

**NORTHERN IRELAND POLICING BOARD
CHIEF CONSTABLE RECRUITMENT PROCESS 2019**

Report of the Independent Equality, Diversity and Human Rights Advisor

**Dr John Mallon
April 2019**

1 Introduction

1.1 This report presents an independent view, from an equality, diversity and human rights perspective, on the key elements of the design stage of the recruitment process for the Chief Constable of the Police Service of Northern Ireland (PSNI). It comments on the extent to which the principles of merit, fairness and openness have been observed in the development and production of the recruitment material for this role. The work to produce this material was undertaken by the Northern Ireland Policing Board (the Board), supported by an external consultancy firm, Pertemps Professional Development (PPD), which has specialist knowledge and experience of designing recruitment and selection processes for senior policing roles. 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 and good employment practice in relation to recruitment.

2. The Eligibility Criteria

2.1 The Board agreed that the essential criteria for the job should be twofold. First, the successful completion of the Strategic Command Course (SCC), or its equivalent. Second, experience at chief officer rank. The Department of Justice has the legal authority to determine the minimum level of experience/qualifications required for the position of Chief Constable. The department's determination (PPSD 13/2014), specifies the completion of the SCC as an essential requirement and states that it is considered desirable for the successful candidate to have worked at chief officer level, for at least two years, in a police force other than the PSNI. It is important to note that there is no reference to this desirable criterion in any of the recruitment material. In my view, this is entirely appropriate as reference to this criterion in the recruitment material, even if the criterion was to play no part in the selection process, would be likely to discourage applications from PSNI candidates and, in particular, have a disproportionately negative impact on female applicants.

2.2 The opening up of the recruitment process, through omitting any reference to the desirability of serving in another police force, has helped support the three principles of merit, fairness and openness by increasing the size and diversity of the potential applicant pool.

3. Job Description

3.1 The job description is a key element of the recruitment process, as it sets out the key accountabilities, qualifications, experience and skills required to fulfil the role of Chief Constable. It is important that the job description and the processes underpinning its development should reflect the principles of merit, fairness and openness. Four separate workstreams fed into the development of the job description:

(i) Desk-stop research

This research involved the review of a large number of relevant papers, reports and minutes pertaining to the role of Chief Constable in Northern Ireland, including the recruitment material from the previous Chief Constable process. The material reviewed included documents from the Board, PSNI, Her Majesty's Inspectorate of Constabulary Fire & Rescue Service, the National Police Chief's Council (NPCC), and the Equality Commission for Northern Ireland. The breadth of material reviewed was sufficient to obtain a detailed understanding, from a range of perspectives, on the role of the Chief Constable in Northern Ireland, and the challenges, constraints and context pertaining to this role.

(ii) Interviews with strategic stakeholders

The Director of PPD held interviews with 12 strategic stakeholders. Some of these stakeholders were identified by the Board and others were suggested by stakeholders during the course of their interview. The purpose of these interviews was to identify the current external factors and issues impacting on policing in Northern Ireland along with specific PSNI internal organisational issues, future challenges, key policing priorities as well as the key accountabilities, competencies required to address these issues, challenges and priorities. This series of interviews permitted a more in-depth exploration of policing issues and again captured a wide range of strategic perspectives on the role of the Chief Constable and the factors that impact on that role.

(iii) Community stakeholder and interest group engagement

To obtain views from the wider community on policing priorities and the competencies and skills required to perform the role of Chief Constable, two community engagement meetings were held, one in the Skainos Centre in Belfast and the other in the Seamus Heaney Homeplace in Bellaghy. There were three participants at the meeting in Belfast and the same number at the meeting in Bellaghy. These meetings were organised and supported by the Board and led by PPD. Invitations to the events were sent to a range of stakeholders and interest groups, including Custody Visitors and Policing & Community Safety Partnerships. At these meetings, participants were given an overview of the career pathway the majority of potential applicants follow before meeting the eligibility criteria for Chief Constable, and presented with an outline of the methodology to be used in the recruitment process. The views of participants were sought on the local issues impacting on policing, policing priorities and the accountabilities, skills and qualities associated with the role of Chief Constable. Participants were also provided with the opportunity to identify key issues of particular concern to the group/organisation they represented. To help quantify their responses, participants were asked to complete (anonymously) a series of questionnaires; the questions required a response rating from 1-5, with 1 being 'not important' and 5 being 'essential'. These anonymous questionnaires were collated and the question responses rank ordered by PPD.

I attended the meeting at the Skainos Centre and found that while the number of participants was disappointingly low, the quality of their input was high. These engagement events provided an excellent opportunity for a two-way exchange of information between the Board and groups in the wider community and, importantly, provided participants with the opportunity to help inform and shape key elements of the recruitment process. While it was useful to obtain the views of participants, there was perhaps even greater value associated with the opportunity given to the Board to demonstrate openness and transparency through sharing the methodology used in the recruitment process and making participants feel that they are part of the process. Given the value of engagement initiatives such as this, there would be merit in reviewing the events that were held with the objective of identifying the steps that could be taken to increase the level of attendance at similar future events.

