

**NORTHERN IRELAND POLICING BOARD
ASSISTANT CHIEF CONSTABLE APPOINTMENT PROCESS**

Report of the Independent Equality, Diversity and Human Rights Advisor

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June 2020**

1. Introduction

1.1 This report presents an independent view, from an equality, diversity and human rights perspective, on the delivery of key elements of the selection and appointment process for the Assistant Chief Constable (ACC) of the Police Service of Northern Ireland (PSNI). It comments specifically on the extent to which the principles of merit, fairness and openness have been observed in the management and delivery of this process which was undertaken by the Northern Ireland Policing Board (the Board). The Board was supported in its work by an external consultancy firm, Pertemps Professional Development (PPD), which has specialist knowledge and experience of designing recruitment and selection processes at all levels within policing, including senior leadership and executive level appointments. My comments below have been informed by the Board's Guidance for the Appointment of Chief Officers and Senior Police Staff Equivalents, relevant employment equality legislation, good employment practice in relation to recruitment and selection, as well as my direct observations of the shortlisting process, and the assessment by the Panel of the Presentation and Interview exercises undertaken by the candidates.

2. The Panel

2.1 The Panel responsible for the appointment process initially comprised four political representatives and three independent representatives of the Board. Four of the Panel members were female and three were male. Prior to shortlisting process one of the political representatives withdrew from the process leaving a Panel of six (four females and two males). To help ensure the integrity and fairness of the process, the Panel members and those employed by the Board to support the process were required to sign a confidentiality agreement barring disclosure of any details of the selection process outside of the Panel, prior to an appointment being made.

2.2 Five of the Panel members received training relating to the selection and appointment process on the 18th May. The remaining Panel member had recently completed similar training in relation to the Deputy Chief Constable process in January 2020 and therefore was not required to attend this event. I attended the closing stage of the training session during which Panel members were provided with the anonymised application forms of three candidates (titled Candidate 1-3), and given instructions on the rating scales to be used and recording forms to be completed in assessing the two essential criteria that candidates had to meet in order to move to the next stage in the selection process. It was emphasised that Panel members must work independently when undertaking their assessments and that their work should be completed prior to the shortlisting meeting on the 22nd May.

2.3 The key to fair assessment is to be objective. In an effort to enhance the objectivity of the assessment process the Panel members had received training in what is commonly known as the ORCE method of assessment. The acronym ORCE stands for Observe, Record, Classify and Evaluate. This highly structured and systematic method of assessment is regarded as best practice. One of its important characteristics, from an equality and diversity perspective, is that it brings an openness and transparency to the decision making process and helps ensure that decisions are evidence based. The ORCE methodology informed both the Shortlisting process and the Assessment Day processes.

3. Shortlisting

3.1 All six Panel members were present at the Shortlisting meeting on the 22nd May. They were joined by the Chief Constable who assumed the role of Policing Advisor to provide the Panel with professional advice from a policing perspective, eg whether examples of competency related behaviours provided by candidates were at an appropriate level for the posts being assessed. The Panel members were advised by email on the 20th May that Candidate 2 had withdrawn from the process and that there was therefore no need to assess their application for shortlisting purposes.

3.2 Prior to the start of the Shortlisting process, the Panel members were given a reminder overview of effective practice in shortlisting and tasked with agreeing a standard for the essential criteria. As regards the first criterion (completion of the Strategic Command Course or equivalent) all Panel members agreed that this criterion had to be met. In assessing the second essential criterion (Extensive Operational Command Experience) the Panel was required to use a three point rating scale; A (Strong), B (Acceptable) and C (Limited). Each of these points was accompanied by a descriptor to help ensure consistency in their interpretation. The Panel agreed that the candidates had to achieve a rating of B (Acceptable) or above to be invited to the Assessment Day. The Panel also determined that the 'Agreed' Panel grade would be the grade given by the majority of the Panel. In the case of a split decision it was agreed that a discussion would take place with the objective of enabling a majority view to be established. It was also agreed that the information in the candidate application form should, for shortlisting purposes, be accepted at face value and the assessment of the criterion relating to Operational Command experience should be based solely on the section on page 7 of the Application Form, which was designed specifically to capture evidence on this criterion.

