



Nottinghamshire
POLICE & CRIME COMMISSIONER



NOTTINGHAMSHIRE
POLICE
PROUD TO SERVE

Joint Code of Corporate Governance and Working Together (Part A)

Review Date: Updated May 2020

CONTENTS

Statement of Corporate Governance.....	Page 3
Working Together Agreement.....	Page 5
Framework.....	Page 7
Code of Corporate Governance.....	Page 9
Roles & Responsibilities.....	Page 11
Scheme of Consent and Delegation.....	Page 14
Arrangements for the Review of Governance.....	Page 25
Sharing of Information.....	Page 27
Decision Making.....	Page 28
Decision Making Process.....	Page 29
Appendix 1.....	Page 31
Notice of Decision Template.....	Page 33
Appendix 2.....	Page 34

Part 1: Statement of Corporate Governance

Introduction

Corporate governance is about how organisations ensure they do the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises the systems and processes, and culture and values, by which bodies are directed and controlled and through which they account to and engage with their communities.

Good governance enables the Police and Crime Commissioner (PCC) to:

- Deliver on their vision and priorities for policing and crime
- Hold the Chief Constable to account and performance manage the Force
- Hold individuals to account for delivery
- Make decisions in an open transparent way
- Engage with the public and victims of crime to achieve better outcomes
- Provide good stewardship over public funds and achieve value for money

The Chief Constable and PCC have agreed to work together through the principles of trust, openness, professionalism and good will. In addition the Chief Constable is responsible for providing a range of services and information to enable the PCC to discharge their legal responsibilities and deliver against the Police and Crime Plan objectives, targets and actions.

The PCC as a corporation sole has a statutory duty and electoral mandate to hold the police to account on behalf of the public. The PCC has sworn an oath of impartiality. This oath makes a commitment to serve local people without fear or favour and they set out their public commitment to performing their role with integrity, impartiality and fairness.

The PCC is the recipient of all funding, including the government grant and precept and other sources of income related to policing, crime reduction and all funding for a Force must come via the PCC. How this money is allocated is a matter for the PCC in consultation with the Chief Constable and in accordance with any grant terms. The Chief Constable will provide professional advice and recommendations.

The principle activity of the PCC is to be responsible for the totality of policing, including setting strategic direction and holding the Chief Constable to account for the delivery of effective and efficient policing. The PCC also has other responsibilities and obligations in respect of the wider criminal justice services, victims services, equalities and diversity, safeguarding children and community safety.

The Chief Constable as a corporation sole is responsible for maintaining the Queen's peace and for the direction and control of the Force's police officers and police staff. The Chief Constable is accountable to the law for the exercise of police powers, and to the PCC for the delivery of efficient and effective policing, and management of resources and expenditure by the Police Force.

The principle activity of the Chief Constable is the delivery of effective and efficient policing. The Chief Constable is responsible for ensuring that the Force is able to deliver its obligations under the strategic policing requirement. The Chief Constable has operational independence and is answerable to the Law.

The purpose of this joint Scheme of Corporate Governance is to set out how the PCC and the Chief Constable conduct their organisations, both jointly and separately in accordance with the Statutory Framework, Principles of Good Governance and Governance Framework as contained in the Statement of Corporate Governance, by identifying the key enablers which underpin the seven Good Governance Core Principles¹ as adapted by the PCC and the Chief Constable.

Importantly, it also provides an appropriate level of control and flexibility to enable the Chief Constable to make timely, efficient and effective operational decisions.

¹ CIPFA/SOLACE DELIVERING GOOD GOVERNANCE 2016

1. Working Together Agreement

The PCC and Chief Constable have agreed to work together in co-operation to ensure the effective and efficient delivery of policing services. Notwithstanding their separate legal entities as corporation soles it is acknowledged that they have such interdependence as to require the sharing of significant areas of business support. Indeed, Section 2 (5) of the PRSR Act provides:

“A Chief Constable must exercise the power of direction and control in such a way as is reasonable to assist the relevant Police and Crime Commissioner to exercise the Commissioner’s functions.”

The sharing of business support functions for example Finance/Payroll, HR, ICT, Data Protection Officer, Performance, Procurement etc. is not regarded as the provision of services by one to the other but rather a co-operative arrangement for the effective delivery of business support essential to the operation of both corporation sole. At all times, each will operate to the general principle of reasonableness, providing shared services and policy support where appropriate. The provision of business support by the Chief Constables to the PCC is to be funded from the budget provided by PCC rather than under any separate arrangement or service level agreement.

