



Cambridgeshire
Police & Crime
Commissioner

**Scheme of Governance
(Including Delegations)**

2012/13

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Note

Section 18 (6) of the Police Reform and Social Responsibility Act 2011 prohibits delegation to certain persons, including a constable and a member of staff of a constable. As a consequence all delegations within this Scheme of Governance relating to the local Constabulary must be to members of Police Staff, providing that they are not employed by the Chief Constable. Any such delegation will therefore cease to operate if the member of staff becomes employed by the Chief Constable.

Definitions

Office of the Police and Crime Commissioner:- The Commissioner will be supported by the Office of the Police and Crime Commissioner (OPCC). The OPCC will be led by the Chief Executive, who will be responsible for employing and managing the staff team as well as providing a monitoring role with regard to standards. The team will also include a Chief Finance Officer who will advise the Commissioner on financial matters and the impact of any budget, spending and commissioning decisions. Other staff will provide specific support on key areas of business and also undertake the administrative functions of the office.

Introduction

This Scheme of Governance (the Scheme) details the key roles of the Police and Crime Commissioner (the Commissioner), Chief Executive, Chief Constable and the Chief Finance Officers. The Code of Corporate Governance, set out in the Corporate Governance Framework, describes the strategies, arrangements, instruments and controls to ensure good governance by the two corporations sole.

This Scheme forms part of the overall corporate governance framework of the two corporations sole.

This Scheme sets out the delegations by the Police and Crime Commissioner to a Deputy Police and Crime Commissioner (Deputy Commissioner) (if appointed), the Chief Executive and the Police Force via senior officers such as the Chief Constable's Chief Finance Officer (see Note above).

In addition, this Scheme incorporates other instruments such as the Financial Regulations and Contract Standing Orders (published separately).

The Scheme aims to clarify those powers which, for the benefit of good business practice, are given to the statutory officers. The Commissioner may limit these powers and/or remove delegation.

This Scheme provides a structure which makes sure the business is carried out efficiently, ensuring that decisions are not unnecessarily delayed.

The Commissioner may set out reporting arrangements on any authorised powers.

Powers are given to the Chief Constable by laws, orders, rules or regulations. Also, national conditions of employment give powers to the Commissioner or the Chief Constable or, as in the case of police regulations, the Secretary of State for the Home Department.

The powers given to the statutory officers should be exercised in line with the Commissioner's delegations, the law, standing orders and financial regulations, and also policies, procedures, plans, strategies and budgets.

This Scheme does not identify all the statutory duties which are contained in specific laws and regulations.

1. Key Role of the Police and Crime Commissioner

- 1.1 The legal powers and duties of the Commissioner are set out in the Policing Protocol Order 2011. They are as follows:-
- 1.2 The Commissioner has a statutory duty and electoral mandate to hold the police to account on behalf of the public.
- 1.3 The Commissioner is the recipient of all funding, including the government grant and precept and other sources of income, related to policing and crime reduction and all funding for a force must come via the Commissioner. How this money is allocated is a matter for the Commissioner in consultation with the Chief Constable, or in accordance with any grant terms. The Chief Constable will provide professional advice and recommendations.
- 1.4 The Commissioner has the legal power and duty to:
 - a) set the strategic direction and objectives of the force through the Police and Crime Plan (the Plan), which must have regard to the Strategic Policing Requirement set by the Home Secretary;
 - b) scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan;
 - c) hold the Chief Constable to account for the performance of the force's officers and staff;
 - d) decide the budget, allocating assets and funds to the Chief Constable; and set a precept for the force area;
 - e) appoint the Chief Constable;
 - f) remove the Chief Constable subject to following the process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996(a);
 - g) maintain an efficient and effective police force for the police area;
 - h) enter into collaboration agreements with other Police and Crime Commissioners, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where it relates to the functions of the police force, then it must be with the agreement of the Chief Constable);

