

West Midlands Police and Crime Panel

Monday 17 July 2023 at 16:10 hours

Committee Room 3, Wolverhampton Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

This meeting will be livestreamed at <https://wolverhampton.public-i.tv>

More information about the Panel, including meeting papers and reports, can be found at www.westmidlandspcp.co.uk

Contact Officer: Sarah Fradgley

Email: wmpcp@birmingham.gov.uk Tel: 0121 303 1727

CONFIRMATION HEARING

APPOINTMENT OF CHIEF FINANCE OFFICER, OFFICE OF THE POLICE AND CRIME COMMISSIONER

AGENDA

Supporting Document	Item	Topic	Approximate time
	1	NOTICE OF RECORDING This meeting will be webcast for live or subsequent broadcast and members of the press/public may record the meeting. The whole of the meeting will be filmed except where there are confidential or exempt items.	16:10
	2	APOLOGIES	
	3	DECLARATION OF INTERESTS Members are reminded they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.	

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN> . This includes, at Appendix 1, a flowchart which provides a simple guide to declaring interests at meetings.

4 EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

To highlight items on the agenda which officers have identified as containing exempt information within the meaning of Schedule 12A of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.

Attached 5 CONFIRMATION HEARING FOR APPOINTMENT TO THE ROLE OF CHIEF FINANCE OFFICER OF THE OFFICE OF THE POLICE AND CRIME COMMISSIONER

Following notification from the West Midlands Police and Crime Commissioner of his intention to appoint his preferred candidate to the role of Chief Finance Officer, the Police and Crime Panel must hold a Confirmation Hearing, in accordance with Schedule 1 of the Police Reform and Social Responsibility Act 2011.

The Confirmation Hearing will be undertaken in two parts:

Part 1 - To receive the following reports:

- West Midlands Police and Crime Panel Confirmation Hearing Procedure: Report of the Panel Lead Officer
- Appendix 1: Notification by Police and Crime Commissioner of the proposed appointment
- Appendix 2: Nomination report of the Police and Crime Commissioner

Part 2 – Question and answer session with the preferred candidate relating to the appointment.

6 PRIVATE AGENDA - TO DISCUSS PROPOSED APPOINTMENT OF CHIEF FINANCE OFFICER FOR THE OFFICE OF THE POLICE AND CRIME COMMISSIONER

To discuss the proposed appointment to the role of Chief Finance Officer and agree the decision and recommendations to the Police and Crime Commissioner

RECOMMENDED that the press and public be excluded from the meeting during this item of business under Section 100A (4) of the

Local Government Act 1972 on the grounds: (i) it is likely to disclose exempt information listed in Paragraphs 1, and 3 of Part 1 Schedule 12A to the Local Government Act 1972, being information relating to any individual or information relating to the financial or business affairs of any particular person; and (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Report to the West Midlands Police and Crime Panel – Confirmation Hearing of the Chief Finance Officer

Date: 17 July 2023

Report of: Kevin O’Keefe, Chief Executive Dudley MBC, Lead Officer of the West Midlands Police and Crime Panel

Report author: Amelia Wiltshire, Overview and Scrutiny Manager, Birmingham City Council

Email: amelia.wiltshire@birmingham.gov.uk

Phone: 07825 979253

1 Purpose

- 1.1 Under the Police Reform and Social Responsibility Act 2011 (“the Act”) [Schedule 1](#), the Police and Crime Commissioner has given notification to the West Midlands Police and Crime Panel of the proposed appointment of Jane Heppel as Chief Finance Officer of the Office of the Police and Crime Commissioner.
- 1.2 This report sets out the information necessary to enable the panel to review the proposed appointment and make a report to the Police and Crime Commissioner upon it, including a recommendation as to whether or not the candidate should be appointed.