(iv) *Quantitative data from the analysis of questionnaires*

To help obtain a clear understanding of what the Board and stakeholders regarded as the policing priorities, key accountabilities and the skills and experience required to deliver on these priorities and accountabilities, individual Board members (eighteen in total) were asked to complete a series of questionnaires - the same questionnaires as those used in the community engagement events. Sixteen returns were received and these were subsequently analysed by PPD in conjunction with the questionnaires completed by the participants in the community engagement events.

- 3.2 The synthesis of material from all of the sources outlined above provides a model of good practice in the development of the job description and person specification. In my professional opinion, there is nothing in the job description and person specification that would give rise to any significant equality or diversity concerns.

4 Person Specification

- 4.1 The person specification sets out the clear expectation that the successful candidate will embody and act in line with the PSNI Code of Ethics, a code that has human rights at its core. It provides a detailed description of the values, competencies and behaviours expected of the successful candidate. Human rights have been further embedded in this competency and value framework through specifying the links between the PSNI Code of Ethics and the values from the Competency and Values Framework for policing (CVF).

5 Application Form

- 5.1 Applicants are required to provide information on their personal details, career history, Continuing Professional Development and relevant education and training. In addition, they are asked to explain their motivation for applying for the job and respond (in a maximum of 400 words) to six questions, each of which is based on a competency area from the CVF for policing. The Application Form also explains that the shortlisting assessment will be based on the essential criteria and the competences and associated behaviours from the CVF. While all applicants should be familiar with these competences and the associated behaviours and values, they will likely find it challenging to distil their evidence into a maximum of 400 words.
- 5.2 In line with good practice, applicants are asked to indicate whether they have a disability for which they require a 'reasonable adjustment' to any part of the selection or appointment process. In a recruitment process such as this, which is being completed within a relatively tight timescale, it is important to have as much advanced notice as possible to ensure that proper consideration can be given to making whatever reasonable adjustments are assessed as appropriate.

6. Equality and Diversity Monitoring Form

- 6.1 In line with good practice, the equality and diversity monitoring form contains a unique identifier rather than name. Applicants are advised that the personal information contained in the monitoring form will play no part in the selection process and will be detached from their application form on receipt and treated with the strictest of confidence. The explanatory covering note, which accompanies the monitoring form, takes the opportunity to emphasise that the Board and PSNI are equal opportunity employers and that recruitment decisions will be made objectively and based on the principles of merit, fairness and openness.
- 6.2 For the purposes of this process it was appropriate that the Board should use the standard PSNI monitoring categories and classifications in obtaining monitoring information. That said, the monitoring information gathered should be kept under review and consideration given to including additional categories such as nationality.

7. Advertisement

- 7.1 It is basic good practice to advertise a job as widely as practical so that as many eligible and suitably qualified candidates as possible can apply. In keeping with the principles of merit, fairness and openness, through attracting a strong and diverse pool of eligible applicants, the advertisement particularly welcomed applicants from the Roman Catholic community, women and members of black and minority ethnic groups (BME) as they are under-represented at senior levels in the PSNI. The inclusion of a positive action/affirmative action welcome

statement is noteworthy, not least because it is unusual for community background and race to be mentioned when advertising senior jobs in Northern Ireland.

- 7.2 In keeping with the Board's guidance and Department of Justice circular 13/2014, the advertisement for the vacancy was placed in a journal that deals with policing matters, *Police Professional*. This is a weekly printed publication and online resource for UK law enforcement. The advertisement also appeared on the Board's website, the PSNI website and was circulated to the College of Policing (CoP), The Association of Police and Crime Commissioners (APCC), The National Police Chief's Council (NPCC), Police Scotland Chief Constable's office, An Garda Síochána Commissioner's office, the Irish Police Authority, the Office of the Scottish Police Authority, the PSNI Chief Constable's office and was posted on the NPCC's dedicated intranet – ChiefNet. Confirmation was received from An Garda Síochána Commissioner's office and the Irish Police Authority that the vacancy would be brought to the attention of relevant personnel. A media press briefing on the day before the vacancy was advertised helped raise awareness that the recruitment process had been initiated. Awareness of the vacancy was also promoted through YouTube, LinkedIn and the Board's Facebook and Twitter accounts.
- 7.3 Given the high profile and specialised nature of the post, the steps taken to advertise the vacancy should have been more than sufficient to bring it to the attention of all eligible candidates in the UK and Ireland.
- 7.4 It can take a few days for organisations such as CoP and APCC to upload vacancies on their websites. In future recruitment processes, it would be worth exploring whether it was possible to send vacancy details a few days in advance of an official launch date, so that they could go live at the same time as the official launch.
- 7.5 The Appointment of Chief Officers of Police (Overseas Police Forces) Regulations 2014 makes provision for those who are serving in approved ranks, in approved overseas police forces, to be appointed as a Chief Officer in England and Wales. There does not appear to be similar provisions in relation to making a Chief Constable appointment in Northern Ireland. It is my understanding that the Board, conscious that no overseas applicants had been shortlisted in a Chief Constable recruitment process in England and Wales, was content on this occasion not to advertise the post overseas.
- 7.6 While the evidence from England and Wales, to date, indicates that there would be no practical gain in advertising overseas, there are two reasons why this approach could add value in Northern Ireland. First, it would be in keeping with the principles of merit and openness by seeking to achieve (and be seen to be seeking) a strong and diverse pool of potential candidates. Second, in view of the provisions already in place for England and Wales, it is difficult to refute the criticism that the approach taken in Northern Ireland is comparatively inward looking. It