- i) provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action;
 - j) hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable;
 - k) publish information specified by the Secretary of State and information that the Commissioner considers necessary to enable the people who live in the force area to assess the performance of the Commissioner and Chief Constable;
 - l) comply with all reasonable formal requests from the Panel to attend their meetings;
 - m) prepare and issue an annual report to the Panel on the Commissioner's delivery against the objectives within the Plan;
 - n) monitor all complaints made against officers and staff, whilst having responsibility for complaints against the Chief Constable.
- 1.5 In addition, the Commissioner must not fetter the operational independence of the police force and the Chief Constable who leads it.
- 1.6 In order to enable the Commissioner to exercise the functions of their office effectively, they will need access to information and officers and staff within their force area. Such access to any information must not be unreasonably withheld or obstructed by the Chief Constable and/or fetter the Chief Constable's discretion and control of the force.
- 1.7 A Commissioner has wider responsibilities than those relating solely to the police force, namely:
- a) A specific responsibility for the delivery of community safety and crime reduction;
 - b) The ability to bring together Community Safety Partnerships at the force level;
 - c) The ability to make crime and disorder reduction grants within their force area;
 - d) The duty to ensure that all collaboration agreements with other Local Policing Bodies and forces deliver better value for money or enhance the effectiveness of policing capabilities and resilience
 - e) A wider responsibility for the enhancement of the delivery of criminal justice in their area.
- 1.8 The Commissioner is the legal contracting body who owns all the assets and liabilities and who has responsibility for the financial administration of his Office and the Force. Consent may be given to the Chief Constable to acquire property (other than land and buildings) as detailed in Financial Regulations.
- 1.9 The Police and Crime Panel (the Panel) is a check and balance on the Commissioner through the scrutiny of his decisions, but not those of the Chief Constable.
- 1.10 The Commissioner may appoint a deputy to exercise his functions, with the exception of those functions which cannot be delegated detailed (paragraph 2.12) as defined by the Police Reform and Social Responsibility Act.

2. General principles of delegation

- 2.1 The Commissioner expects anyone exercising delegated powers under this Scheme to draw to the attention of the OPCC any issue which is likely to be regarded by the Commissioner as novel, contentious or repercussive.
- 2.2 In addition, the Commissioner is ultimately accountable for the Police Fund. Before any financial liability affecting the Police Fund that the Commissioner might reasonably regard as novel, contentious or repercussive is incurred; prior written approval must be obtained from the OPCC.
- 2.3 Delegations for such approval are set out in this Scheme. The Police and Crime Commissioner may ask that a specific matter is referred to him/her for a decision and not dealt with under powers of delegation
- 2.4 The Scheme does not attempt to list all matters which form part of everyday management responsibilities.
- 2.5 Giving delegation to officers under this scheme does not prevent an officer from referring the matter to the Commissioner for a decision if the officer thinks this is appropriate (for example, because of sensitivity issues or any matter which may have a significant financial implication).
- 2.6 When a statutory officer is considering a matter that is within another statutory officer's area of responsibility, they should consult the other statutory officer before authorising the action.
- 2.7 All decisions statutory officers make under powers given to them by the Commissioner must be recorded and be available for inspection.
- 2.8 The Commissioner will want to be involved in any projects/areas of work which may have a significant impact on the people of Cambridgeshire. He/she will want to be involved in the scoping, tendering process and evaluation of any business case.
- 2.9 In this document, reference made to the statutory officers includes officers authorised by them to act on their behalf.
- 2.10 The statutory officers are responsible for making sure that members of staff they supervise know about the provisions and obligations of this Scheme of Governance.
- 2.11 The Chief Executive (who will also be the Monitoring Officer) and the Chief Finance Officer of the Commissioner (section 151 officer) have statutory powers and duties relating to their positions, and therefore do not rely on matters being delegated to them to carry these out.
- 2.12 The Scheme of Governance provides an officer with the legal power to carry out duties of the Commissioner. In carrying out these duties the officer must comply with all other statutory and regulatory requirements and relevant professional guidance including:
 - The Police and Social Responsibility Act 2011 and other relevant legislation issued under this Act
 - Policing Protocol Order 2011
 - Financial Regulations and Contract Standing Orders

