

Cambridgeshire
Police & Crime
Commissioner

**Corporate Governance Framework
(Including the Code of Corporate Governance)**

2012/13

November 2012

Introduction

The purpose of this framework is to give clarity to the way the two legal entities (each one a corporation sole), the Police and Crime Commissioner (the Commissioner) and the Chief Constable will govern, both jointly and separately, to do business in the right way, for the right reason at the right time.

The principle statutory framework within which the corporations sole will operate is:

- Police Reform and Social Responsibility Act 2011,
- Policing Protocol Order 2011,
- Financial Management Code of Practice,
- Strategic Policing Requirement.
- The Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order 2012

This framework creates a public sector relationship, based upon the commissioner provider arrangement but with unique elements such as the single elected Commissioner and operational independence of the police service. It is therefore not appropriate to import corporate governance arrangements into this new environment and the framework builds upon existing good governance principles and experience.

Principles

The core principles to be adopted by both corporations sole will be those highlighted by the good governance standard for public services:

- Focus on outcomes for local people,
- Clarity of roles and functions,
- Promotion of values and demonstrating these through behaviour,
- Informed, transparent decisions and managing risk,
- Developing capacity and capability
- Engaging with local people to ensure robust accountability.

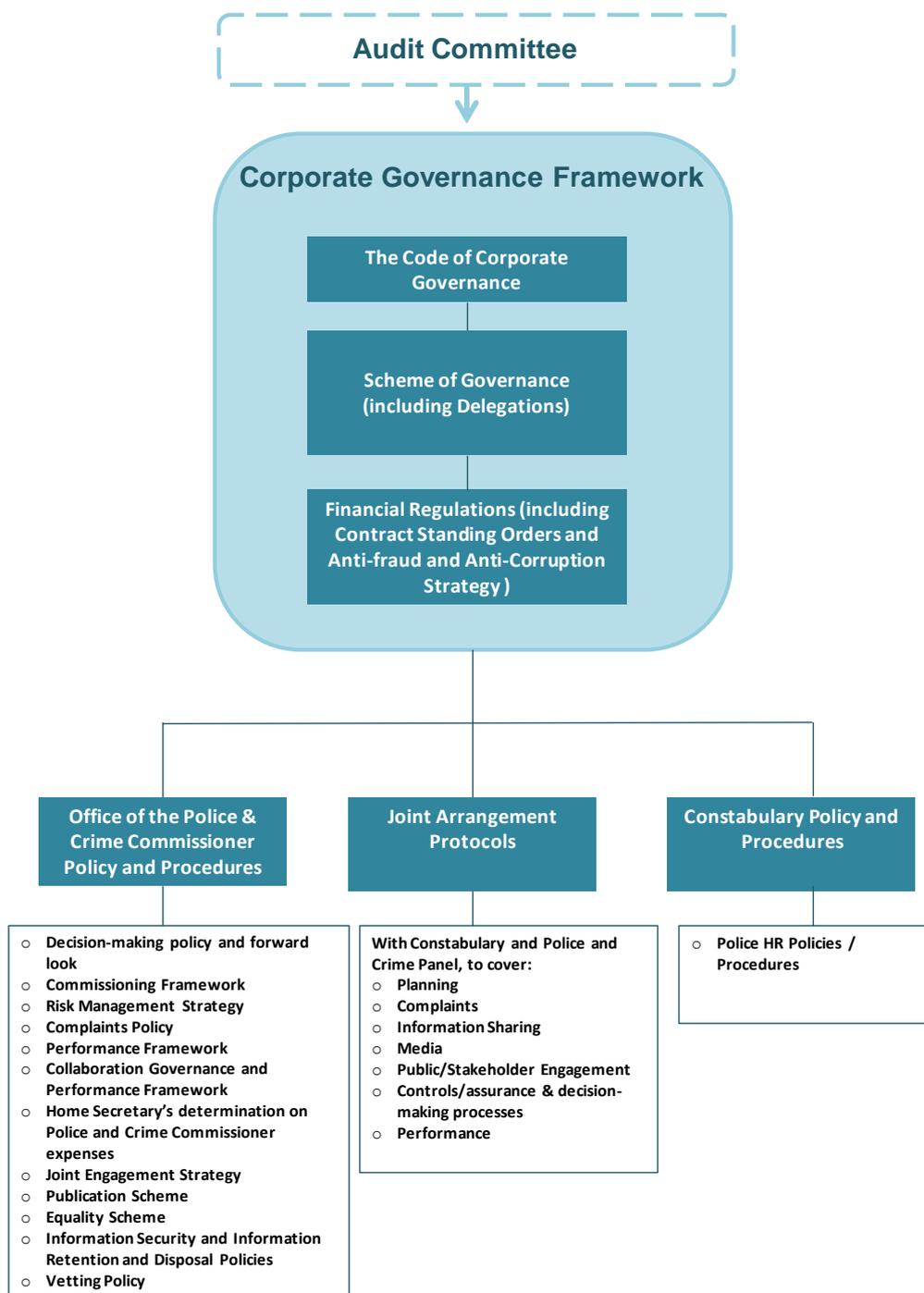
Leadership

A corporate governance group will keep the framework under review and oversee its implementation. Membership will consist of the Commissioner, the Chief Constable, the Chief Executive and the respective Chief Finance Officers.

Framework / Instruments of governance

The Corporate Governance Framework within which both corporations sole will govern, both jointly and separately will consist of:

- Code of Corporate Governance – setting out how the core principles will be implemented,
- Scheme of Governance – defining the parameters within which the corporations sole will conduct their business including the delegations (published separately),
- Separate policy and procedures for each corporation sole, with protocols where they operate jointly.



Code of Corporate Governance for the Cambridgeshire Police and Crime Commissioner and the Chief Constable

Introduction

This Code of Corporate Governance sets out how the Cambridgeshire Police and Crime Commissioner (the Commissioner) and Chief Constable will govern their organisations both jointly and separately in accordance with the Corporate Governance Framework. It does this by highlighting the key enablers for ensuring good governance.

Context

This code sets out how the organisations will govern, using the six good governance core principles¹ as the structure for setting out the statutory framework and local arrangements.