2 Recommendation

2.1 That the Panel

1. Note the confirmation hearing process set out in this report;
2. Undertake a confirmation hearing for the post of chief finance officer;
3. Consider the information provided by the Police and Crime Commissioner regarding the proposed appointment, and the preferred candidate during this confirmation hearing; and
4. Agree that a report incorporating the panel’s recommendation on the appointment be submitted to the Police and Crime Commissioner no later than 18 July 2023.

3 Background

- 3.1 The Police and Reform and Social Responsibility Act 2011 requires the Police and Crime Panel to conduct confirmation hearings for specific senior appointments, including chief finance officer.
- 3.2 The 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.

3.3 The Panel must then prepare a report and recommendation to the Police and Crime Commissioner as to whether or not the candidate should be appointed.

4 Notification by the Police and Crime Commissioner

4.1 Under the [Schedule 1 \(2\) of the Act](#), the Police and Crime Commissioner must provide the Panel with the following information:

1. The name of the person they are proposing to appoint;
2. The criteria used to assess the suitability of the candidate for the appointment;
3. Why the candidate satisfied those criteria; and
4. The Terms and Conditions on which the candidate is to be appointed.

4.2 Appendices 1 and 2 set out the information provided by the Police and Crime Commissioner in relation to the requirements set out in 4.1

5 The Police and Crime Panel's Role

5.1 The panel has powers to review the Commissioner's proposed appointment of senior staff before they are confirmed in post. Under the terms of the Act, the Panel must:

1. Review the proposed appointment;
2. Make a report to the Commissioner on the proposed appointment; and
3. Include a recommendation within the report which indicates whether the candidate should be appointed
4. The Panel must review the proposed appointment and report back to the Commissioner within three-weeks of receiving the Commissioner's formal notification.

6 The Confirmation Hearing

6.1 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.

6.2 [The Policing and Fire Governance guidance for Police and Crime Panels](#) document advises that members' questions to the candidate concern primarily the "professional competence" of the candidate and their "personal independence". Personal independence is defined in the Guidance as a candidate's ability to act in a manner that is operationally independent of the Police and Crime Commissioner.

6.3 Following the meeting, the panel will hold a closed private session to deliberate on the suitability of the candidate for the role.

7 Panel recommendation

7.1 The panel must prepare a report for the Police and Crime Commissioner and include a recommendation as to whether or not the candidate should be appointed.

- 7.2 The panel has three principal options, as follows:
- i. To recommend the candidate is appointed.
 - ii. To recommend the appointment with recommendations
 - iii. To reject the proposed appointment
- 7.3 The Police and Crime Commissioner may accept or reject the panel's decision and any recommendations.

8 Reporting the Panel's recommendation

- 8.1 The Chairman of the Panel will write to the Commissioner on the next working day following the confirmation hearing with the panel decision and recommendations.
- 8.2 The candidate will also be sent a copy of the letter.
- 8.3 The Panel will wait five working days before it publishes any information about its recommendations unless it is agreed with the Commissioner that this information can be released at an earlier stage.
- 8.4 The report will be published on the [Panel's website](#).

9 Finance Implications

- 9.1 There are no financial implications for the Police and Crime Panel arising from these recommendations.

10 Legal Implications

- 10.1 The Police and Crime Panel has a statutory responsibility under the [Police Reform and Social Responsibility Act 2011](#) to conduct confirmation hearings for senior appointments made by the Police and Crime Commissioner

11 Equalities Implications

- 11.1 The Panel has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
1. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 2. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 3. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 The protected characteristics and groups outlined in the Equality Act are Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion and Belief; Sex, and Sexual Orientation.
- 11.3 The Panel should ensure that it has due regard to its duties under the Equality Act while carrying out the confirmation hearing and making its recommendation to the Police and Crime Commissioner.

12 Background Information

12.1 [Police Reform and Social Responsibility Act 2011 Schedule 1](#)

12.2 [LGA/Centre for Governance and Scrutiny Guidance for Police and Crime Panels on confirmation hearings](#)

13 Appendices

13.1 Appendix 1 – Notification from Simon Foster, Police and Crime Commissioner of intention to appoint his preferred candidate, Jane Heppel.