- Home Office Financial Management Code of Practice
 - CIPFA Statement on the role of the Chief Finance Officer of the Police and Crime Commissioner
 - The Commissioner's Corporate Governance Framework
 - The Commissioner's and Constabulary's employment policies and procedures
 - The Data Protection Act 1998 and the Freedom of Information Act 2000
 - Health and safety at work legislation and codes
 - Equality Act 2010 and related equality and diversity regulation and guidance.
- 2.13 When carrying out any duties, the Commissioner and his staff must have regard to the following:
- The views of the people in Cambridgeshire
 - Any report or recommendation made by the Police and Crime Panel on the annual report for the previous financial year.
 - The Police and Crime Plan and any guidance issued by the Secretary of State.
- (this list is a summary and is not exhaustive)
- 2.14 The Commissioner may appoint any person (who is not the Deputy Commissioner) to carry out any function, with the exception of those listed below:
- Issuing the Police and Crime Plan
 - Determining police and crime objectives in the Police and Crime Plan
 - Calculating a budget requirement
 - Appointing the Chief Constable, suspending the Chief Constable, or calling upon the Chief Constable to retire or resign
 - Attendance at the Police and Crime Panel for specified duties
 - Preparing the annual report.
- 2.15 This Scheme is a record of the formal delegations in accordance with the Act. The Commissioner's Corporate Governance Framework, including this Scheme of Governance will be reviewed annually. With the exception of those matters listed in paragraph 2.14, the scheme allows any person, with appropriate authority, to delegate that power further.
- 2.16 The Commissioner must not restrict the operational independence of the police force and the Chief Constable who leads it.
- 2.17 To enable the Commissioner to exercise the functions of their office effectively they will need access to information, and officers and staff within their force area. This access must not be unreasonably withheld or obstructed by the Chief Constable, or restrict the Chief Constable's direction and control of the force.
- 2.18 The Commissioner has wider responsibilities than those solely relating to the police force and this is referred to in the Code of Corporate Governance.

3. Functions delegated to the Deputy Police and Crime Commissioner (Deputy Commissioner)

Introduction

- 3.1 Section 18 of the Police Reform and Social Responsibility Act 2011 provides the power for the Commissioner to appoint a deputy Police and Crime Commissioner and arrange for him/her to exercise any function.
- 3.2 The Police and Crime Commissioner cannot delegate to the deputy, those functions listed in section 18, subsection (7) (a), (e) or (f):-
 - a) Issue a Police and Crime Plan
 - b) Appoint or suspend the Chief Constable or require the Chief Constable to retire or resign
 - c) Calculate a budget requirement
- 3.3 In the absence of the Deputy Commissioner, the Commissioner will delegate their functions to the Chief Executive (with the exception of those listed para 2.12 [Section 18, sub section 7 of the Act]).

4. Functions delegated to the Chief Executive, Office of the Police and Crime Commissioner

Introduction

- 4.1 The Code of Governance identifies the role of the Chief Executive as the Head of the Commissioner's staff, and the Monitoring Officer.
- 4.2 The formal delegations, listed below, are those given to the Chief Executive, which are in effect at the time of the publication of the scheme.

General

- 4.3 To act as 'Monitoring Officer' under section 5(1) of the Local Government and Housing Act 1989.
- 4.4 Prepare the Police and Crime Plan, in consultation with the Chief Constable, for submission to the Commissioner.
- 4.5 Prepare an Annual Report for submission to the Commissioner.
- 4.6 Provide information to the Police and Crime Panel, as reasonably required to enable the Panel to carry out its functions.
- 4.7 To approve the arrangements for the signing of all contracts on behalf of the Commissioner (and Deputy Commissioner if appointed) taking into account any requirements specified in Contract Standing Orders (Section F of Financial Regulations).

- 4.8 To affix the common seal of the Cambridgeshire Police and Crime Commissioner to all contracts:
- agreements or transactions in respect of which there is no consideration
 - that relate to the provision of goods and services by the Commissioner to another body and which are £250,000 or above in value over the life of the contract
 - that are £250,000 or above in value over the life of the contract
 - which grant or convey an interest in land
 - which are grants that are £100,000 or above
 - when it is determined by the Police and Crime Commissioner (or Deputy Commissioner if appointed) there is a particular need for the seal to be attached
 - where any of the contracting parties require it.
- 4.9 To consider whether, in consultation with the Chief Finance Officer, to provide indemnity to the Police and Crime Commissioner (and Deputy Commissioner if appointed) in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004 and to deal with or make provision to deal with other matters arising from any proceedings relating to them.
- 4.10 To consider and approve, in consultation with the Chief Finance Officer, provision of indemnity and/or insurance to individual staff of the Commissioner in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004.
- 4.11 To oversee the way that complaints against officers and staff are managed so this is efficient and effective and to advise the Commissioner on this basis.

