

Minutes of the West Mercia Police and Crime Panel

Wyre Forest House, Kidderminster

Friday, 19 January 2024, 11.00 am

Present:

Cllr Barry Durkin (Chairman), Cllr Rob Adams (Vice Chairman),
Cllr Joanne Beecham, Cllr Kyle Daisley, Cllr Robin Drew, Cllr Liz Harvey,
Cllr Nigel Lumby, Cllr Vivienne Parry, Cllr Tony Parsons, Cllr Tom Piotrowski,
Cllr Colin Taylor, Mrs Carole Clive and Ms Beth McDowall

Also attended:

John Champion, West Mercia Police & Crime Commissioner
Commander Kyle Gordon, Metropolitan Police Service
Gareth Boulton, Chief Executive, OPCC
Hazel Best, Assistant Director for Legal & Governance
Andrew Boote, Head of Service for Safer Communities (Public Health)
Samantha Morris, Interim Democratic Governance and Scrutiny Manager
Alyson Grice, Overview and Scrutiny Officer

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 30 October and 17 November 2023 (previously circulated).

(A copy of document A will be attached to the signed Minutes.)

501 Welcome and Introductions

The Chairman welcomed everyone to the meeting.

502 Named Substitutes

Councillor Kyle Daisley for James Stanley (Worcestershire County Council),
Councillor Robin Drew for Tracey Onslow (Wyre Forest District Council) and
Councillor Colin Taylor for Roger Evans (Shropshire Council).

503 Apologies and Declarations of Interest

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Apologies were received from Councillors Roger Evans, John Gallagher, Helen Jones, Kelly Middleton, Tracey Onslow, Richard Overton and James Stanley.

No declarations of interest were made.

504 Public Participation

None.

505 Confirmation of the Minutes of the previous meeting

The Minutes of the meetings held on 30 October and 17 November 2023 were agreed as a correct record and signed by the Chairman.

506 Confirmation Hearing - Chief Constable

The Police and Crime Panel (PCP) was asked to consider the Police and Crime Commissioner's (PCC) proposed appointment of a Chief Constable. The Panel was reminded that this was a statutory requirement for the PCP as part of the Police Reform and Social Responsibility Act 2011 (the Act).

The Panel was asked to:

- (i) Consider the PCC's preferred candidate Mr Kyle Gordon for the role of Chief Constable of West Mercia Police; and
- (ii) Provide a report to the PCC with a recommendation as to whether or not the candidate should be appointed.

The Chairman invited the PCC to provide a brief overview of the recruitment process and introduce the candidate. In doing so the following main points were made:

- The PCC reminded the Panel that the appointment of a new Chief Constable was guided by clear statutory functions. Section 38 of the Act provided that the PCC must appoint a person to be the chief constable of the police force for that area. Under the Act the PCC must notify the PCP of the preferred candidate. The Panel had a clear role in the recruitment process, which was to assess the legitimacy of the process and understand the reasons for the proposed appointment. The Panel's role was not to re-interview the candidate and Members should be mindful of HR law.
- An extensive recruitment process had been carried out and the Panel's attention was drawn to the Independent Report on the recruitment, application and interview process. The report had given 'a clean bill of health' to the management of the process and concluded that there could be a high level of confidence that the selection process had met the principles of fairness, openness and merit.
- The process had not been a straightforward one, with a second round of recruitment being undertaken when no candidate could be appointed following the initial recruitment exercise.

- The PCC outlined the reasons why he was commending Mr Gordon to be appointed to the role of Chief Constable. The Panel was asked to note that leading West Mercia Police was a role which was challenging both professionally and personally and required the right vision and values. Mr Gordon had shown a strong commitment to working with the community to ensure their trust and confidence. West Mercia was a diverse area and needed to be policed in line with a model that would work in all areas. His approach to systems leadership was also strong with a commitment to working with a complex network of public service partners (including local authorities, and health and emergency services) to maximise the outcome for communities and ensure policing was not carried out in isolation.

The PCC formally commended Kyle Gordon to the Panel as the preferred candidate for Chief Constable of West Mercia Police.