13.2 Appendix 2 – Nomination of the Chief Finance Officer Report to the West Midlands Police and Crime Panel.

Please ask for : Andrea Gabbitas
Telephone Number: 0121 626 6060
wmpcc@west-midlands.pnn.police.uk

Our reference:



West Midlands Police and Crime Panel
Scrutiny Office,
The Council House
Birmingham
B1 1BB

30 June 2023

Dear West Midlands Police and Crime Panel,

As you will be aware, I have undertaken a recruitment process for a new Chief Finance Officer, following the departure of Mark Kenyon to take up his new role with Derbyshire County Council.

I am pleased to say, that at the conclusion of a robust recruitment and vetting exercise, Jane Heppel is the preferred candidate for the post.

In accordance with statutory requirements, I shall formally present a report to the Police and Crime Panel confirmation meeting on 17 July 2023.

Please kindly accept this letter as formal notification, as required under the Police Reform and Social Responsibility Act 2011.

I look forward to presenting my report at the confirmation hearing on 17 July.

Yours sincerely

A handwritten signature in black ink, appearing to read "Simon Foster".

Simon Foster
Police and Crime Commissioner



**Police and Crime Panel
17 July 2023**

Nomination of Chief Finance Officer

Report to the West Midlands Police and Crime Panel

Report of West Midlands Police and Crime Commissioner

Purpose

1. The purpose of this report is to notify the Police and Crime Panel of the proposed appointment of a Chief Finance Officer for the Police and Crime Commissioner for the West Midlands and to request that they review the proposed appointment and make a recommendation to the Commissioner about the appointment.

Background

2. The Police Reform and Social Responsibility Act 2011 (the Act) requires Police and Crime Panels to scrutinise senior appointments proposed by the Police and Crime Commissioner. Schedule 1 paragraph 9 (1) of the Act defines senior appointments as the Commissioner's Chief Executive, Chief Finance Officer and the Deputy Police and Crime Commissioner. These are referred to as Schedule 1 appointments.
3. The Commissioner must notify the Panel of the following information:
 - (a) The name of the person he is proposing to appoint;
 - (b) The criteria used to assess the suitability of the candidate for the appointment;
 - (c) Why the candidate satisfies the criteria; and
 - (d) The terms and conditions on which the candidate is to be appointed.
4. Schedule 1 paragraph 10 of the Act requires the Panel to review the proposed appointments and report back to the Commissioner which must include a recommendation as to whether or not the candidate should be appointed. This must be done within a period of three weeks beginning with the day on which the Panel receives the notification from the Commissioner of the proposed senior appointment(s).

5. Schedule 1 paragraph 11 of the Act requires the Panel to hold a confirmation hearing before making a report and recommendation under paragraph 10 to the Police and Crime Commissioner in relation to a proposed senior appointment.
6. Schedule 1 paragraph 12 allows the Police and Crime Commissioner the right to accept or reject the Panel's recommendation and he must notify the Panel of his decision