There is no intention on to create enforceable private law rights or liabilities in relation to the provision of business support. However the Chief Constable has agreed to consult with the PCC on any structural staffing changes that might impact on the working together arrangements and the provision of support services to OPCC.

The Chief Constable and PCC will hold weekly bi lateral meetings. These meetings will focus on review of performance; efficiency and effectiveness of the Force, together with the provision of adhoc briefings as requested by the PCC and Chief Constable. These weekly meetings form the basis of a positive working relationship between the Force and the OPCC.

The PRSR Act 2011 automatically transferred land, assets, liabilities, contracts, legal proceedings and employed staff to the PCC. The second stage transfer has been agreed as a Maximum Transfer model of all police staff from Operational Frontline, Operational Support and Business Support functions to transfer to the employ of the Chief Constable, with an agreement for additional business support to the NOPCC for strategic finance and planning. The PCC is the owner of all assets (property, ICT, fleet and equipment) including land.

In the spirit of working together in partnership to achieve good governance, the Chief Constable will provide information on efficiency savings and implementation to the PCC. He/She will provide regular updates and briefings on delivery of value for money policing which will include external and internal audit, reviews and inspections.

The Chief Constable will provide access to Learning and Development for the PCC and his/her office on request of the PCC with anything over and above the generic requirements of employees to be paid for by the NOPCC.

The PCC and Chief Constable attach the greatest importance to safeguarding the health and safety and welfare of all its Police Officers, Police Staff and Volunteers whilst at work and other person who may be directly affected by its activities. The PCC and the Chief Constable have a joint Health and Safety Policy Statement and will

make available adequate financial and physical resources to ensure legal duties are met.

Facilitation of an effective working relationship between the OPCC and the Force is the responsibility of both parties. Information sharing and services will be a regular standing item for the CEO with the Deputy Chief Constable at their regular meetings.

It is expected that most issues which arise, will be resolved through informal discussions with colleagues. Where it is not possible to resolve an issue through these means it should be escalated to the CEO and the Deputy Chief Constable.

Legislative Context

The principal statutory framework within which the corporation's sole will operate is:

- Police Reform and Social Responsibility Act 2011
- Policing Protocol Order 2011
- Financial Management Code of Practice (Home Office, 2013)
- Strategic Policing Requirement
- Data Protection Act 2018
- Freedom of Information Act 2000
- Elected local policing bodies (specified information order) places a specific legal duty on the Commissioner to publish information.
- Equality Act 2010
- Health and Safety at work regulations and codes

Principles

- Behave with integrity, demonstrate strong commitment to ethical values and respect the rule of law
- Ensure openness and comprehensive stakeholder engagement
- Define outcomes in terms of sustainable economic, social and environmental benefits
- Develop the entity's capacity, including the capability of its leadership and the individuals within it
- Manage risks and performance through robust internal control and strong public financial management
- Determine the interventions necessary to optimize the achievement of the intended outcomes
- Implementing good practices in transparency, reporting and audit to deliver effective accountability