Financial

- 4.12 The financial management responsibilities of the Chief Executive are set out in the Financial Regulations.
- 4.13 To manage the budget of the OPCC, along with the Chief Finance Officer, particularly to:
- order goods and services and spend on items provided for in the revenue budget,
 - ask for and accept quotations and tenders for goods and services provided for in the revenue budget.

Human Resources

- 4.14 To manage the employees of the OPCC (and any other employees not under the direction or control of the Chief Constable) in line with agreed policies and procedures.
- 4.15 To make recommendations to the Commissioner with regard to relevant terms and conditions of service, in consultation with the Chief Finance Officer.
- 4.16 Assist in the resolution of employment tribunal cases and grievances of staff in the OPCC.

- 4.17 Assist in the resolution of employment tribunal cases and grievances of staff who are under the direction and control of the Chief Constable where the cases are 'exceptional' and therefore outside of the Chief Constable's delegations (see para 6.21)
- 4.18 To facilitate the management of appeals made by police officers against the Chief Constable's decision to require retirement due to ill health, and to implement the subsequent awards made, in line with the provisions of the Police and Pensions Regulations.
- 4.19 To approve, in consultation with the Chief Constable and the Pensions Administrator, the arrangements for dealing with any matters connected with Occupational Pension Schemes (Internal Dispute Resolution Procedures).
- 4.20 To appoint Independent Custody Visitors and terminate appointments if necessary.

Other

- 4.21 To exercise the statutory powers of the Commissioner for professional standards, on behalf of the Deputy Commissioner (if appointed), as delegated to them on a temporary or permanent basis, and such delegations to be documented with this Scheme.
- 4.22 To authorise people to make, defend, withdraw or settle any claims or legal proceedings on the Commissioner's behalf, in consultation with the Legal Advisor (and Chief Finance Officer if there is a significant financial implication).
- 4.23 To consider, with the Commissioner, any complaint made against the Chief Constable, and where appropriate, to make arrangements for appointing an officer to investigate the complaint.
- 4.24 To respond to consultations on proposals affecting the Commissioner, if necessary, after first taking the views of the Commissioner, the Chief Finance Officer or the Chief Constable, as appropriate.
- 4.25 To get legal or other expert advice and to appoint legal professionals whenever this is considered to be in the Commissioner's best interests and for his benefit.
- 4.26 To make arrangements to institute, defend or participate in any legal proceedings in any case where such action is necessary.
- 4.27 To make sure, in consultation with the Chief Constable, appropriate arrangements are made to gather the community's views on the policing of Cambridgeshire and preventing crime.

5 Functions delegated to the Chief Finance Officer of the Police and Crime Commissioner

Introduction

- 5.1 The Chief Finance Officer is the financial advisor to the Commissioner and has statutory responsibility to manage his financial affairs as set out in sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2011.
- 5.2 The Chief Finance Officer must ensure that the financial affairs of the Commissioner are properly administered having regard to their probity, legality and relevant standards and the details are set out in Financial Regulations.
- 5.3 To approve the arrangements for the Treasury management function including the day to day management, production of Treasury management strategy and supporting policies and procedures.
- 5.4 Approve the arrangements for securing and preparing the Commissioner's accounts, and seek assurances that there are appropriate arrangements in place for the force's accounts.
- 5.5 Approve the opening of all Bank Accounts
- 5.6 To undertake the day to day management of the Commissioner's budget.
- 5.7 To commit expenditure within the Commissioner's approved budget to meet the policies and objectives agreed with the Commissioner and reflected in the Police and Crime Plan.
- 5.8 To manage grants awarded to the Commissioner.
- 5.9 To act as money laundering reporting officer under the Proceeds of Crime Act 2002 and Money Laundering Regulations 2003 or other appropriate legislation from time to time in force.
- 5.10 To prepare and annually review financial and contract regulations, in consultation with the force, for approval by the Commissioner or the Deputy Commissioner if appointed.
- 5.11 To prepare and annually review a draft expenses and benefits framework for approval by the Commissioner.
- 5.12 To determine when any goods are surplus to requirements or obsolete and arrange for disposal in line with financial regulations.
- 5.13 To report to the Commissioner and the external auditor any unlawful or potentially unlawful spending by his, or the force's, officers.
- 5.14 Provide for an effective internal audit service.