Chief Finance Officer

7. The Chief Finance Officer role was previously fulfilled by Mr Mark Kenyon, who, after eight successful years in the post, has moved on to a new position of Chief Finance Officer at Derbyshire County Council.
8. The Commissioner has nominated Jane Heppel as Chief Finance Officer.
9. The criteria used to assess the suitability of the candidate are set out in the job description and person specification set out in Annex 1.
10. The selection process consisted of open advertisement, including circulation of information via The Association of Police and Crime Commissioners website, WM Jobs, LinkedIn, Indeed and W4MP, which generated 7 applicants, of which 3 were selected for interview of which one withdrew from the process.
11. Following shortlisting, candidates were invited to attend an in person technical competence assessment with the Director of Commercial Services for West Midlands Police (WMP) and the Chief Finance Officer for North Wales OPCC. Each candidate then met with a Stakeholder panel chaired by the Assistant Police and Crime Commissioner and members consisting of; an SPCB Board Member, Head of Estates for WMP, Head of Diversity and Inclusion for WMP, Secretary, WMP Federation, Programme Manager for Strategy Delivery and Assurance for WMP and a Youth Commissioner. Candidates were asked to prepare and deliver a 10-minute presentation in response to the question; ***“What are the significant challenges in the delivery of the Commissioner’s police and crime plan, and how would you address these?”***. This was then followed by 6 pre-agreed questions submitted by Stakeholder Panel members to assess candidates on:
 - working in partnership with other people and organisations
 - clear and strong leadership
 - their understanding of the West Midlands communities.
 Both the Technical Assessment and Stakeholder Panels then provided feedback consisting of pros and cons for each candidate to the interview panel.
12. Finally, candidates attended a question and answer style interview with a panel consisting of the Police and Crime Commissioner, Chief Executive and Deputy Chief Executive. Two candidates were interviewed. The interview included questions covering:
 - the risks and challenges in delivering the Police and Crime Plan
 - experience with operational performance management and application to the CFO role
 - experience of public scrutiny and accountability
 - managing a team
 - experience of risk management and service improvement in the public sector,
 - equalities, diversity and policing, and the financial challenges of delivering on equality
 - experience of managing organisational change
 - commissioning and oversight of major projects and programmes

Questions were weighted and candidates' answers were scored on a 0-5 scale ("Poor, didn't answer question" to "excellent"). Candidates were assessed as to whether they met the elements of the job description / person specification tested by each question. The Panel considered whether each candidate's supporting statement and further information in their written application added to the evidence of whether they met the requirements of the job description / person specification. The Panel determined which of the candidates met the requirements of the job description / person specification, and then determined which of the candidates evidenced the requirements and aptitude for the role to the greatest extent.

13. Ms Heppel met these criteria and was clearly able to demonstrate technical competence for the role of Chief Finance Officer, showed a strong understanding of the role and issues facing the Commissioner, and evidenced both aptitude and enthusiasm for the opportunities presented by the post. She performed well at interview and will be a significant addition both to the Commissioner's team and effective governance and oversight of policing in the West Midlands. Ms Heppel's references were taken up before the Commissioner named her as his preferred appointment, and were very positive. Ms Heppel has been satisfactory in her vetting and medical checks.
14. The post of Chief Finance Officer is a permanent appointment on Grade 14 (£86,568 - £96,525) and as such Ms Heppel's salary will be published on the Commissioner's website as required by the Specified Information Order. Ms Heppel's contract will be based on 37 hours per week although it is acknowledged that as a senior member of the Commissioner's staff the post holder will have a wider commitment than this. The post is located at the Commissioner's offices.
15. Biographical information: Jane Heppel has a first class honours degree in Social Policy and is a Fellow of the Chartered Institute of Public Finance and Accountancy (FCPFA). She is currently Corporate Director of Resources at North Warwickshire Borough Council, and has previously worked as Chief Finance Officer for Gloucestershire Constabulary and Staffordshire OPCC. This was in addition to various consultancy roles including with Reigate and Banstead Borough Council, West Midlands Combined Authority, Staffordshire Constabulary and Rugby Borough Council. Jane has experience of performance management and monitoring, development of medium-term financial strategies, and large-scale financial project management.

Recommendation

16. In accordance with the Police Reform and Social Responsibility Act 2011, Schedule 1, paragraph 9 (1)(b) the Panel is invited to:
 - (i) Review the proposed appointment of Jane Heppel as the Chief Finance Officer for the Police and Crime Commissioner for the West Midlands.
 - (ii) To make a recommendation to the Commissioner as to whether Jane Heppel should be appointed in accordance with Schedule 1 10 (4) of the Act.