Instruments of Governance

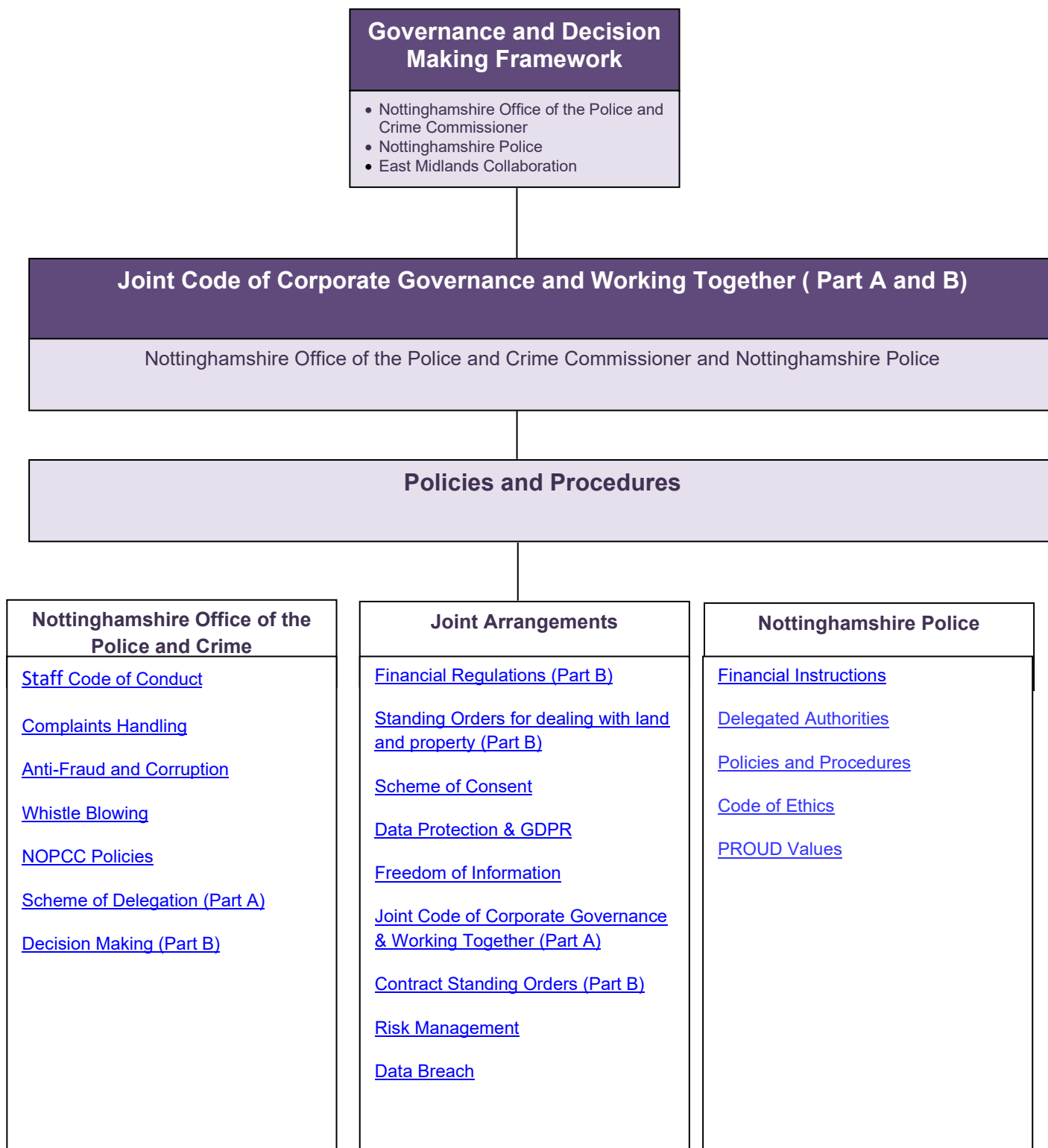
The joint corporate governance framework within which both corporation soles will govern, both jointly and separately will consist of two main documents (Part A and Part B) :

- Code of Corporate Governance: sets out how the core principles of good governance are implemented in the OPCC and the Force

- Scheme of Consent: sets out the extent of, and any of the conditions attaching to the PCC's consent to the Chief Constable's exercise of powers
- Scheme of Delegation: sets out the delegation of responsibility from the PCC to his staff and delegation from the Chief Constable to his own staff in the exercise of their statutory responsibilities
- Financial Regulations
- Contract Standing Orders
- Joint Risk Management policy

Framework

The following diagram provides the framework for the instruments of governance outlined above.



2. Code of Corporate Governance

The Code of Corporate Governance sets out the ways in which the PCC and the Chief Constable implement the seven principles of good governance contained within the 2016 Delivering Good Governance Framework: Guidance Notes for Policing Bodies.

Principle One: Behave with integrity, demonstrate strong commitment to ethical values and respect the rule of law

There is an expectation that the relationship between all parties will be based on the principles of goodwill, professionalism, openness and trust. The Policing Protocol requires all parties to abide by the seven principles of public life (the Nolan Principles) and these are central to the behavior of everyone in the organisation.

The Police and Crime Plan outlines the PCC's police and crime priorities, outcomes and strategic direction for the policing of Nottinghamshire. The Chief Constable's Force Delivery framework sets out how the Chief Constable will deliver the objectives. These plans have been developed in consultation with the local communities and other key stakeholders.