6. Key Role of the Chief Constable

Introduction

- 6.1 The legal powers and duties of the Chief Constable are set out in the Policing Protocol Order 2011. They are as follows:-
- 6.1 The Chief Constable is responsible for maintaining the Queen's Peace, and has direction and control over the force's officers and staff. The Chief Constable holds office under the Crown, but is appointed by the Commissioner.
- 6.2 The Chief Constable is accountable to the law for the exercise of police powers, and to the Commissioner for the delivery of efficient and effective policing, management of resources and expenditure by the police force. At all times the Chief Constable, their constables and staff, remain operationally independent in the service of the communities that they serve.
- 6.3 The Chief Constable is responsible to the public and accountable to the Commissioner for
- a) leading the force in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts with impartiality;
 - b) appointing the force's officers and staff (after consultation with the Commissioner, in the case of officers above the rank of Chief Superintendent and police staff equivalents);
 - c) supporting the Commissioner in the delivery of the strategy and objectives set out in the Plan;
 - d) assisting the Commissioner in planning the force's budget;
 - e) providing the Commissioner with access to information, officers and staff as required;
 - f) having regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of their force's national and international policing responsibilities;
 - g) notifying and briefing the Commissioner of any matter or investigation on which the Commissioner may need to provide public assurance either alone or in company with the Chief Constable (all Commissioners will be designated as Crown Servants under the Official Secrets Act 1989, making them subject to the same duties in relation to sensitive material as Government Ministers);
 - h) being the operational voice of policing in the force area and regularly explaining to the public the operational actions of officers and staff under their command;
 - i) entering into collaboration agreements with other Chief Constables, other policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of their respective Policing Bodies;
 - j) remaining politically independent of their Commissioner;
 - k) managing all complaints against the force, its officers and staff, except in relation to the Chief Constable, and ensuring that the Commissioner is kept informed in such a way as to enable the Commissioner to discharge their statutory obligations in relation to complaints in a regular, meaningful and

- timely fashion. Serious complaints and conduct matters must be passed to the Independent Police Complaints Commission in line with legislation;
- l) exercising the power of direction and control in such a way as is reasonable to enable their Commissioner to have access to all necessary information and staff within the force;
 - m) having day to day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the Commissioner.

Note

For the reasons set out in the Note on page 3 of this Scheme the Chief Constable's functions set out below (Section 6) are delegated to the Chief Constable's Chief Finance Officer who is the appropriate officer under the Direction and Control of the Chief Constable.

Financial

- 6.4 The detailed financial management responsibilities of the Chief Constable and his staff are set out in the Financial Regulations.

Procurement

- 6.5 Undertake the day to day management of the procurement function in accordance with Contract Standing Orders.

Property

- 6.6 To undertake the day to day management of the property function subject to any provisions within Financial Regulations.
- 6.7 The Chief Constable shall declare land, premises and other assets surplus to requirements after discussion with the Commissioner and public engagement as appropriate. Arrangements for disposals are set out in Financial Regulations.

Human Resources

- 6.8 To manage, as far as is allowed by government directives, the numbers, locations, ranks and grading of police staff and police officers within the overall workforce budget approved by the Commissioner (except for posts at chief-officer level which the Commissioner should be consulted on).
- 6.9 To appoint all police officers and staff (after consultation with the Commissioner on posts above the rank of Chief Superintendent and police staff equivalent).
- 6.10 To authorise, in line with police staff conditions of service, the suspension or dismissal of any staff not appointed by the Commissioner.
- 6.11 To approve the retirement, in the interests of the efficiency of the service, of employees and to report to the Commissioner on this issue each year.
- 6.12 To approve the appointment or secondment of police officers for central services or overseas duty.

