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## **Report of the Police & Crime Commissioner to the Chair and Members of the Cleveland Police & Crime Panel**

**6<sup>th</sup> February 2018**

### **Chief Constable Appointment**

#### **1.0 Purpose of Report**

1.1 To update members of the Police and Crime Panel of the outcome of the Chief Constable appointment process.

#### **2.0 Background**

2.1 The Police and Crime Commissioner is required to notify the Police and Crime Panel of a proposed Chief Constable appointment (as set out in the Police Reform and Social Responsibility Act 2011).

2.2 It is the duty of the Police and Crime Panel to hold a public confirmation hearing and review the proposed appointment and make recommendations to the Police and Crime Commissioner.

2.3 The Police and Crime Commissioner must respond to the report and recommendations of the Panel.

#### **3.0 Confirmation Hearing**

3.1 The Police and Crime Panel held a confirmation hearing on Tuesday 23<sup>rd</sup> January 2018. The Police and Crime Commissioner proposed Mike Veale as the preferred candidate for appointment as Chief Constable.

3.2 The nine police and crime panel members present at the hearing confirmed the appointment. Appended to this report is a copy of my public decision record, the panel's statutory report to me and my statutory response.

#### **4.0 Appointment**

4.1 The Office of the Police and Crime Commissioner are concluding the process of appointment and following discussions with Mr Veale and the Office of the Police & Crime Commissioner for Wiltshire, to whom I am grateful in this regard, a start date of **5 March 2018** has been agreed.

4.2 Members may have seen mixed media coverage in relation to the appointment of Mr Veale. I align myself with the sentiments expressed by the Chief Constable of Durham (*Northern Echo, 27 January 2018*) attached to this report, in which Mr Veale's appointment is warmly welcomed as "*a fantastic appointment, not just for the people of Cleveland, but also for County Durham and Darlington*".

4.3 I also note – and draw members attention to – the tributes paid to Mr Veale in Wiltshire in the light of his departure, including from the Wiltshire PCC in the following terms "*Mike Veale has been an excellent Chief Constable and has guided Wiltshire Police through immense change to a position where it is amongst the top performing forces in the country.*"

4.4 I regret the fact that there has been some less well-informed commentary, particularly relating to an anonymous complaint made against Mr Veale before he applied for the role of Chief Constable of Cleveland. Members will wish to be reassured that Mr Veale made me aware of the complaint before his appointment, as was perfectly proper. As was also perfectly proper, the Office of the Police & Crime Commissioner for Wiltshire provided an update on the handling of the complaint soon after the key decisions had been communicated to them by the Independent Office for Police Conduct (IOPC). It follows that my Chief Executive was able to update me on the nature and procedural status of the complaint before the process of appointment was complete.

4.5 My Chief Executive is responsible for ensuring that my decisions are lawful and is specifically responsible under the College of Policing guidance on Chief Officer appointments, for ensuring the principles of merit, fairness and openness are adhered to throughout the design and delivery of the appointment process, advising and assisting the PCC throughout the appointment process, ensuring that the appointment process is properly conducted and in line with responsibilities and requirements outlined in legislation and ensuring appropriate monitoring of the appointment process.

4.6 Following contact from the Office of the Police & Crime Commissioner for Wiltshire on 22 January 2018, my Chief Executive advised me that the complaint against Mr Veale was from an anonymous complainant and consisted of two parts. Firstly, an allegation of disclosure of confidential information; secondly an allegation that a mobile phone belonging to Wiltshire Police was deliberately damaged by Chief Constable Veale.

4.7 The complaints had been referred by the Wiltshire OPCC, to the IOPC in November 2017. On or around 22 January 2018, the IOPC determined that the first complaint was insufficient to indicate either a criminal offence or a breach of professional standards may have been committed. That matter was referred back to the Wiltshire OPCC and is understood to have been concluded on the basis of no further action. In

the case of the second allegation, the IOPC have indicated that they intended to independently investigate the alleged damage to the mobile phone.

- 4.8 At the time of being notified by the Wiltshire OPCC, my Chief Executive was satisfied that the IOPC decision had only just been made, that Mr Veale had not been served with notice of the investigation and that the IOPC did not at that time intend to make any public announcement of the investigation.
- 4.9 It is important to note that the allegation relates solely to damage occasioned to a mobile phone. Mr Veale had not, at the time of his confirmation hearing before Members, had the opportunity to respond to allegation by offering an account to the investigation. I understand that he has not yet at the time of writing been served with notice of the investigation by the IOPC. He will provide his account to the IOPC when that happens.
- 4.10 I am sure that Members will agree that ordinary principles of fairness dictate that due process be followed.
- 4.11 In view of the adverse public commentary, I have discussed this matter with the Chair of the Panel who expressed support for the course taken and the advice provided by my Chief Executive.
- 4.12 It is not unusual for Chief Officers to be on the receiving end of complaints. Unless and until a complaint is fairly and thoroughly investigated, it is not fair to officers – or to the public – to make any comment about the substance of the matter.
- 4.13 I do not agree with the suggestions I have heard that Mr Veale’s appointment should be affected by the existence of the complaint.
- 4.14 My view is that Mr Veale is an outstanding Chief Constable for Cleveland and I look forward to him taking up the role in March 2018.

**Barry Coppinger**

Police and Crime Commissioner for Cleveland

Office of the Police and Crime Commissioner for Cleveland