3.3 Shortlisting proceeded in a systematic way with each candidate being considered one criterion at a time. For each of the essential criterion the Panel members were required to read out their independent provisional ratings. These ratings were recorded on a lap-top and projected onto a

large screen to facilitate a Panel discussion. A long hand record was also taken to provide a backup and facilitate the quality assurance of the process. For the first candidate there was complete agreement across the two criteria in the independent assessments made by Panel members. For the second candidate the Panel agreed unanimously on the rating for the first criterion but were evenly split in the provisional ratings awarded for the second criterion. In line with the rule agreed by the Panel, a discussion ensued which resulted in one member agreeing to amend their grade thus enabling a majority decision to be made. The discussion was based solely on the quality and quantity of evidence/lack of evidence provided by the applicant. It was agreed that both of the applicants assessed had met the standard set by the Panel and should be invited to the Assessment Day.

3.4 The Board's Guidance for the Appointment of Chief Officers and Senior Police Staff Equivalents places responsibility on the Panel to ensure "that there is a sufficient pool of candidates to conduct an effective appointment process" and if necessary take steps to increase the number of candidates, including reviewing the role profile or re-advertising if necessary. Moreover, in discussing the Merit principle, one of the three principles which must be observed in the selection and appointment of staff, the Board's Guidance states that it is "...desirable that the successful candidate is chosen from a sufficiently strong and diverse pool of eligible applicants". In light of these responsibilities the Panel were explicitly asked by the PPD consultant whether they were content to proceed in the process with two eligible candidates or whether consideration should be given to re-advertising the post. While the Panel members expressed their disappointment with the small number of applicants, they unanimously agreed to move on to the next stage in the process. Their decision was, in large part, informed by an awareness of the small number of potential candidates in the eligible pool, the breadth of advertising coverage for the post, the level of competition from other forces who were actively recruiting from the pool of eligible candidates, and the unusual set of circumstances arising from the COVID-19 pandemic.

3.5 A number of different channels were used to advertise the ACC posts. They included the NIPB website, the PSNI website, ChiefNet (a dedicated intranet site for all members of the National Police Chiefs' Council (NPCC)), the College of Policing website, the Association of Police and Crime Commissioners' (APCC) website and the Police Professional website (an electronic policing journal). Police Scotland and An Garda Síochána received the vacancy notice for circulation to all senior officers and a copy was also provided to the Scottish Police Authority and Irish Policing Authority. The posts were advertised over the period the 3rd to the 27th of April and during this period several reminders about the opportunities were issued via the Board's Twitter account. In view of the extensive nature of the advertising of the positions and the simplified application process associated with these posts, it would be reasonable to assume that the small number of applicants was not due to any shortcomings in the way the posts were

advertised. It also needs to be acknowledged that the small size of the applicant pool for ACC posts is a systemic problem faced by police forces throughout the UK. While it is highly desirable to select from a strong and diverse pool of candidates, I view the Panel's decision to proceed with two candidates to be pragmatic and realistic in the circumstances. That said, in view of the merit of attracting a strong and diverse pool of applicants, it would be important for the Board to consider developing an evidenced based strategy to help increase the number of applicants in future ACC competitions.