- 6.13 In line with the terms of any approval given by the Secretary of State, to grant leave with pay, and the payment of appropriate fees and charges, for police officers chosen to take degree courses at university.
- 6.14 To bring national agreements on salaries, wages and conditions into effect on the clear understanding that any issues which are sensitive or have major financial implications will be referred to the Commissioner for a decision.
- 6.15 To approve payments under any bonus or performance-related payment schemes approved by the Commissioner, honoraria payments made for taking on extra duties and responsibilities, or similar special payments. However, all payments relating to the Chief Constable's Review/Bonus Scheme can only be approved by the Commissioner.
- 6.16 To negotiate with, and reach agreements with, recognised trade unions and staff associations on any matters that can be decided locally. Any significant agreements reached must be reported back to the Commissioner.
- 6.17 To grant car-user allowances.
- 6.18 To make awards under any staff-suggestion scheme.
- 6.19 If the Chief Executive agrees, to issue certificates staff have asked for to make them exempt from political restrictions under the correct legal provisions.
- 6.20 To approve the retirement of police officers and police staff up to and including the rank of Chief Superintendent on the grounds of ill health, and the payment of ordinary and ill-health pensions and other payments, as appropriate, following advice from the Force Medical Examiner or a medical practitioner. However, the Commissioner must be consulted on the retirement of the Deputy Chief Constable and Assistant Chief Constables. All ill-health retirements must be reported to the Commissioner.
- 6.21 To provide financial assistance to police officers (and, if considered appropriate, police community support officers, members of the special constabulary and police staff) in legal proceedings taken by or against them, as long as they act in good faith and exercise reasonable judgement in performing their police duties. This action must be taken in line with Home Office advice and after consulting the Chief Executive (who will take legal advice if necessary).

Legal

- 6.22 Approve the financial settlement of all claims or requests for compensation felt to be non significant because:-
- The compensation to be paid is £10,000 or less (to include multiple or linked claims/claimants) except in the case of accident claims where the threshold will be £50,000 or less ex gratia payments for damage caused by officers and staff where the threshold will be £5,000 or less
 - they do not involve a high profile claimant including Association of Chief Police Officer (ACPO) rank police officers
 - there is no particular public interest in the case

- there is no real risk that the Commissioner or Chief Constable will be exposed to serious public criticism or that serious weaknesses in the organisation or policies and procedures will be revealed
 - it is not the nature of a test case.
- 6.23 Institute, defend or participate in legal actions to protect the interests of the Force and the Commissioner.
- 6.24 Provide advice, institute and defend legal proceedings on behalf of the Commissioner when requested to do so.
- 6.25 Facilitate the resolution of tribunal cases and grievances of staff under the direction and control of the Chief Constable with the exception of those cases felt to be exceptional because:-
- they involve a high profile claimant
 - there is a particular public interest in the case
 - there is a real risk that the Police and Crime Commissioner or Constabulary will be exposed to serious public criticism or serious weaknesses in the organisation or polices and procedures will be revealed.

Other

- 6.26 To sign contracts on behalf of the Police and Crime Commissioner, in accordance with arrangements approved by the Chief Executive, irrespective of value, once they have been properly approved, except those which are required to be executed under the common seal of the Police and Crime Commissioner. In these cases the Chief Executive will sign and affix the seal.
- 6.27 To exercise the powers and duties of the Police (Property) Regulations 1997 by:
- authorising, where appropriate, requests to donate unclaimed lost property to charity; and
 - approve the keeping of unclaimed lost property if it can be put to good use for police purposes.

7 Key role of the Chief Constable's Chief Finance Officer

Introduction

- 7.1 The Chief Constable's CFO has responsibility for proper financial administration and a personal fiduciary responsibility to the local council taxpayer.
- 7.2 The Chief Constable's CFO is responsible to the Chief Constable for all financial activities within the Constabulary or contracted out under the supervision of the Constabulary.
- 7.3 The Chief Constable's CFO's responsibilities are set out in:
- a) Paragraph 4 of Schedule 2 and paragraph 1 of Schedule 4 to the Police Reform and Social Responsibility Act 2011;
 - b) Section 114 Local Government Finance Act 1988 (formal powers to safeguard lawfulness and propriety in expenditure); and
 - c) The Accounts and Audit Regulations 2011.