ANNEX 1: CHIEF FINANCE OFFICER JOB DESCRIPTION AND PERSON SPECIFICATION

JOB DESCRIPTION

Job title: Chief Finance Officer
Grade: Grade 14
Directly responsible to: Chief Executive
Directly responsible for: All staff in Finance and Audit team
Location: West Midlands Office of the Police and Crime Commissioner

Job Purpose:

To be a member of the PCC Senior Management Team and to contribute directly to the leadership of the OPCC and to the definition and delivery of the PCC's Vision, strategies and plans.

To undertake the statutory role of the Section 151 Statutory Chief Finance Officer in line with CIPFA's statement on the role of Chief Finance Officers on behalf of the West Midlands Police and Crime Commissioner, ensuring arrangements are in place for proper financial administration and good governance, and compliance with the Home Office Financial Management Code of Practice.

This role is politically restricted.

Main duties and responsibilities:

1. Be the principal adviser to the PCC on the preparation of financial strategies to achieve the Commissioner's objectives, including support for the commissioning framework and advising on the financial implications of policies and decisions
2. Develop the medium-term financial strategy, and associated reserves and treasury management strategies, to enable the delivery of the Police and Crime Plan.
3. Act as the PCC's professional lead officer on budgetary matters including the robustness of the budget and adequacy of financial reserves.
4. Manage the budgetary process including consultation of budget proposals through the Police and Crime Panel.
5. Arrange for the determination and issuing of the relevant precept demands.
6. Ensure that regularity, propriety and value for money is achieved in the PCC's financial affairs.
7. Ensure that the financial affairs of the PCC are properly administered and that financial regulations are observed and kept up to date.
8. Lead the audit and finance team and ensure that it is effective in providing advice and support to the PCC and staff within the Office of the PCC.
9. Ensure that there are effective treasury management arrangements which comply with all regulatory requirements. This includes managing significant investment sums and providing advice around borrowing.
10. Ensure the production of the PCC's statements of accounts and the overall group accounts are in accordance with statutory requirements and deadlines. This includes approving the accounts for publication.
11. Liaise with the external auditor and, together with the Chief Constable's Chief Finance Officer, ensure the provision of efficient and effective arrangements for internal audit.

12. Advise the PCC, on the safeguarding of assets, including risk management and insurance.
13. Report to the PCC, to the Police & Crime Panel, to the Joint Independent Audit Committee and to the external auditor when it appears that expenditure by the Police & Crime Commissioner is likely to exceed the resources available to meet that expenditure.
14. Work with teams across the OPCC in developing planning processes, performance, assurance and risk management frameworks which effectively hold those receiving Police & Crime Commissioner funding to account for delivery.
15. Support the Deputy Chief Executive in developing and implementing a Commissioning Strategy that supports the objectives of the Police and Crime Plan.
16. Advise the PCC, Chief Executive and OPCC staff on all aspects of finance including council tax, budgets, efficiency plan and medium-term financial planning (MTFP).
17. Support the DCEX in developing, implementing and monitoring a robust procurement and commissioning framework for the OPCC.
18. Ensure the provision of an effective internal audit service and assist in providing safe and efficient financial arrangements.
19. Responsible for the operation of a Joint Audit Committee with West Midlands Police.
20. Advise the Commissioner in relation to the delivery of the estate's strategy. This includes investment, financing of expenditure and disposals.
21. Assist the Commissioner in securing additional funding for the policing the West Midlands.
22. Responding to consultations in relation to police funding (national funding formula and precept).
23. Supporting oversight of West Midlands Police change programme.
24. Working with external auditors in their work, to ensure unqualified audits.
25. Actively promote, develop and sustain effective working relationships at a local, regional and national level.
26. Overall responsibility for the scheme of governance between the PCC and the Chief Constable of the West Midlands. This includes financial regulations and contract standing orders.
27. Annual assessment of the scheme of governance through the development and production of the Commissioner's Annual Governance Statement.
28. The development of the Commissioner's risk management strategy and proactively managing the risk register of the OPCC.
29. Construction and maintenance of the PCC's reserves strategy.
30. Advise the PCC and others on the financial standing and resilience of the organisation. This includes the adequacy and level of reserves.
31. Production and monitoring of the PCC's Anti-Fraud, Bribery and Corruption Policy.
32. Lead link officer for Strategic Police and Crime Board Members on financial matters and WMP staffing and HR matters.
33. Overseeing the placing of insurance by West Midlands Police.
34. Liaise with, support and challenge, the Force Director of Commercial Services.
35. Advising on capital programmes and supporting the work of the Force in relation to capital asset management.
36. Represent the Commissioner on WMP procurement boards.