The Code

1. Focusing upon the purpose of the Commissioner and the Constabulary, and on outcomes for local people, and creating a vision for the local area.

The Act² requires the Commissioner to issue a Police and Crime Plan. It will outline the police and crime objectives (outcomes) and the strategic direction for policing.

Each corporation sole must have regard to the Plan and the Commissioner must have regard to the priorities of the responsible authorities³ during its development.

The Plan will also set out how it will operate to support achievement of these outcomes.

A Medium Term Financial Strategy will be jointly developed by the corporate governance group and thereafter reviewed quarterly to support delivery of these plans. This Strategy will signal the commissioning intentions for the coming year. A joint protocol will ensure proper detailed arrangements for financial management.

A Commissioning Framework will be developed by the Commissioner, which will set out how the “understand”, “plan”, “do”, “review” commissioning cycle will be implemented.

The Joint Arrangement Protocols will cover complaints and be jointly agreed to provide clarity over the arrangements to respond to the breadth of concerns raised by local people, whether they be allegations of organisational or individual failure.

¹ Good governance standard for public services, 2005

² Police Reform and Social Responsibility Act 2011

³ PRSR Act 2011, section 10

2. Working together to achieve a common purpose with clearly defined functions and roles

The Act⁴ clearly sets out the functions of the Commissioner and Chief Constable, and the Policing Protocol⁵ sets out how these functions will be undertaken to achieve the outcomes of the Police and Crime Plan.

The Commissioner may appoint a deputy who will be a member of his staff as set out in the Act⁶. The role description approved by the Commissioner will incorporate functions delegated within the Commissioner's Scheme of Corporate Governance.

The Act requires the Commissioner to have a Chief Executive⁷ and a Chief Finance Officer. The Chief Executive will be the Head of Paid Service and undertake the responsibilities of Monitoring Officer⁸.

The Act⁹ also requires the Chief Constable to appoint a Chief Finance Officer.

The Financial Management Code of Practice and the Statement on the Role of the Chief Finance Officer¹⁰ set out the responsibilities of Chief Finance Officers for both the Commissioner and the Chief Constable.

The Commissioner's Scheme of Corporate Governance highlights the parameters for key roles including delegations or consents from the Commissioner or Chief Constable, financial regulations and contract standing orders.

Officers, police support staff and staff of the Office of the Police and Crime Commissioner will operate within:

- The policies and procedures of each organisation,
- Corporate Governance Framework,
- Discipline Regulations, Codes of Conduct.

