

<b>Report title:</b> Proposed Re-Appointment of the Deputy Police, Fire and Crime Commissioner	
<b>Report to:</b> Essex Police, Fire and Crime Panel	
<b>Report author:</b> Police, Fire and Crime Commissioner for Essex	
<b>Date:</b> 20 June 2024	<b>For:</b> Recommendation by the Panel
<b>Enquiries to:</b> Pippa Brent-Isherwood (Chief Executive and Monitoring Officer) 01245 291613 <a href="mailto:pippa.brent-isherwood@essex.police.uk">pippa.brent-isherwood@essex.police.uk</a>	
<b>County Divisions affected:</b> All Essex	

### 1. Purpose of Report

A principal role for the Essex Police, Fire and Crime Panel (“the Panel”) is to conduct confirmation hearings for certain senior staff before they are confirmed in their posts. Under Schedule 1 to the Police Reform and Social Responsibility Act 2011 (“the Act”), the Police, Fire and Crime Commissioner (“PFCC”) must notify the Panel of such proposed senior appointments, including the proposed appointment of a Deputy PFCC. The Panel is required to review the proposed appointment via a confirmation hearing and to make a report to the PFCC in this regard, including a recommendation as to whether the candidate should be appointed. The purpose of this report is to assist the Panel in this process. Both the PFCC and the candidate will be attending the confirmation hearing to answer any questions posed of them by members of the Panel.

### 2. Recommendations

That the Panel:

- Reviews the proposed re-appointment of Jane Gardner (“the candidate”) as the Deputy Police, Fire and Crime Commissioner for the PFCC’s current term of office, and
- Makes a report to the PFCC on the proposed appointment, including a recommendation as to whether the candidate should be re-appointed.

### 3. Context / Summary

The Act provides that the PFCC may, subject to certain limitations, appoint a Deputy PFCC and arrange for them to exercise their functions. The candidate was initially appointed to the role of Deputy Police and Crime Commissioner in 2016 through the due process set out in the Act, and was re-appointed as the Deputy Police, Fire and Crime Commissioner for the PFCC’s second term following a confirmation hearing of

the Police, Fire and Crime Panel in June 2021.

The Act requires the Deputy to be appointed on terms providing that their appointment shall end no later than the day on which the term of office of the appointing Commissioner ends. Following their re-election on 2 May 2024, the PFCC has notified the Panel of their intention to re-appoint the candidate as their Deputy PFCC for their third term. Under Schedule 1 to the Act, the appointment of a Deputy PFCC is not (unlike other members of the PFCC's staff) subject to the requirement to be based on merit. As such, a new selection process has not been carried out, however a further confirmation hearing of the Panel is required before such re-appointment can be confirmed.

It should be noted that the Panel does not have the option to veto the proposed appointment, as it does in the case of a Chief Constable or a Chief Fire Officer. It should also be noted that the PFCC may either accept or reject the Panel's recommendation and must notify the Panel of their decision.

### The candidate

The PFCC proposes to re-appoint Jane Gardner as their Deputy PFCC.

### The criteria used to assess the suitability of the candidate for the appointment

Although, as set out above, the appointment of a Deputy PFCC does not need to be based on merit, the PFCC carried out an open, competitive process to select a Deputy in May / June 2016. The criteria used to assess the suitability of candidates is set out in the job profile attached at Appendix 1. The advert posted via Guardian Jobs, the Telegraph Online, the East Anglian Daily Times and the Commissioner's website in May 2016 is attached for the Panel's information at Appendix 2. The advert attracted extremely strong interest. 30 applications were received, with seven candidates invited to interview for the role.

The formal selection process was held on 21 June 2016 and included a presentation exercise and a competency-based interview. For the presentation, candidates were asked to respond to the question "The PCC, Roger Hirst, has published his manifesto commitments and will develop these into his first Police and Crime Plan. If you were successful in becoming the Deputy PCC, how would you build on and develop the manifesto pledges to shape and inform the new Police and Crime Plan?" The interview questions tested the candidate's behaviours against those from the College of Policing's Competency and Values Framework (CVF) set out in the job profile, and covered areas including:

- The candidates' motivation for applying for the role and the skills and experience they would bring to it
- What they considered to be the biggest strategic challenges facing Essex Police and how they considered that the Commissioner and other strategic partners could help to address them
- How they would go about engaging with the diverse communities of Essex and their experience of undertaking effective programmes of engagement

- An example of a leadership challenge they had encountered, how they handled this and what they learned from it
- What they would like to achieve over their four-year term if appointed.

The assessment panel consisted of the Police, Fire and Crime Commissioner and their then Chief Executive and Monitoring Officer; Rebecca Harris MP and John Gili-Ross in his capacity as the then Chairman of the Essex Association of Local Councils (EALC).