Kyle Gordon was invited to introduce himself to the Panel. He informed Members that he had been in policing for 30 years and had worked in Northern Ireland, for British Transport Police and latterly with the Metropolitan Police. In particular, his experience in Northern Ireland had highlighted the policing with the community ethos.

The Chairman invited questions from the Panel and the following main points were made:

- It was confirmed that, in law, anyone currently working at the rank of Assistant Chief Constable or above (equivalent to Commander in the Metropolitan Police) was able to apply for the post of Chief Constable and the Panel was reminded that this had been tested as part of the interview process. In terms of wider strategic experience, Mr Gordon informed Members that in his current position he was responsible for a considerably larger command with a larger budget than in West Mercia and he worked on incidents which, he suggested, had a greater volume of criticality. He had also worked in Northern Ireland which had lots of similarities with West Mercia, in terms of it being a largely rural community.
- In response to a question from a Panel Member, Mr Gordon stated that he felt it was vitally important that local communities had confidence in the police. He also acknowledged the potential impact of the fear of crime. His ethos was to police with the community and he highlighted the importance of visibility and responsiveness of officers. With reference to communication, he would also look to Councillors to be advocates for West Mercia Police. He went on to acknowledge that he had much to learn and, to begin with, he would be in learning and listening mode in order to assess what was needed to enhance confidence.
- A question was asked about Mr Gordon's understanding of operational independence and personal independence and how these applied to the role of Chief Constable. In response, he informed the Panel of his view that, although the Commissioner would hold him to account for the effective delivery of services, decisions on day-to-day policing and

deployment of resources were entirely down to the Chief Constable. He reassured the Panel that he would work 'cheek by jowl' with the PCC to take plans forward.

- He went on to inform Members that he saw the PCC's Police and Crime Plan (Safer West Mercia Plan) as the core of policing in West Mercia and his approach would be absolutely symbiotic and complementary with the objectives set out in the plan.
- In response to a question about the relationship of accountability between the Chief Constable, the PCC, and the PCP, Mr Gordon confirmed that he had not previously worked with a Police and Crime Panel. However, he understood that it was part of the role of the Chief Constable to attend meetings of the PCP when operational matters were being discussed.
- A question was asked about lessons learned following the Manchester Arena bombing (an incident in which Mr Gordon had been involved as a senior officer). He confirmed that, in the years since the incident, he had worked to identify lessons to be learned and to implement them including working closely with other public services according to the JESIP (Joint Emergency Service Interoperability Programme) principles. In addition, in his role with the Metropolitan Police he had been able to hone his skills as a multi-agency commander.
- A Member of the Panel asked a question about priorities for workforce and strategic development outlining her vision for West Mercia Police to be the best. Mr Gordon confirmed that this was also his vision and suggested that the current situation provided a good platform to build on. His main priorities would be to respond to areas highlighted for improvement in the HMICFRS report, including the response to the public and the investigation and supervision of crimes. In prioritising these areas, the aim was not only to get a better inspection report but to improve the service to the public. Policing with the community should be a core platform and it was important to get the basics right in order to retain the trust of the public.
- A Member asked about Mr Gordon's plans to address the retention of officers, given concerns about low morale expressed recently by the West Mercia Police Federation. In response, he informed the Panel that he had worked as a police constable for over 12 years. He had also spent some time with the Federation and understood officers' concerns, noting that the view from the front line was the most important perspective for senior leaders who served the public through the front line team.
- In response to a question about building relationships with other local authorities and community groups, in particular town and parish councils, Mr Gordon agreed that these partnerships would be key and he would see them as a priority, having already asked for an engagement plan to be drawn up. He reassured the Panel that he believed it was the job of the Chief Constable to be there for parish and town councils and he would actively seek their feedback.
- Mr Gordon was asked to give an example of when he had been required to make an unpopular decision. In response, the Panel heard that he had chaired disciplinary boards which sometimes required difficult and unpopular decisions to be made.

