

Section A For Publication
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THE OFFICE OF POLICE AND CRIME COMMISSIONER
FOR DERBYSHIRE
DECISION RECORD

Request for PCC Decision	Received in OPCC Date: 21 Jan 2013	OPCC Ref: 02/13
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Title: Appointment of Hardyal Dhindsa as the Deputy Police and Crime Commissioner - reporting of the Confirmation Hearing of the Police and Crime Panel held on 10 January 2013

Executive Summary:

To report the outcome of the confirmation hearing by the Police & Crime Panel for the Deputy Police and Crime Commissioner for Derbyshire.

To confirm Hardyal Dhindsa's appointment following the unanimous recommendation of the Police & Crime Panel to the Commissioner for the appointment.

The Police Reform and Social Responsibility Act 2011 provides, under Section 18 (1), that the Police and Crime Commissioner for a police area may appoint a person as the Deputy Police and Crime Commissioner for that area. Commissioner Charles has proposed and the Police & Crime Panel have supported the candidate Hardyal Dhindsa.

A Supporting Report attached as Section B with copies of the Report of the Police & Crime Panel and the Report in response by the Police and Crime Commissioner

Decision

Resolved that Hardyal Dhindsa is the appointed Deputy Police and Crime Commissioner for Derbyshire

Declaration

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct for the Police and Crime Commissioner for Derbyshire. Any such interests are recorded below.

(Recorded interests: none)

The above request has my approval.

Signature *Electronically Signed*

Date 21 January 2013

PUBLICATION SCHEME CONSIDERATIONS

Is the related Section B report to be published Yes

If no, please indicate relevant exemption

Is the publication of this approval to be deferred No

If Yes, provide reasons below

Date to be deferred to –

NB Statutory Instrument 2011/3050 (as amended by SI 2012/2479) states that: *all decisions made by a PCC are in the types of information that must “be published as soon as practicable after it becomes available to the elected local policing body”.*

OFFICER APPROVAL

Chief Executive:

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner

Signature

Electronically Signed

Name Helen Boffy

Date 10 January 2013

STRATEGIC GOVERNANCE BOARD

21 JANUARY 2013

REPORT OF THE CHIEF EXECUTIVE

**7A: APPOINTMENT OF HARDYAL DHINDSA AS THE DEPUTY POLICE AND
CRIME COMMISSIONER - REPORTING THE CONFIRMATION HEARING OF THE
POLICE AND CRIME PANEL HELD ON 10 JANUARY 2013**

1. PURPOSE OF THE REPORT

- 1.1 To report the recommendations of the Derbyshire Police & Crime Panel and the confirmation of the appointment of Hardyal Dhindsa as the Deputy Police and Crime Commissioner for Derbyshire.

2. LEGAL BASIS FOR APPOINTMENT

- 2.1 The Police Reform and Social Responsibility Act 2011 (the Act) provides, under Section 18(1), that the Police and Crime Commissioner (the Commissioner) for a police area may appoint a person as the Deputy Police and Crime Commissioner for that area.
- 2.2 Under Section 18(10) of the Act, the Deputy Police and Crime Commissioner (DPCC) is a member of the Commissioner's staff. The appointment for this post need not be on merit whilst other Office of the Police and Crime Commissioner staff must be appointed on merit. It is also not a politically restricted post.

3. APPOINTMENT PROCESS

- 3.1 Notwithstanding the Commissioner's powers to appoint directly, an open recruitment process was carried out to identify a candidate on merit. A shortlist of 6 candidates was interviewed by the Commissioner with the support of an advisory panel.

- 3.2 Making use of the power in Section 18(1), the Commissioner decided to propose the appointment of Hardyal Dhindsa to the post of Deputy Police and Crime Commissioner for Derbyshire.
- 3.3 Hardyal Dhindsa has declared that he is aware of the provisions of the Police Reform and Social Responsibility Act 2011 as regards eligibility to be appointed. He has declared that to the best of his knowledge and belief he is eligible for appointment and is not subject to a relevant disqualification.