4. **Assessment Day**

- 4.1 The Assessment day for both candidates was held on 1st of June in a quiet, self-contained floor of the Board's headquarters. The room in which the assessment took place was of sufficient in size to accommodate a large desk for each of the Panel members. The desks were arranged in an arc facing the candidate to enable the Panel members to maintain a safe social distance between each other and the candidate. The room was well lit and had a comfortable temperature. Administrative processes and systems were in place to ensure all necessary safeguards relating to Covid-19 were adhered to throughout the assessment process.
- 4.2 Each Panel member was provided with a digital clock to help them manage their time and a digital clock, operated by the Panel Chair was placed on the desk facing the candidate to help them keep track of their time. By way of back up, a traditional clock on the wall behind the Panel was clearly visible to the candidates. The candidates were provided with a chair and a side table containing fresh water and a glass. The candidates' PowerPoint presentations had been preloaded on a lap-top located on a desk to the left of the candidate's chair. The presentation was controlled by a remote control operated by the candidate and was projected onto a screen to the left of and slightly behind the candidate. As an observer, I sat at the back of the room behind the candidate and alongside the Board's Chief Executive the PPD consultant and the Chief Constable. Care was taken to ensure that the Chief Constable was not in the field of vision of the candidates. As with the Shortlisting process, the Chief Constable assumed the role of Police Advisor to provide the Panel, if required, with professional advice at an appropriate level from a policing perspective.
- 4.3 An empty office on the same floor as the Assessment room was used to brief candidates on the logistics of the assessment process. I did not attend the briefing but have obtained assurance from the administrative staff responsible that all candidates received the same briefing information.
- 4.4 The Assessment Day comprised a Presentation and a semi structured Interview. The Presentation provided candidates with the opportunity to demonstrate the competencies of 'We analyse critically'; 'We take ownership'; and 'We deliver, support and inspire'. Detailed information

on these competencies was provided in the ACC Person Specification. The topic of the presentation was sent electronically to candidates on the 25th May. Candidates were informed that they could use materials and visual aids of their choice to support their presentation and that an electronic version of the content of their presentation should be e-mailed to the Board's Chief Executive by 12:00 noon on Friday 29th May. Both candidates submitted PowerPoint presentations. The topic of the Presentation was the cultural challenges faced by the PSNI in achieving the Chief Constable's vision, and how the work involved in taking the culture of the PSNI forward could be balanced against the prevailing security threat. The topic of the Presentation did not give rise to any equality or diversity concerns as both candidates had substantial PSNI experience and would have a good understanding of the cultural challenges it faced. It is important, however, that I should note that the subject matter of the Presentation would have been problematic for an external candidate who did not have previous experience of working in the PSNI. A strong case could be made that the topic of the Presentation presupposes knowledge of the prevailing culture within the PSNI and that a lack of this knowledge could place an external candidate at a considerable disadvantage.

- 4.5 Prior to the start of the assessment process the Panel was asked to determine the standard required, in terms of grades and ratings, for a candidate to be recommended for appointment. The Panel decided to set the standard, in both the Presentation and Interview, at an Agreed grade of B (mainly positive evidence) and an Agreed rating of 3 (Effective), or above. It was also agreed that if the Panel members were evenly split in terms of the grade to award, the Panel should discuss the quality and quantity of evidence collated against the respective criterion and should err on the side of the candidate.
- 4.6 The interview questions covered five competency/value areas, the details of which were contained in the ACC Person Specification. The two questions relating to each of the competency/values were assigned to a specific Panel member. In line with good practice, one of the questions was future focused and the other was based on past behaviour. The questions were relatively straightforward for candidates at this level and their content did not give rise to any equality or diversity concerns.
- 4.7 My observations, from an equality and fairness perspective, on the conduct of (a) the Presentations and (b) the Interviews are as follows:
- (a) Presentations
- The Chair provided the candidates with the same information on the procedural issues surrounding the Presentation and Interview and the time allocated to each element of the process.
 - All of the questions relating to the Presentation were asked by the Chair and provided a similar level of challenge to both of the

candidates. The style of questioning was supportive and appropriate for the level being assessed.

- Both candidates received the same amount of time to deliver their Presentations and respond to follow up questions.
- A computer malfunction resulted in the start time of one of the candidate's assessment being put back by approximately 18 minutes. This delay was of no material significance in terms of preparation time as the Presentation topic had been given to the candidates a week in advance of the Assessment Day.

