Nottinghamshire Police and Crime Commissioner
Notice of Decision

Nottinghamshire
POLICE & CRIME COMMISSIONER

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For Decision or Information	Information
Date received*:	23 November 2018
Ref*:	2017.061

*to be inserted by Office of PCC

TITLE: Joint Audit and Scrutiny Panel – Amendment to Terms of Reference

EXECUTIVE SUMMARY:

Following a discussion at the last Joint Audit and Scrutiny Panel, several amendments have been made to the Terms of Reference.

The following amendments have been made:

Statement of purpose

OPCC has been included in points 1 and 2, point 3 is an addition.

1. To provide independent assurance on the adequacy of the corporate governance and risk management arrangements in place across the OPCC and Force and the associated control environment, advising according to good governance principles and proper practices.
2. To enable effective scrutiny of key areas of activity within the OPCC and Force to ensure that the Force is meeting the needs of Nottinghamshire.
3. To oversee Internal Audit and External Audit helping to ensure efficient and effective audit arrangements are in place.

Responsibilities

Amendment to paragraph 4 – which now reads Chief Finance Officer rather than ACO Resources.

- To assist the Chief Finance Officer to the CC in fulfilling their responsibility as the Section 151 (Section 114 Local Government Finance Act 1988) Officer relating to probity, lawfulness of expenditure and internal control.

The following responsibility has been added:

- To have oversight of the governance regarding any collaborations undertaken by both the CC & PCC with particular attention to those collaboration which management and operation fall under the responsibility of the CC & PCC.

INFORMATION IN SUPPORT OF DECISION: (e.g report or business case)

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Chief Constable Guildford is in agreement with the amended Terms of Reference.

FINANCIAL INFORMATION (please include if is it capital or revenue or both. What the split is and the totals being requested. Is this a virement/ something already budgeted for or something that requires additional funding. Are there any savings that can be offered up/or achieved)

Not applicable

Signature: [redacted] Date: 19th December 2017
Chief Finance Officer

Is any of the supporting information classified as non public or confidential information?**	Yes		No	✓
If yes, please state under which category number from the guidance**				

DECISION:

- The Police and Crime Commissioner to approve the revised Terms of Reference for the Joint Audit and Scrutiny Panel.

OFFICER APPROVAL
I have been consulted about the proposal and confirm that the appropriate advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner.

Signature: Ken Jones Date: 20th December 2017
Chief Executive

DECLARATION:
I confirm that I do not have any disclosable pecuniary interests in this decision and I take the decision in compliance with the Code of Conduct for the Nottinghamshire Office of the Police and Crime Commissioner. Any interests are indicated below:

The above request has my approval.

Signature: Date: 21/12/17
Nottinghamshire Police and Crime Commissioner

** See guidance on non public information

Nottinghamshire Police and Crime Commissioner

Joint Audit and Scrutiny Panel

TERMS OF REFERENCE

Membership

This Panel will consist of 5 members appointed from outside Nottinghamshire Police Force and the Police and Crime Commissioner's Office.

Statement of Purpose

To provide independent assurance on the adequacy of the corporate governance and risk management arrangements in place across the OPCC and Force and the associated control environment, advising according to good governance principles and proper practices.

To enable effective scrutiny of key areas of activity within the OPCC and Force to ensure that the Force is meeting the needs of Nottinghamshire.

To oversee Internal Audit and External Audit helping to ensure efficient and effective audit arrangements are in place.

Responsibilities

1. To establish formal and transparent arrangements for considering how the corporate reporting, risk management and internal control principles are applied.

2. To assist the Police and Crime Commissioner (PCC) and Chief Constable (CC) in fulfilling their responsibility for ensuring Value for Money.

3. To assist the Chief Finance Officer to the PCC in fulfilling their responsibility as Section 151 (and section 114 of the Local Government Finance Act 1988) Officer relating to probity, lawfulness of expenditure and internal control.