might therefore be useful to explore the scope, in future processes, of opening up the potential pool for recruitment by adopting the provisions for recruiting from overseas police forces that exist for England and Wales.

8. Candidate information pack

- 8.1 In line with good practice, the candidate information pack contains a message from the Chair of the Board, which seeks to encourage applicants by describing the unique and rewarding opportunity that this key leadership role offers. It also contains the advertisement for the job, which further reinforces the message that the appointment will be on the principles of merit, fairness and openness, and details of the recruitment stages and assessment process to be used. In line with the above principles, the information pack advises candidates that an external Policing Advisor will be present during the presentation and interview stage of the process, to provide professional policing advice to the panel. It is made clear that the Policing Advisor will not be involved in the formal assessment of candidates or decision making. To further underline the objectivity and robustness of the assessment process, it might have been helpful if reference had been made to the quality assurance role to be undertaken by an Occupational Psychologist and the involvement of an independent equality, diversity and human rights adviser at all key stages of the recruitment process.
- 8.2 To further encourage applicants, and provide them with a better understanding of the role of the Chief Constable in Northern Ireland, the Candidate Information Pack included an invitation to attend a familiarisation day at the Board's Office on the 16th April. This is a useful initiative as it helps candidates make an informed decision about whether they should apply for the vacancy on offer and thus help ensure a better organisational fit. I have been informed that the planned date of 16th April was not suitable for some potential applicants and as a consequence the Board is adopting a more flexible and open approach to facilitate those individuals who were unable to attend on that date. Given the typically small number of applicants for Chief Constable jobs, it is commendable that the Board is showing flexibility in responding to the individual needs of potential applicants. This will help ensure there is a sufficient pool of applicants to conduct an effective appointment process.
- 8.3 Examination of the terms and conditions of employment reveals a softening of the terms describing where the successful candidate would reside. In the previous recruitment process for Chief Constable in 2014, the successful candidate was **required** to reside in Northern Ireland throughout their period of appointment, while in the current process it is **envisaged** that they will do so. Given the practical difficulties of operationally defining the term 'reside', the shift from a requirement to an expectation/aspiration is unlikely to make any material difference to the residential arrangements made by a successful candidate, however

the shift could just be enough to remove a barrier that would have prevented an eligible candidate from applying for the job.

9. Conclusion

- 9.1 The principles of merit, fairness and openness have informed the development of this recruitment process and are reflected in the key components of the process outlined above. Moreover, the PSNI Code of Ethics has been embedded in this process and is reflected in the values and competencies that the successful candidate will be required to demonstrate.
- 9.2 The Chief Constable recruitment documentation (advertisement, job description, person specification, application form, candidate information pack and equality monitoring form) is consistent with good practice guidelines. Just as importantly, the processes underpinning the development of the recruitment material also reflect good practice guidelines and bring a relevance and validity to the candidate material. A number of aspects of the process warrant highlighting as they demonstrate the positive action taken by the Board to help ensure the principles of merit, fairness and openness are fully embedded in the recruitment process.

(i) Eligibility criteria based on essential criteria

Through deciding that the 'desirable criteria' of two years' service in a police force other than the PSNI would not feature in the recruitment process, the Board is likely to have increased the size and diversity of the applicant pool.

(ii) Community stakeholder and interest group engagement

This innovative initiative provided a key opportunity for the Board to obtain grassroots views on policing priorities and the skills and competencies required in a Chief Constable and for the community participants to feel a valued part of the recruitment process. Of equal importance, it enabled the Board to reach out to the community and demonstrate openness, transparency and integrity in the process it was developing.

(iii) Positive/Affirmative action welcome statement

The welcome statement in terms of community background, sex and race is particularly noteworthy as it is rarely seen in advertisements for senior roles in Northern Ireland.

(iv) Familiarisation day

A familiarisation day is helpful in that it provides candidates, particularly those from outside NI, with a useful opportunity to gain a better understanding of the role of both the Board and the work of the Chief Constable. It is commendable that the Board adopted an open and flexible approach to this familiarisation day to accommodate the individual needs of potential applicants.

(v) *Independent scrutiny.*

The opening of the process to scrutiny by an Independent Equality, Diversity and Human Rights Advisor, provides further assurance to potential candidates that the selection process will be fair, transparent and based solely on merit.

John Mallon (Dr)

Independent Equality, Diversity and Human Rights Advisor

17th April 2019