The PCC and Chief Constable ensure that the good governance principles are embedded in the way organisations operate by adhering to the Financial Management Code of Practice (Home Office 2013).

Operating principles and values are demonstrated, communicated and embedded through appropriate policies and processes which are reviewed on a regular basis, for example:

- Anti-fraud and corruption procedures
- Handling of complaints arrangements
- Whistleblowing policies

Core values are embedded in the way the force and the PCC operate. Staff are aware of the standards expected of them and the importance of the national Code of Ethics.

Principle Two: Ensure openness and comprehensive stakeholder engagement

The PCC is accountable to local people and draws on this mandate to set and shape the strategic objectives for the force area in consultation with the Chief Constable, taking into account the strategic policing requirements.

The PCC and Chief Constable have arrangements for effective engagement with community groups, victims and other key stakeholders. Arrangements are in place to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the PCC including the use of website and social media.

The PCC maintains a strong working relationship with the Police and Crime Panel, constituent local authorities and other relevant partners.

The Decision Making Framework set out in this document provides the principles and guidance for how decisions will be taken by the PCC and the Chief Constable to ensure that decision making is informed and transparent, and subject to scrutiny and risk management arrangements.

The PCCs website contains the means by which the public may obtain information on decisions made by the PCC, except for decisions constrained by operational and legal constraints exist.

Principle Three: Defining outcomes in terms of sustainable economic, social and environmental benefits

Under the Police Reform and Social Responsibility Act 2011, the PCC has to issue a police and crime plan which defines the police and crime objectives (outcomes) and the strategic direction for policing. Each corporation sole has regard to the plan, and the PCC has regard to the priorities of the responsible authorities during its development.

The Policing Plan sets out how the Chief Constable will deliver the objectives. These plans have been developed in consultation with the local communities and other key stakeholders.

Collaboration and partnership arrangements set out those areas of business to be jointly undertaken with other forces or local partner organisations in order to reduce costs, increase capacity and/or increase resilience to protect local people.

The Medium Term Financial Plan is jointly developed and reviewed by the PCC and Chief Constable to support delivery of the common goals and objectives. The joint finance regulations ensure proper financial management.

The PCC has developed a commissioning and award of grants framework outlining commissioning intentions and priorities.

The PCC and Chief Constable have in place a range of complaints protocols to provide clarity over arrangements to respond to the breadth of concerns raised by local people, whether they be allegations of organisational or individual failures/concerns. This is intended to complement other statutory arrangements.

Principle Four: Develop the entity's capacity, including the capability of its leadership and the individuals within it.

The People Strategy sets out the strategic HR priorities for the OPCC and the force. It also supports and aligns with the strategies of collaborative partners.

The OPCC and the Force adopts the Guiding Principles for Organisational Leadership, as advocated by the College of Policing and the National Police Chief's Council to continuously develop the capability of its leadership.

Workforce Design ensures that staff have the appropriate skills knowledge, resources and support to fulfill their roles.

Principle Five: Manage risks and performance through robust internal control and strong public financial management

The PCC and Chief Constable's Decision Making Framework sets out the principles behind how decisions will be taken to ensure an informed and transparent approach.

The national decision making model will be applied towards spontaneous incidents or planned operations, by officers and staff within the force as individuals or teams and to both operational and non-operational situations.

The scheme of governance highlights the parameters for decision making for the organisations, including the delegations, consents, financial limits and standing orders for contracts.

The joint PCC/Force risk management strategy and policy sets out how risk is managed throughout the various elements of corporate governance of the organisations.

Principle Six: Determine the interventions necessary to optimise the achievement of the intended outcomes

The PCC and the Chief Constable maintain a medium term financial strategy which forms the basis of annual budgets and provides a framework for evaluating future proposals.

Analysis and evaluation of plans are undertaken in relation to service outcomes and benefits realisation.

Processes are in place to monitor efficiency and value for money.

Officers, police support staff and staff of the OPCC operate within:

- OPCC or force policies and procedures
- The joint code of corporate governance
- Code of ethics (College of Policing, 2014).

Principle Seven: Implementing good practices in transparency, reporting and audit to deliver effective accountability

The PCC and Chief Constable's functions are set out in the Police Reform and Social Responsibility Act 2011. The functions are undertaken in line with the Policing Protocol Order 2011 in order to achieve the outcomes of the police and crime plan.