4. CONFIRMATION BY THE POLICE & CRIME PANEL

- 4.1 This decision has been notified to the Derbyshire Police and Crime Panel. In accordance with the Act the Commissioner has provide to them:
- The name of the person the Commissioner proposes to appoint, who for the purposes of the legislation is known as the ‘candidate’
 - The criteria used to assess the suitability of the candidate for the appointment
 - Why the candidate satisfies those criteria, and
 - The terms and conditions on which the candidate is to be appointed
- 4.2 Hardyal Dhindsa has been subject to the confirmatory hearing process required by Schedule 1 of the Act. The confirmatory hearing took place in front of the Police & Crime Panel on Thursday 10 January 2013.
- 4.3 The Police and Crime Panel are required to publish a report to the Commissioner on his proposed appointment in which they must include a recommendation as to whether or not the candidate should be appointed.
- 4.4 The Commissioner must consider the report once published and decide whether to accept or reject the panel’s recommendation on Hardyal Dhindsa’s proposed appointment.
- 4.5 The Police & Crime Panel recommended unanimously that Hardyal Dhindsa be appointed. A copy of the report of the Police & Crime Panel and the response from the Commissioner to that report are published as Appendix A and B respectively.

4.6 The Deputy's start date is yet to be finalised but is likely to be in early February.

5. RECOMMENDATION

i. That Hardyal Dhindsa is the appointed Deputy Police and Crime Commissioner for Derbyshire.

6. IMPLICATIONS

All implications are assessed and scored to the table below.

HIGH – supporting explanation and narrative required and to be contained within the report

MEDIUM – narrative to be contained within the report at the discretion of the author

LOW – no narrative required

	LOW	MEDIUM	HIGH
Crime & Disorder	√		
Environmental	√		
Equality & Diversity	√		
Financial	√		
Health & Safety	√		
Human Rights	√		
Legal			√
Personnel			√

Contact details in the event of enquiries	Name: Helen Boffy External telephone number: 01773 733779 Email address: Helen.Boffy.4808@derbyshire.pnn.police.uk
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BACKGROUND PAPERS

1. Police Reform & Social Responsibility Act 2011

ATTACHMENTS

Appendix A. Report from the Derbyshire Police & Crime Panel on its recommendation on the proposed appointment of Hardyal Dhindsa as the Deputy Police and Crime Commissioner

Appendix B. Response from the Police and Crime Commissioner for Derbyshire to the report of the Police & Crime Panel



Improving life for local people

Alan Charles
Police and Crime Commissioner for Derbyshire
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▪

John McElvaney
Solicitor
Director of Legal Services
County Hall
Matlock
Derbyshire
DE4 3AG

Telephone: 01629 538303
Ask for: John McElvaney
Our Ref: JMcE/AS/54027
Your Ref:
10 January 2013

BY E-MAIL ONLY

Dear Commissioner,

**Re : Confirmation Hearing in respect of the
proposed appointment of Mr Hardyal Dhindsa
as the Deputy Police and Crime Commissioner for Derbyshire**

I am writing to report the outcome of the Confirmation Hearing which was held at County Hall in Matlock this afternoon.

Having reviewed the proposed appointment, the Police and Crime Panel unanimously resolved to recommend to you that Hardyal Dhindsa should be appointed to the post of Deputy Police and Crime Commissioner for Derbyshire. I look forward to receiving your response to the Panel's recommendation.

As is required by the legislation, this letter, confirming the Panel's recommendation, will be published by placing it on the Council's website. I agree with the suggestion in your letter of the 9th January that the Panel's recommendation and your response should be placed on our respective websites at the same time.

I am providing a copy of this letter to Hardyal Dhindsa and I would like to thank you both, on behalf of the Panel, for attending the Confirmation Hearing.

Yours sincerely

John McElvaney
Director of Legal Services





Alan Charles
Police and Crime Commissioner for Derbyshire
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Your Reference JMcE/AS/54027

Date 11th January 2013

E-MAIL ONLY

Mr John McElvaney
Solicitor
Director of Legal Services
County Hall
Matlock
Derbyshire
DE4 3AG

Dear John,

Re : Confirmation Hearing in respect of the proposed appointment of Mr Hardyal Dhindsa as the Deputy Police and Crime Commissioner for Derbyshire

Thank-you for your letter of the 10th January in which you report the outcome at yesterday's Police and Crime Panel Confirmation Hearing.

I am pleased to receive the Panel's unanimous recommendation to appoint Hardyal Dhindsa as my Deputy and take this opportunity to confirm the Panel's recommendation in this regard.

Hardyal has a short period of notice to work before joining me to assist in the finalisation of my police and crime plan and the important work that lies ahead. I have taken cognisance of the guidance on 'cooling off' periods but in light of the unanimous resolution of the Panel and the competitive process undertaken by myself, I see little to be gained in delaying. In publishing the outcome together, I shall be placing my decision to accept the Panel's recommendation on my website at the end of business today if this assists with your own planning.

Thank-you for your attention in this matter.

Yours sincerely,

Alan Charles
Police and Crime Commissioner