- In response to a question about how Mr Gordon would respond to a potential difference of opinion with the PCC, he informed the Panel that as Chief Constable his responsibility was to deliver an efficient and effective police service. He reassured Members that he had already begun to build a strong, candid relationship with the PCC and hoped that this would remain a constructive relationship and never get to the point of conflict.
- Responding to a question about the key issues of managing policing in a large geographic area, Mr Gordon reminded the Panel of his practical experience as an area inspector in Northern Ireland, a similarly large rural area. He referred to the challenge of responsiveness and getting officers to the right place, the danger of officers being drawn away from rural areas to areas with more pressing critical incidents, and the issue of getting the message out from the centre to the front line. He informed Members that he had already planned to hold monthly executive team meetings away from the Hindlip headquarters in order to get to know the whole West Mercia area and signal support to smaller policing teams in rural locations.
- Mr Gordon informed the Panel that to him an effective service could be judged on whether it met the expectations of what had been promised. In terms of efficiency, he welcomed the fact that in West Mercia the cost of policing was 50p per head in comparison with 59p per head nationally. However, he noted that the HMICFRS report described the force's use of resources as 'needs improvement' and he would look at the detail of this when in post.
- In response to a question about whether any areas for development had been identified during the recruitment process, the PCC reminded the Panel of the need to be mindful of HR issues in relation to an individual. He went on to reassure the Panel that he was confident that during the process areas of strength and weakness had been identified and discussed for all candidates and drew Members' attention to the Terms of Appointment included in their agenda pack which outlined that there would be regular performance appraisal and a programme of professional development would be agreed. Mr Gordon reassured the Panel that he was aware that there were areas in which he would need to develop his experience, such as working with the PCC and the PCP, and he had already begun to give some thought to his own personal development.
- With reference to the Nolan Principles and declarations of interest, Mr Gordon was asked whether he supported the requirement for police officers to declare when they were members of organisations not generally open to the public. The PCC recognised that this was an important question and reassured the Panel that the requirements on this were set centrally by the Government and the College of Policing.
- A Member asked about what Mr Gordon's priority actions would be in relation to professional standards. In response, he reassured the Panel that he would wish to ensure the highest ethical standards in order to build confidence in the police and he had already started to ask questions about how this could be taken forward.
- With reference to the Police and Crime Plan, Mr Gordon confirmed that he had already had initial conversations about the Plan and how it sat

alongside the Plan on a Page and the Citizen’s Charter and would look to review the documents to ensure strategic alignment and a simplified message for police and staff as to their mission and values.

- A Member welcome the references made to policing by consent and asked a question about how the right to protest and freedom of speech would be given priority alongside the effective policing of public protests. In response, Mr Gordon confirmed that he absolutely believed in Articles 9, 10 and 11 of the European Convention on Human Rights as the framework for domestic legislation. However, these rights must be balanced against the requirement to protect life. The importance of achieving balance was emphasised.

The Chairman thanked Mr Gordon for attending the meeting and answering the Panel’s questions and demonstrating his experience. He also thanked the Police and Crime Commissioner for attending.

RESOLVED: That in accordance with Section 100 A (4) of the Local Government Act 1972 to exclude the public from the meeting in relation to the business specified as it was likely that if members of the public were present, there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act, and the public interest in withholding the information outweighed the public interest in disclosing the information to the public.

The Panel agreed that while there may have been a public interest in disclosing this information, namely openness in the deliberations of the Panel in determining its recommendation regarding the proposed appointment, it was felt that, on balance, this was outweighed by other factors in favour of maintaining the exemption, namely enabling a full discussion regarding the merits of the proposed appointment.

RESOLVED: THAT Kyle Gordon was confirmed as the Chief Constable of West Mercia Police Service without qualification.

The Panel was impressed by Mr Gordon’s understanding of the complexity of policing in West Mercia, his strong professional knowledge, his commitment to policing with the community, his openness to feedback and his understanding of the independence of the Chief Constable role.

The Panel’s Report would be published on Worcestershire County Council’s website.

The meeting ended at 12.51 pm

Chairman