As required by the 2011 Act, the PCC has appointed a Chief Executive who will act as head of paid service and undertake the responsibilities of monitoring officer.

Both the PCC and the Chief Constable have appointed Chief Financial Officers. The responsibilities of the CFO's for both the PCC and the Chief Constable are clearly set out in line with the Financial Management Code of Practice (Home Office, 2013).

A Joint Independent Audit Committee operates within the CIPFA guidance and in accordance with the Financial Management Code of Practice.

A programme of internal audit is commissioned and undertaken which reflects published guidance on standards.

3. Roles & Responsibilities

Key Role of the Police and Crime Commissioner

The legal powers and duties of the PCC are established by legislation and are summarised within the Policing Protocol Order 2011. This Scheme does not seek to list all statutory duties of the PCC.

The key roles of the PCC are:

- To hold the Chief Constable to account on behalf of the public for the performance of the Force
- To be the recipient of all funding related to policing
- Publish every four years a Police and Crime Plan.

The production and publishing of the Police and Crime Plan is a core statutory planning requirement as defined by the Police Reform and Social Responsibility Act 2011. The Plan sets out the resources and assets that the Commissioner will make available to the Chief Constable for policing and the mechanisms by which the Chief Constable will report on performance and be held to account.

- Secure the maintenance of an efficient and effective police force for Nottinghamshire
- Set the budget, determine the level of precept and allocate funds and assets (including the allocation of such assets and funds to particular functions) to the Chief Constable
- Ensure that the Chief Constable puts the appropriate measures and resources in place to secure strong financial management
- Appoint, suspend and if necessary remove the Chief Constable
- Enter into collaboration agreements that improve the efficiency and effectiveness of policing for one or more police force, 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)
- Enter into collaborations, partnerships and contracts with other parties other than police forces
- Hear the voice of the public and act on their concerns
- Publish information specified by the Secretary of State and any information the PCC considers necessary to enable the people of the force area to assess performance
- Produce an annual report to the Police and Crime Panel on delivery against the Police and Crime Plan
- Monitor all complaints made against officers and staff, having responsibility for complaints against the Chief Constable
- Make Crime and Disorder Reduction Grants
- Ensure the delivery of services for victims within their area
- Have oversight of the delivery of community safety and crime reduction in the area
- Have responsibility for the enhancement of the delivery of the criminal justice system in their area
- Appoint a Chief Executive and Chief Finance Officer to ensure the appropriate management of staff and budgets on behalf of the PCC
- Approve any requests for financial assistance to officers in legal proceedings.

To deliver these functions, the PCC will, where necessary or appropriate:

- Commission services to be provided by the Force for the public, specifying clearly what functions the Force will be required to provide as part of the allocation of assets and funds to the Chief Constable

- Commission other providers to provide any function required to deliver services to the public to discharge the PCC's statutory duties
- How this operates in practice is set out in the OPCC Commissioning Framework, which is available on the Commissioner's website. This framework will be reviewed appropriately in line with budget and precept considerations.

Key Role of the Chief Constable

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 PCC.

The Chief Constable is accountable to the law for the exercise of police powers and to the PCC for the delivery of an efficient and effective police force, including for the management of resources and expenditure by the Force. At all times the Chief Constable, their constables and staff, remain operationally independent in the service of the communities they serve.

The key statutory roles, as defined by the Police Reform and Social Responsibility Act 2011 and Policing Protocol Order 2012 of the Chief Constable are:

- To appoint the Force's officers and staff (after consultation with the PCC in the case of officers above the rank of Chief Superintendent and police staff equivalents)
- To lead in the Force in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts impartially
- To provide the PCC with access to information, officers and staff as required
- To support the PCC in the delivery of the strategy and objectives set out in the Police and Crime Plan
- To have regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of the Force's national and international policing responsibilities
- Notifying and briefing the PCC of any matter or investigation which they may need to provide public assurance either alone or with the PCC
- To be the operational voice of policing in the Force area, and to regularly explain to the public the operational actions of officers and staff under their command
- To enter into collaboration agreements with other Chief Constables, other policing bodies and partners that improve the efficiency and effectiveness of policing, subject to the formal agreement of the PCC
- To remain politically independent of the PCC
- To manage all complaints against the Force, its officers and staff, except in relation to the Chief Constable, and to ensure that the PCC is kept informed to enable them to discharge their statutory obligations in relation to complaints in a regular, meaningful and timely fashion.
- To ensure that serious complaints and conduct matters are passed to the Independent Office of Police Conduct (IOPC)

