

**REPORT OF THE NORTH YORKSHIRE POLICE, FIRE
AND CRIME PANEL**

TO THE NORTH YORKSHIRE POLICE, FIRE AND CRIME COMMISSIONER

**CONFIRMATION HEARING FOR
CHIEF FIRE OFFICER, NY FIRE & RESCUE SERVICE**

INTRODUCTION AND SUMMARY

1. On 9 July 2019, the Panel received formal notification from the North Yorkshire Police, Fire and Crime Commissioner of the proposed appointment to the role of Chief Fire Officer to the North Yorkshire Fire and Rescue Service.
2. This report describes the recommendations of the North Yorkshire Police, Fire and Crime Panel (hereafter referred to as “the Panel”) in respect of the proposed appointment of Mr Andrew Brodie to the role of Chief Fire Officer (hereafter referred to as “the CFO”), and is submitted to Julia Mulligan, the North Yorkshire Police, Fire and Crime Commissioner (“the Commissioner”) in accordance with the requirements of paragraph 6 of the The Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017 (“the Order”).
3. The report recommends that Mr Andrew Brodie should be appointed to the role of CFO to the North Yorkshire Fire and Rescue Service.
4. The Panel would like to thank Mr Brodie for his attendance at the confirmation hearing on Thursday, 18 July 2019.

NORTH YORKSHIRE POLICE, FIRE AND CRIME PANEL

5. The Membership of the Panel for the Confirmation Hearing was as follows:

Craven District Council	Cllr Richard Foster
Hambleton District Council	Cllr Peter Wilkinson
Harrogate Borough Council	Cllr Michael Chambers MBE
North Yorkshire County Council	Cllr Carl Les
Richmondshire District Council	Cllr Kevin Foster
Ryedale District Council	Cllr Tracie Middleton
Scarborough Borough Council	Cllr Liz Colling
Selby District Council	Cllr Tim Grogan
City of York Council	Cllr Keith Aspden

City of York Council	Cllr Ashley Mason
Santokh Singh Sidhu	Community Co-opted
Paula Stott	Community Co-opted

Also in attendance at the meeting were the following:

Office of the Police, Fire and Crime Commissioner – Julia Mulligan (the Commissioner); Simon Dennis (Acting Chief Executive and Monitoring Officer), Michael Porter (Chief Financial Officer to the Commissioner), Will Naylor (Deputy Police and Crime Commissioner), Tom Thorp (Policy & Scrutiny Manager)

North Yorkshire County Council - Diane Parsons (Panel Secretariat).

POWERS OF THE NORTH YORKSHIRE POLICE, FIRE AND CRIME PANEL

6. In accordance with paragraph 6 of the Order, the Panel is enabled to:

- review the proposed appointment of a Chief Fire Officer, by holding a Confirmation Hearing within three weeks of notification being given (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);
- make a report to the Commissioner on the proposed senior appointment;
- include a recommendation to the Commissioner as to whether or not the candidate should be appointed; and
- publish the report to the Commissioner made under this paragraph.

7. The Panel is also able to exercise a power of veto on the proposed appointment if two-thirds of the total Panel membership agree this.

8. The Panel is required to review the proposed appointment. For a proposed appointment for Chief Constable (where the powers available to Panel mirror those for a Chief Fire Officer appointment), the Panel is able to make an assessment based on whether the candidate meets the minimum standards expected in respect of both professional competence and personal independence. However, the governing legislation does not specify that these principles should also be adopted when reviewing a proposed Chief Fire Officer appointment. The Panel are cognisant that the Commissioner is the employing authority for a Chief Fire Officer and that there is no requirement for this postholder to retain operational independence in the way that there is for say a Chief Constable. However, the Panel still need to ensure that the CFO has the ability to advise the Commissioner effectively and to understand the need to respond constructively in situations when he might be held to account by the Panel.

9. The Panel considered that in the absence of further statutory guidance, it would be legitimate for them to review the proposed appointment of Chief Fire Officer around the same two key principles of professional competence and the ability to act independently/exercise independence of opinion.

10. This review was therefore done through scrutiny of the supporting documents provided by the Commissioner and by asking questions of the candidate relating to these two general principles.
11. Under the powers enabled by the Order, the Commissioner may accept or reject the Panel's recommendation as to whether or not the candidate should be appointed. The Commissioner must also notify the Panel of the decision whether to accept or reject the recommendation.

CONFIRMATION HEARING

12. The Confirmation Hearing was held on 18 July 2019 in the Hudson Room at City of York Council West Offices, York. The hearing was held in public.
13. Drawing on the submission provided by the Commissioner and Mr Brodie's own personal statement, the Panel asked Mr Brodie a series of questions to assist them in establishing whether he met the minimum standards for the role relating to professional competence and personal independence.
14. Mr Brodie exemplified that he had quickly gained a firm grasp of the key issues and challenges facing North Yorkshire Fire and Rescue Service during his tenure as Interim Chief Fire Officer since January 2019. He outlined that he has already started to deliver financial savings and has been able to draw on his experience of managing large and complicated budgets during his time with Leicestershire Fire and Rescue Service to support him. In addition, he has started to bring about a shift in the working culture at the service to one where all staff are encouraged to learn from mistakes and feel empowered to make positive changes to ways of working. Mr Brodie was also able to give reassurance to the Panel that efforts are being made, and will continue to be made, to ensure that diversity and respect for others are at the heart of the service going forward.

RECOMMENDATION

15. On the basis of the information provided by the Commissioner; the discussions held in the Confirmation Hearing; and examination of the evidence in both the public meeting and the closed session, the Panel is delighted to endorse its recommendation of the appointment of Mr Andrew Brodie to the role of Chief Fire Officer to the North Yorkshire Fire and Rescue Service.

Cllr Carl Les
CHAIRMAN

22 July 2019