4. To assist the Chief Finance Officer to the CC in fulfilling their responsibility as the Section 151 (Section 114 Local Government Finance Act 1988) Officer relating to probity, lawfulness of expenditure and internal control.

5. To oversee an annual programme of scrutiny of key areas of activity on behalf of the Police and Crime Commissioner.

6. To make recommendations to the Police and Crime Commissioner and Chief Constable.

7. To have oversight of the governance regarding any collaborations undertaken by both the CC & PCC with particular attention to those collaboration which management and operation fall under the responsibility of the CC & PCC.

Terms of Reference

Within the following classifications, the Audit and Scrutiny Panel, is:

CORPORATE GOVERNANCE & REGULATORY FRAMEWORK

1. To advise the PCC and CC on the adequacy and effectiveness of the systems of internal control, the arrangements for risk management, control and governance processes, and securing Value for Money.

2. To review any issue referred to the Panel by the statutory officers of the PCC and CC and make recommendations as appropriate.

3. To review and scrutinise the activities of the CC and make recommendations to the PCC as appropriate.

4. To secure assurance through the effective development and operation of risk management and make recommendations where appropriate to the Police and Crime Commissioner & the Chief Constable.

5. To ensure there is a whistle blowing policy and procedure in place and to review and gain assurance that this is being complied with.

6. To ensure there is an anti-fraud and corruption policy and procedure in place and to gain assurance that breaches are reported.

7. To monitor and challenge the appointment of consultants, agency and temporary fixed term staff.

~~8.~~ To review its own effectiveness on an annual basis.

9. To consult with key stakeholders to identify priorities for scrutiny of policing activity.

10. To ensure there is appropriate co-ordination between the internal audit plan, Her Majesty's Inspector of Constabulary (HMIC) inspection and the annual scrutiny programme to avoid duplication.

INTERNAL & EXTERNAL AUDIT

11. To agree the appointment of the External Auditors and the Internal Auditors.

12. To approve the internal audit strategy, the audit charter annually and receive the external audit plan.

13. To ensure effective co-ordination between the internal and external auditors.

14. To consider the External Auditors Annual Governance Report and Annual Audit Letter.

15. To consider reports of the Internal and External Auditors and any implications relating to the internal control, risk and governance.

16. To monitor, within an agreed timescale, the implementation of agreed recommendations relating to internal audit reports and HMIC inspections and scrutiny reports

17. To gain assurance that agreed/recommended actions have been taken in response to audit reports and where appropriate challenge and review a management comment that disagrees with a valid recommendation.

18. To gain assurance that all allegations of fraud and irregularity are properly followed up.

19. To commission work from internal and external auditors as may be necessary.

ACCOUNTS & FINANCE

20. To contribute to the Annual Governance Assurance process for the legal entities of PCC and CC.

21. To recommend the Annual Governance Statement for the Forces accounts to the CC and PCC.

22. To recommend the Annual Governance Statements of the Group accounts to the PCC.

23. To approve and recommend to the PCC the Group Statement of Accounts.

SCRUTINY

24. To undertake specific scrutiny reviews as and when required.

25. Separate TORs will be created for each Scrutiny Review establishing the membership of the Review Group and its scope. Except in extremis no more than two scrutiny reviews will be carried out in a twelve month period.

26. To delegate authority to the Scrutiny Review Group to propose the scope of the review for approval by the Police and Crime Commissioner.

27. To receive and consider the findings and recommendations from each Scrutiny Review Group on completion of the review and present the findings to the

Police and Crime Commissioner and Chief Constable for consideration and response as appropriate.

28. To receive regular update reports on responses and actions arising from any recommendations made in completed scrutiny reviews.

Frequency of Meetings

29. To meet a minimum of four times per annum at times where key activities require consideration.

30. For the Chair to hold a meeting at least once a year with other Region Panel Chairs to discuss mutual areas of interest and concern.

Last amended by Joint Audit & Scrutiny Panel in December 2017