- To exercise the power of direction and control in such a way as is reasonable to enable the PCC to have access to all necessary information and staff within the Force
- To oversee and be accountable for the financial management of the Force within the framework of the agreed budget allocation and levels of authorisation issued by the PCC

4. Scheme of Consent and Delegation

The Scheme of Consent and Delegation is a key component within the Joint Code of Corporate Governance and Working Together document. It details the key roles of the PCC and Chief Constables and sets out the activities which the Chief Constable is able to act in his/her own name, through the consent of the PCC. Consent refers to the formal approval or agreement by the PCC for the Chief Constable to enter into certain transactions in the Chief Constable's name, as opposed to the name of the PCC.

This Scheme of Consents and Delegation is a record of the formal consents and delegations as required by the Home Office Financial Management Code of Practice (2013). With the exception of those matters listed in the section '**Matters that cannot be delegated**' by the PCC as determined by law at the bottom of page 14. The Scheme allows any person, with appropriate authority, to delegate that power further. Any such sub-delegation does not relieve the person who has sub-delegated a power from due responsibility for any decision taken by a person they have authorised to act on their behalf.

The PCC has the discretion to limit and/or withdraw the powers consented or delegated by them at any time, provided that the reasons for doing so are documented in writing.

The PCC may ask that a specific matter is referred to them for a decision and not dealt with under powers of delegation.

The PCC must be advised of any policing and crime matter which may have a significant impact, as defined within the decision making framework in this document.

The Scheme does not prevent an individual from referring a matter to the PCC for a decision if the individual thinks this is appropriate. For example, these may be due to their novel, contentious nature or may be potentially repercussive.

The PCC expects anyone exercising consented or delegated powers under this Scheme to draw their attention to any issue which is likely to be regarded by them as novel, contentious or potentially repercussive before exercising such powers. This includes any potential financial liability.

In this document, all references to specific roles include those authorised by them to act on their behalf.

The Chief Executive (who is the Monitoring Officer and Head of Paid Service) and the Chief Finance Officer of the PCC have statutory powers and duties relating to their positions, and therefore do not rely on matters being delegated to them to discharge those responsibilities.

Individuals are responsible for ensuring that members of staff and police officers they supervise are aware of and understand provisions and obligations of this Scheme.

This scheme provides an officer with the legal power to carry out duties of the PCC. In carrying out these duties, the officer must comply with all other statutory and regulatory requirements and relevant professional guidance, including those listed at paragraph

When carrying out any duties, the PCC and any officers named in this Scheme must have regard to:

- The Police and Crime Plan
- Any report or recommendations made by the Police and Crime Panel on the annual report for the previous financial year.

The following sections set out further detail on delegations and consents including those matters not to be delegated or consented to the Chief Constable or the Chief Executive and the Chief Finance Officer of the Office of Police and Crime Commissioner.

Matters that cannot be delegated by the PCC

The Police Reform and Social Responsibility Act 2011 makes provisions for the PCC to appoint a deputy to undertake any functions of the PCC with the exception of:

- Approving and issuing the Police and Crime Plan
- Appointing, suspending and removing the Chief Constable
- Approving the budget requirement for the purpose of issuing a precept

There is no deputy PCC at Nottinghamshire PCC and therefore there are no delegations for this role included within this scheme. The policy in this area will be reviewed on appointment of a deputy PCC.

The Police Reform and Social Responsibility Act 2011 makes provision for the PCC to appoint other staff to carry out their functions. In addition to those functions listed at 3.2 which cannot be delegated to staff, the following are also defined in the Act as being matters that cannot be delegated:

- Determining the police and crime objectives in the Police and Crime Plan
- Attendance at the Police and Crime Panel for specified duties
- Approving the annual report to the Police and Crime Panel

In addition, the PCC, except in exceptional and urgent circumstances, will not delegate decisions of significant public interest.

Should the PCC be unable to act for any reason, the Police Reform and Social Responsibility Act 2011 makes provisions for the Police and Crime Panel to appoint an acting PCC and subsequently, should the PCC be unable to return to their duties, a by-election would be triggered.