- 7.4 The Chief Constable's CFO is responsible for:
- a) ensuring that the financial affairs of the Constabulary are properly administered and that these Financial Regulations are observed and kept up to date;
 - b) reporting to the Chief Constable, the Commissioner, the Commissioner's CFO and to the external auditor:
 - any unlawful, or potentially unlawful, expenditure by the Chief Constable or officers of the Chief Constable
 - when it appears that any expenditure of the Chief Constable is likely to exceed the resources available to it to meet that expenditure;
 - c) advising the Chief Constable on value for money in relation to all aspects of the Constabulary's expenditure;
 - d) advising the Chief Constable and the Commissioner on the soundness of the budget in relation to the Constabulary;
 - e) liaising with the external auditor; and
 - f) working with the Commissioner's CFO and his/her staff to produce the statement of accounts for the Chief Constable and to assist in the production of group accounts.
- 7.5 The Chief Constable's CFO has certain statutory duties which cannot be delegated, namely, reporting any potentially unlawful decisions by the Constabulary on expenditure and preparing each year, in accordance with proper practices in relation to accounts, a statement of the Chief Constable's accounts. The Chief Constable's CFO will need to observe the locally agreed timetable for the compilation of the group accounts by the Commissioner's CFO.
- 7.6 To enable him/her to fulfil these duties the Chief Constable's CFO:
- a) must be a key member of the Chief Constable's Management Team, helping it to develop and implement strategy and to resource and deliver the Commissioner's strategic objectives sustainably and in the public interest;
 - b) must be actively involved in, and able to bring influence to bear on, all strategic business decisions of the Chief Constable to ensure immediate and longer term implications, opportunities and risks are fully considered;
 - c) must lead the promotion and delivery by the Chief Constable of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively; and
 - d) must ensure that the finance function is resourced to be fit for purpose.
 - e) It must be recognised that Financial Regulations cannot foresee every eventuality. The Chief Constable's CFO, in consultation with the Commissioner's CFO, shall be responsible for interpreting these Regulations so as to ensure the efficient and effective operation of services.
- 7.7 As set out in the Note before paragraph 6.4 the Chief Constable's CFO is the officer with delegated responsibility for the functions set out in Section 6.

8 Urgent matters

- 8.1 If any matter which would normally be referred to the Commissioner (or Deputy Commissioner, [if appointed]) for a decision arises and cannot be delayed, the matter may be decided by the appropriate chief officer.
- 8.2 The appropriate chief officers authorised to decide urgent matters are:
- the Chief Executive (all issues other than operational matters);
 - the Commissioner's Chief Finance Officer (financial and related issues)
 - the Chief Constable (operational and financial issues affecting the force service).
- 8.3 Urgent decisions taken must be reported to the Commissioner as soon as practicably possible.

9. Financial Regulations and Contract Standing Orders

- 9.1 To conduct business effectively, sound financial management policies are essential. The Regulations are designed to establish financial responsibilities, to confer duties, rights and powers upon the Commissioner, the Chief Constable and their officers and staff and to provide clarity about the financial accountabilities of groups or individuals and anyone acting on their behalf.
- 9.2 The Financial Regulations have been drawn up in such a way as to ensure that the financial affairs of the Commissioner and the Chief Constable are conducted properly and in compliance with all necessary requirements. They also seek to reinforce the standards of conduct in public life required by the Commissioner, the Chief Constable, police officers, police staff and staff within the Office of the Commissioner (OPCC) and in particular the need for openness, accountability and integrity.
- 9.3 The Financial Regulations meet the requirement in the statutory Financial Management Code of Practice (issued by the Home Office under Section 17(6) of the Police Reform and Social Responsibility Act 2011 and Section 39A(5) of the Police Act 1996) for commissioners to "...draw up and adopt a single set of standing orders relating to contracts as well as detailed financial regulations..."
- 9.4 The Financial Regulations are published separately.

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.