(b) Interviews

- The lead questions and the order in which the questions were asked was the same for both of the candidates. The interviews ran smoothly with only one hand over between Panel members.
- The style of questioning was supportive and the probes used elicited further evidence without putting either of the candidates under undue pressure. In some competency areas the lack of probes curtailed the opportunities of both of the candidates to demonstrate the values/competencies being assessed.
- In one of the Interviews the Panel forgot to start the candidate's digital clock before asking their questions. This was of little significance as the candidate had clear sight of a traditional clock which was placed on the wall directly behind the Panel.
- In one particular competency area both candidates received substantially less than their allocated time to answer the questions posed. Despite this shortfall both candidates met the standard in this competency area. In a different competency area one of the candidates was given substantially less than their allocated time to answer the questions. This did not, however, prevent them from achieving the highest rating possible (A) for their performance in this competency area.

4.8 In summary, the highly standardised manner in which both the Presentations and Interviews were conducted provided the candidates with similar opportunities to demonstrate the competencies and values being assessed. The small differences I observed in the treatment of candidates had, in equality terms, no material impact on the outcome of the assessment process.

5. Scoring of the Presentation and Interviews

5.1 A crucial element of the ORCE process, from an equality perspective, is that the classification and evaluation of the information recorded by Panel members is completed independently. I sat in the same room as the Panel members when they were classifying and evaluating the

information they had recorded for each of the candidates during the Presentation and Interview, and was reassured to note that all of the Panel members were conscientious in completing their assessments independently. This independence provides a hallmark of the rigour applied to this element of the process.

- 5.2 The scoring system used for the assessment of competencies/values in the Presentation exercise and Interview was different to that used for the Shortlisting process. A four point rating scale was used which ranged from 'A' (Almost exclusively positive evidence...) to 'D' (Little or no positive evidence...). The grades from this scale were then used to derive a score on a scale ranging from '1' (Exceptional) to '6' (Very ineffective) for overall performance in the Presentation and Interview. I am familiar with and have confidence in this scoring method which has been tried and tested in senior police assessment processes over many years. Importantly, it aids objective and impartial assessment by using a highly structured and relatively objective methodology to help direct the decision making process towards a merit based outcome. The methodology, while being somewhat mechanistic, minimises the potential for bias to creep into the final stages of the selection process, and provides a high degree of openness and transparency around differentiating across candidates as well as the decision and recommendation making process.
- 5.3 The process used to determine grades and then ratings was similar to that previously described for the shortlisting of candidates, ie the systematic evaluation of evidence, criterion by criterion, the independent awarding of provisional grades and then discussing the grades for each criterion in turn to arrive at an agreed Panel grade. Following on from this, the same systematic approach was used to arrive at agreed Panel ratings from the evaluation of the agreed grades.
- 5.4 There was a high degree of concordance between the independent provisional Panel grades and ratings awarded for each of the candidates in both the Presentation and Interviews. On the small number of occasions where a discussion was warranted the PPD consultant, who was facilitating the scoring process, typically invited Panel members with different provisional grades to justify their ratings and engage in a discussion. These discussions were based solely on the evidence that had been recorded and, at times, the identification of relevant information that the candidate had not provided. In line with best practice the PPD consultant ensured that these discussions regarding grades took place on occasions where, for example, there was a four to two split in provisional grade in addition to those instances when the Panel grades were evenly divided. In view of the independent assessments undertaken by Panel members, and the robust evidence based discussions undertaken to arrive at an Agreed grade, I can state with confidence that the grading and scoring of the Presentation and Interview was fair, rigorous and reflected best practice.

5.5 When the scoring and rating of each of the candidates had been completed, the Panel agreed that both candidates, one male and one female, had reached the standard that had been agreed at the outset of the process and would therefore be recommended for appointment.

6. **Conclusion**

6.1 The delivery of the Selection and Appointment process and the methodologies employed have, as far as practicable, been consistent with the principles of merit, fairness and openness. A great strength of the approach I observed was the rigour of the methodology used and the transparency it brings to the process. The methodology provides a model for best practice.

6.2 It is disappointing that the competition failed to attract more applicants. In the interests of merit based selection, it is important that the Board should consider taking steps to develop a strategy to increase the size and diversity of the applicant pool in future ACC recruitment processes. This strategy would need to take into account both the systemic nature of the problem in ACC recruitment faced by police forces throughout the UK, and factors intrinsic to the PSNI.

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4th June 2020