Should any decision be required of the PCC whilst unable to act and prior to the Police and Crime Panel meeting to appoint an Acting PCC, the delegated powers extend to the Chief Executive and Chief Finance Officer within this Scheme.

Functions Consented to the Chief Constable

In addition to the statutory duties of the Chief Constable (as outlined in the Police Reform and Social Responsibility Act 2011 and Policing Protocol Order 2011), the PCC can give consent to functions being undertaken by the Chief Constable in their own name and as a separate legal entity.

Chief Constable's functions

The statutory restriction on delegation does not prevent the Chief Constable carrying out functions in their own right. That is a wide-ranging power: in addition to broad functions of keeping the peace and enforcing the law, the Chief Constable also has the power "to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of [his] functions" (paragraph 7(1), Schedule 2 PRSR Act 2011). This Scheme also deals with the ways in which certain functions of the Chief Constable will be exercised in such a way as is reasonable to assist the PCC to exercise his functions. For the avoidance of doubt, these are not delegations from the PCC. Nothing in this scheme is intended to fetter the Chief Constable's operational independence.

Consents to Chief Constable

Chief Constables are responsible for maintaining the Queen's peace and have direction and control over their Force's officers and staff. Under the Police Reform and Social Responsibility Act 2011 Chief Constables are a corporation sole. Chief Constables are accountable for the exercise of police powers and to Commissioners for the delivery of efficient and effective policing. They also have responsibility for the management of resources and expenditure in line with this Corporate Governance Framework and the budget approved by the PCC on an annual basis.

The Chief Constable is responsible for ensuring that the staff and officers under their direction and control are fully aware of all the provisions and obligations of this scheme.

Chief Constables will notify and brief the PCC of any matter or investigation relating to the delivery of the Police and Crime Plan on which he/she may need to provide public assurance either alone or with the PCC (all Police and Crime Commissioners will be designated as Crown Servants under the Official Secrets Act 1989(a) making them subject to the same provisions in relation to sensitive material as Government Ministers).

Complaints

The Chief Constable will manage complaints against the Force, its officers and staff in accordance with the statutory complaints procedure. The Chief Constable will ensure that the PCC is kept informed to enable the discharge of their statutory obligations in relation to complaints in a regular, meaningful and timely fashion. Serious complaints and conduct matters must be passed, jointly or severally, to the Independent Office of Police Conduct (IOPC). Currently the complaints system is under reform and the future it is expected that the PCC will have a greater responsibility for dealing and managing public complaints.

Financial

The Chief Constable will ensure that financial affairs for their force is properly administered having regard to value for money, probity, legality, and appropriate standards, with particular reference to the Financial Regulations and contract standing orders agreed by the PCC as set out in Part B of Joint Code of Corporate Governance and Working Together document.

Budgets

The Chief Constable will agree with the PCC their annual revenue (at detailed objective and subjective level) and capital budgets. These set out an upper limit of approved revenue and capital expenditure over a given budget period and are the basis for monitoring and any variations. The Chief Constable may not spend over these budget limits without the prior written approval of the PCC. They must not make any future financial commitments without the written approval of the PCC.

Debt Write Offs

The PCC must approve in writing all debt write offs above the sum identified in the Financial Regulations.

Contract and Assets

The Chief Constable may not acquire any freeholds or leaseholds or interests in land whatsoever and may not grant any property lease or land lease or grant any interest in land whatsoever without the clear, prior written approval and seal as required of the PCC.

The Chief Constable may not dispose of property or interests in land or property without the clear, prior written consent of the PCC. .

The PCC will hold all fixed assets and consents to the Chief Constable's free and unfettered access to, and full operational use of such assets as to enable him/her to meet the responsibilities set out above and any others agreed with PCC. All income due from the disposal of non-current assets will be due to the PCC.

The PCC will approve an annual capital programme and all capital expenditure incurred during the year must be in line with the approved capital programme unless otherwise agreed with their PCC.

All contracts shall be in the name of the PCC. The PCC consents to the signing of contracts in line with the Financial Regulations and contract standing order.

The PCC consents to the Chief Constable permission for the day to day financial management of the Capital programme within the authorised limits set out in the Financial Regulations applicable to this Scheme.