Other responsibilities

- Deputise in the absence of the Chief Executive and Deputy Chief Executive providing cover for policy, planning and performance, media and communications, partnership and engagement and office services as required.
- Support in holding the Chief Constable to account for the delivery of an efficient and effective police service through the maintenance of an appropriate governance and scrutiny frameworks.
- Take personal responsibility for professional development and maximise own resources in a way with reflects the values of the OPCC.
- Ensure all OPCC policies, procedures and practices are developed, maintained and reviewed.
- Ensure compliance with the framework for knowledge management to support effective decision making.
- Support procedures that ensure compliance with all OPCC policies, procedures and practices.
- Undertake additional duties as are reasonably commensurate with the level of the post.

Special conditions

- This post is politically restricted.
- The role will require some out of hours working.
- Security clearance.

Person Specification

Factors	Essential	Desirable	How measured
Qualifications / Membership of Professional Bodies	<ul style="list-style-type: none"> • Degree or equivalent. • Qualified member of a CCAB accountancy body, preferably CIPFA. 		Application form
Experience	<p>Significant experience of (at least 5 years):</p> <ul style="list-style-type: none"> • Managing large multi-million-pound budgets in a public sector organisation. • Extensive experience of operating at a strategic level within a political and high-profile environment. • Financial planning including budget setting and medium-term strategies. • Leading change, transformation and modernisation programmes. • Managing a commissioning, finance and audit team within a multi - disciplinary and complex environment. 	<p>Strategic management of estates, including implementing estates strategies.</p> <p>Working in police governance</p>	Application form

	<ul style="list-style-type: none">• Developing treasury management strategies and processes.• Working with senior managers to develop a performance management culture and deliver business plan targets and outcomes.• Leading, developing and building effective networks, partnerships, and excellent working relationships at strategic level across a range of organisations, stakeholders and partners supporting commissioning activities.• Designing and monitoring corporate governance arrangements.• An understanding of estates in the public sector environment.• Public sector procurement, including providing advice to senior leaders.		
--	--	--	--

<p>Knowledge & Skills</p>	<p>Detailed knowledge and understanding of the:</p> <ul style="list-style-type: none"> ➤ role of a Section 151 Officer and the relevant statutory duties. ➤ legislation relevant to police and public sector governance ➤ financial environment within which policing operates. ➤ role of commissioning in securing effective value for money services ➤ importance of scrutiny, audit, governance and risk management arrangements <ul style="list-style-type: none"> • Ability to construct coherent arguments and articulate ideas clearly to a range of audiences using a variety of techniques. • Proven negotiating, influencing and persuading skills. • Highly developed strategic thinking and analytical skills. 	<p>Detailed understanding the issues and challenges associated with governance in policing and wider contexts</p>	<p>Application form / Interview</p>
<p>Personal Qualities</p>	<ul style="list-style-type: none"> • Track record of creativity, innovation, achievement and delivery leading to real world change and improvement. • Commitment to the Nolan Principles and the highest standards of probity. • Effective manager and inspirational leader. • Proactive 'self-starter'. • Ability to work on own initiative and lead a team to achieve objectives. • High degree of political sensitivity. • Promote diversity and equality. • Commitment to continuous professional development. 		<p>Application form / Interview</p>