A joint strategic risk management process will ensure both organisations have effective arrangements in place to manage the strategic risks to the delivery of their priorities. An Independent Joint Audit Committee will operate in line with guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) and the requirements of the Financial Management Code of Practice¹¹. The Committee will also ensure that the risk controls are working.

The statutory guidance for police collaboration will inform work on collaboration with other police forces and commissioners.

⁴ PRSR Act 2011, section 5 – 8,

⁵ Policing Protocol Order 2011

⁶ PRSR Act 2011, section 18 (1)

⁷ PRSR Act, sch 1, 6 (1) a,

⁸ Local Government and Housing Act, section 5 & APACE draft statement on the role of CEO

⁹ PRSR Act 2011, schedule 2 (4).

¹⁰ Financial Management Code of Practice for the Police, section 4, & CIPFA statement on role of chief finance officers, 2011

¹¹ Financial Management Code of Practice for the Police, section 11.1.3

3. Promoting the values of the Commissioner and the Constabulary and demonstrating the values of good governance through upholding high standards of conduct and behaviour

The Policing Protocol 2011 requires all parties to abide by the seven Nolan Principles¹² and these will be central to the conduct and behaviour of all. It also highlights the expectation that the relationship between all parties will be based upon the principles of goodwill, professionalism, openness and trust.

The Financial Management Code of Practice requires the Commissioner and Chief Constable to ensure that good governance principles are embedded within the way the organisations operate.

The Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order 2012 specifies the form of declaration of acceptance of office as an oath of impartiality.

The Commissioner and Chief Constable will set out their values in the Police and Crime Plan.

4. Taking informed and transparent decisions, which are subject to scrutiny and managing risk

The Decision Making Policy sets out principles behind how decisions will be taken by the Commissioner and Chief Constable and the standards to be adopted.

It requires a combined forward plan of decisions, which brings together the business planning cycles for the Police and Crime Plan, the Office of the Police and Crime Commissioner and the Constabulary. This will ensure proper governance by bringing together the right information at the right time e.g. needs assessments, costs and budgets.

The Association of Chief Police Officers (ACPO) approved the adaption of a single National Decision (making) Model¹³ for the Police Service, it is a values-based tool which provides a simple, logical and evidence-based approach to making policing decisions. It will be applied to spontaneous incidents or planned operations, by officers or staff within the constabulary as individuals or teams, and to both operational and non-operational situations.

The Commissioner's Scheme of Governance highlights the parameters for decision making, including the delegations, consents, financial limits for specific matters and standing orders relating to contracts.

The joint approach to strategic risk management establishes how risk is embedded throughout the various elements of corporate governance of the corporations sole, whether operating solely or jointly.

The Joint Engagement Strategy demonstrates how the Commissioner and Chief Constable will ensure that local people are involved in decision making.

¹² Standards in public life, 2005

¹³ Single National Decision Model (NDM) for the Police Service. ACPO July 2011

Furthermore Decision Making Policy will ensure that information relating to decisions will be made readily available to local people, with those of greater public interest receiving the highest level of transparency, except where operational and legal constraints exist.

5. Developing the capacity and capability of all to be effective in their roles

The office of the police and crime commissioner's *learning and development strategy and the constabulary's people strategy* set the climate for continued development of individuals. The respective performance development review processes will ensure that these strategies are turned into reality for officers and members of staff. These arrangements will be developed once the existing transition strategy is embedded.

6. Engaging with local people and other stakeholders to ensure robust public accountability

The Policing Protocol¹⁴ highlights that the Commissioner is accountable to local people and that he draws on this mandate to set and shape the strategic objectives for the Constabulary area in consultation with the Chief Constable.

The Police and Crime Plan will clearly set out what the strategic direction and priorities are to be and how they will be delivered.

To complement this, the Joint Engagement Strategy will set out how local people will be involved with the Commissioner and the Chief Constable to ensure they are part of the decision making, accountability and future direction. This will be a mixture of being part of the yearly planning arrangements and becoming involved in issues of interest to local people as they emerge.

The Commissioner and Chief Constable will develop arrangements for effective engagement with key stakeholders, ensuring that where appropriate they remain closely involved in decision making, accountability and future direction.

¹⁴ Policing Protocol Order 2011, section 14

THE SEVEN PRINCIPLES OF PUBLIC LIFE

SELFLESSNESS

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.