessary requirements to perform the role effectively throughout the appointments process.
3. In providing independent advice during the appointments process, where requested to do so, their responsibilities are likely to include the following;
 - To provide independent advice in the shortlisting of applicants against the agreed appointment criteria.
 - To play an active role (where required) as part of the appointments panel and provide independent advice in assessing shortlisted candidates against the agreed appointment criteria (this might include using interviews, presentations, psychometric measures, assessment, exercises, etc).
 - To provide independent advice on which candidate(s) most closely meets the appointment criteria in line with the principles of merit, fairness, and openness.
4. To produce a written report on the appointment process which expressly and explicitly addresses the appointment principles of merit, fairness and openness, and the extent to which the panel were able to fulfil their purpose.
5. To provide feedback to the College of Policing on the appointment process and their role. Independent Members will be asked to share copies of their written reports with the College of Policing once released by the PCC/CC or Commissioner to help inform future training and development.

Appendix B: Independent Member – Fay Dawson

I have nearly 30 years' experience in strategic and operational HR, including significant experience in merit-based open and fair recruitment and promotion selection. I have significant experience in sifting and shortlisting applications and CVs and use of assessment practices including psychometric tests, in-tray exercises such as data analysis and reasoning tests and role play in leadership scenarios, to identify capable leaders and potential future leaders.

I have previously undertaken assessor training in personality tests (Myers-Briggs, 16PF and Belbin Team Roles), situational judgement tests and role play in leadership scenarios. I have also undertaken significant training in the use of competency and strengths-based interview techniques. I am quickly and accurately able to assess applications and CVs against any predetermined selection criteria and make sound judgements as to who demonstrates the knowledge, skill and capability to proceed to the next stage. I am able to analyse and assess answers to competency or strengths based interview questions in order to determine the level of an individual's capability and suitability for any particular role.

I am currently partially retired and not permanently employed but keep my knowledge, skill and practice up to date by undertaking consultancy work on a regular basis across the whole spectrum of HR work in a wide range of organisations.

Appendix C: Link to College of Policing Guidelines for recruiting Chief Officers

[Guidance for appointing chief officers \(college.police.uk\)](https://college.police.uk/guidance-for-appointing-chief-officers)