The above process and recommended outcome were described in detail to the Essex Police and Crime Panel during a confirmation hearing on 25 July 2016. This allowed the Panel to explore fully the reasons for the appointment at that time. Following the PFCC's re-election in May 2021, a further confirmation hearing of the Essex Police, Fire and Crime Panel was convened on 17 June 2021 to consider the PFCC's proposal to re-appoint Ms. Gardner as his Deputy for his second term. Ms. Gardner addressed the hearing, summarising her experience in the role and her ambition for continuing to work in the role and support the PFCC in making further improvements to Essex Police and the Essex County Fire and Rescue Service in response to public needs. Members of the Panel noted the work Ms. Gardner had done and her further experience in the role over the previous four years. The Police, Fire and Crime Panel considered the proposed re-appointment and unanimously resolved to recommend to the PFCC that he proceed in appointing Ms. Gardner to the position of Deputy Police, Fire and Crime Commissioner.

#### Why the candidate satisfies the criteria

Ms. Gardner has 40 years' experience of working in the public sector in Essex across a number of relevant disciplines, including service provision, commissioning, policy and strategy, particularly in the fields of community safety and resilience. Immediately prior to joining the PFCC's office in 2016, Ms. Gardner was Head of Commissioning – Growing Essex Communities for Essex County Council, a role which included strategic leadership of community safety commissioning activity across the county. Prior to this, she was the Senior Policy and Strategy Manager (People) for Essex County Council, a role in which she led the development of the Community Safety Commissioning Strategy.

Between 2007 and 2014, Ms. Gardner also worked in a voluntary capacity in Essex Police's Special Constabulary, reaching the rank of Special Superintendent before having to resign due to injury.

In terms of professional qualifications, Ms. Gardner has a Certificate in Management Studies (CMS) from Anglia Polytechnic and a Master of Science (MSc) degree in Applied Organisational Development in Public Services awarded by Nottingham Trent University. She also completed Essex County Council's Emerging Leaders Programme at Cambridge University Business School.

Ms. Gardner performed to a high standard in all elements of the original selection process and has performed successfully in the role and made a significant contribution to the work of the PFCC since 2016. She has proven herself to be extremely visible, accessible and credible as the Deputy PFCC and is well regarded by partners and stakeholders across Southend, Essex and Thurrock as well as within the PFCC's own

office. Throughout her career, including both terms in this role, she has built strong and productive networks, relationships and partnerships across the public, private and voluntary sectors within the county, and currently chairs a number of key partnerships including the Southend, Essex and Thurrock Domestic Abuse Board (SETDAB), the Reducing Reoffending Board and the Suicide Prevention Board. She is especially talented and adds tremendous value in terms of facilitating community involvement and engaging with the public. She is a key member of the PFCC's Senior Management Team (SMT) and has played an integral role in the development and delivery of key strategic documents including the last two Police and Crime Plans, the Local Business Case for joint governance of policing and fire and rescue services in Essex (which led to the Essex PCC becoming the country's first Police, Fire and Crime Commissioner) and the country's first Fire and Rescue Plan. She led the production of the multi-agency Violence and Vulnerability Framework, which resulted in the establishment of the Violence and Vulnerability Unit. Alongside the PFCC, she took on additional responsibilities relating to the joint governance of the Essex County Fire and Rescue Service in October 2017, and has made a particularly significant contribution to the design and delivery of the cultural change programme which has seen the cause for concern raised by HMICFRS relating to the culture of the service closed out.

Taking all of the above into account, as well as the fact that Ms. Gardner is now well experienced and embedded in the role, the PFCC proposes to re-appoint Jane Gardner as their Deputy PFCC for his third term of office.

#### The terms and conditions on which the candidate is to be appointed

This is a full-time role attracting a salary of £81,936 per annum. If appointed, the candidate will be contracted on terms and conditions largely aligned to those of all police staff, with two notable variations:

- As stated earlier in this report, the Act requires the Deputy PFCC to be appointed on terms providing that their appointment shall end no later than the day on which the term of office of the appointing PFCC ends, and
- Unlike all other roles within the PFCC's office, this post is not designated as politically restricted in accordance with the provisions of the Local Government (Political Restrictions) Regulations 1990 and as set out in Schedule 16 of the Police Reform and Social Responsibility Act 2011.

Ms. Gardner will be required to abide by the Code of Conduct attached as a Schedule to the PFCC's Constitution, and which the Panel has previously been consulted on.

Vetting clearance is a prerequisite of employment within the PFCC's office and, if re-appointed, the candidate will be subject to a vetting assessment every 12 months. National security vetting clearances are reviewed every five years.

#### **4. Appendices**

Appendix 1 – Job Profile  
Appendix 2 – Advert text