



Sussex Police & Crime Commissioner

Decision Notice

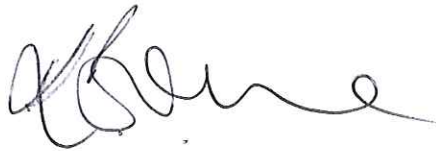
To	Sussex Police & Crime Commissioner
From	Assurance Manager
Reference	039/2019
Subject	Legally Qualified Chairs Appointment
Date	16 December 2019
Recommendation	<ol style="list-style-type: none">1) Subject to appropriate checks with relevant regulatory bodies, that the 12 candidates identified in Annex B are nominated on merit for the purposes of the Police (Conduct) Regulations 2012 (as amended) for a period of four years commencing 1 January 2020 as Legally Qualified Chairs to sit on Sussex Police Officer Misconduct Hearing Panels.2) Extend the term of nomination of the 11 current Legally Qualified Chairs sitting on Sussex Police Officer Misconduct Hearing Panels for a further four years commencing 1 January 2020.3) Authorise the Chief Executive to approve any future changes to the terms of appointment, in anticipation of changes being proposed by the Home Office.
Is the decision of significant public interest	No
Summary of reasons for decision	<p>As a result of amendments to the Police (Conduct) Regulations 2012, Police & Crime Commissioners have a statutory responsibility for the nomination of Legally Qualified Chairs (LQCs) to sit on Police Officer Misconduct Hearing Panels. These were first introduced from 1 January 2016 and the end of the first term of four years is approaching.</p> <p>The Hampshire, Kent, Thames Valley, Surrey and Sussex PCCs have carried out a joint recruitment campaign to identify and recommend appropriate candidates to add to</p>

	<p>the existing list, following the resignation of some existing LQCs due to full-time judicial appointments.</p> <p>Following the completion of an open and fair recruitment process, approval is sought for the nomination of 12 additional LQCs to sit on Police Officer Misconduct Hearing Panels for the Sussex policing area, and to extend the term of nomination of the existing 11 LQCs for a further four-year term. All the new candidates meet the statutory eligibility requirements for appointment and are being recommended based on merit.</p>
Consultation undertaken	N/A
Approved by legal adviser (if appropriate)	<p>The statutory requirements for appointment are contained in regulation 25 of the Police (Conduct) Regulations 2012 (as amended by regulation 5 of the Police (Conduct) (Amendment) Regulations 2015).</p> <p>The only statutory requirements for appointment are that a candidate must satisfy the judicial appointment eligibility condition on a 5-year basis as set out in section 50 of the Tribunals, Courts and Enforcement Act 2007 and be nominated by a local policing body for the purposes of the Police (Conduct) Regulations 2012.</p> <p>The recruitment process has included checks on candidates' eligibility to ensure compliance.</p>
Approved by finance (if appropriate)	N/A
Background papers	<p>Annex A – LQC Report</p> <p>Annex B – Candidate Information – not for publication as contains personal information.</p>
Communication and media	<p>There are no significant implications for media and/or stakeholder management in this specific decision. The appointment of Legally Qualified Chairs is a national process that is part of a wider package of changes that are designed to improve public confidence in the police complaints process. Individual cases heard by Legally Qualified Chairs may be subject to media interest, but this will be managed by Sussex Police on a case-by-case basis.</p>
Financial implications	<p>There is no direct financial implication as a result of the decision to nominate/re-nominate LQCs. Budget to support costs is already included in the legal services budget of the OPCC revenue budget. Additional LQCs on the list does not incur additional cost as expenditure only takes place when their services are required, a factor outside of the influence of the OPCC. Training costs are included within the budget (£2000), the total cost being split between the five regional OPCCs.</p>

Identified risks	There are no direct links with the OSPCC Strategic Risk Register.
Equality Assessment	The recruitment process was designed and conducted in accordance with the requirements of the Equality Act 2010. For example, reasonable adjustments were offered to candidates at application and interview stages.

Officer approval	Signed agreement	Date
Mark Streater Chief Executive & Monitoring Officer		19.12.2019
Iain McCulloch Chief Finance Officer		19.12.2019

Signed



Katy Bourne
Police & Crime Commissioner for Sussex

Date:

19 DEC 2019