The PCC consent permission to the Chief Constable for the daily management and operation of all contracts within the limits set out in the Financial Regulations and contracting standing orders applicable to this Scheme. This consent includes permission to undertake all steps necessary to prepare contracts up to the approval stage, sign the contract when it is within the agreed limits, pass to PCC for approval when limits are exceeded and to utilise the contract once entered into.

Personnel, HR, Payroll and Pensions

The Chief Constable will manage personnel, HR, payroll and pensions in accordance with the applicable local Scheme of Governance unless alternative arrangements are agreed, in consultation, with the PCC and their CFO.

Urgent Matters

If any matter which would normally be referred to a PCC or Deputy PCC (if appointed) for a decision then the matter will be dealt with in accordance with the 'Urgent Matters' provisions in the respective Commissioner Scheme.

Insurance

Undertake the day to day management of the insurance function in line with the strategic approach to insurance approved by the PCC and their CFO on an annual basis.

Procurement

Any procurement process, contract or agreement may only be entered into in accordance with this scheme of consent and where required with the express, prior, written agreement of the PCC to a final business case.

Undertake the day to day management of the procurement function in accordance with the contract regulations. All contracts let will be in the name of the PCC.

The approval of sensitive contract exemptions or exemptions above the relevant EU tender limit in total lifetime value require the prior written agreement of the PCC.

Land and Property

The Chief Constable's Head of Estates will undertake the day to day management of the estates function subject to these provisions and subject to the provisions of the financial regulations.

The Chief Constable's Head of Estates will keep a register of all property and major assets owned by the PCC or leased by him/her showing costs and the annual valuations in such a manner to allow publication individually by the PCC and have this available for inspection at reasonable notice by the PCC or by the PCCs Chief Executive Officer or Chief Finance Officer. The estates strategy for the force is the responsibility of the PCC.

Functions delegated to the Chief Executive of the Office of the PCC

The Chief Executive is the most senior officer of the OPCC and is the Head of Paid Service. This statutory appointment is made under Schedule 1 to the Police Reform and Social Responsibility Act 2011. For the purposes of section 5(1) of the Local Government and Housing Act 1989 (as amended by Reform and Social Responsibility Act 2011) the Chief Executive is designated as the body's monitoring officer with responsibility for ensuring the legality of the actions of the policing body and its officers.

There are two roles that the Commissioner must appoint, the CEO and the CFO, and these roles cannot be combined.² The CEO will also act as the Monitoring Officer, reporting to the PCC if it appears that any proposal, decision or failure constitutes, has given rise to, or is likely to break the law or a code of practice. The CEO will work with the PCC to deliver the Police and Crime Plan's vision, strategy and identified priorities.

The CEO will make sure that the NOPCC is led effectively through ongoing management and public involvement. The CEO will also help make sure that the Force's activities are appropriately governed and scrutinised.

The PCC has a legal duty to give the CEO the staff, accommodation and other resources which are needed so that they can carry out their duties. The Monitoring Officer is under a personal legal duty to report on proposals, decisions or omissions which is a contravention of any enactment or rule of law.

The formal delegations are as follows:

- Take day to day action to ensure the efficient and effective management of the Office of the PCC, including the appointment or dismissal of all staff and volunteers with the exception of the Deputy PCC where appointed.
- Ensure the discharge of the PCC's functions, with the exception of those matters identified in the scheme that cannot be delegated by law, giving effect to the decisions and direction of the PCC
- Prepare the Police and Crime Plan, consulting with the Chief Constable, for submission to the PCC
- Prepare an Annual Report for submission to the Commissioner for the Commissioner to fulfil his statutory duty to report annually on progress against the Police and Crime Plan to the Police and Crime Panel
- Provide information to the Police and Crime Panel as lawfully and reasonably required to enable the Panel to carry out its functions
- To make financial and contractual decisions as outlined in the Financial Regulations and Contract Standing Orders.
- To oversee the way that complaints against officers and staff within Nottinghamshire Police are managed so this is efficient and effective and to advise the PCC on this basis.
- To fix fees for copies of documents and extracts of documents requested under the Freedom of information Act 2000, or the Data Protection Act 1998, or otherwise
- To make recommendations to the PCC with regard to staff terms and conditions of service in respect of the PCC's staff

² The Commissioner must appoint a person to be the head of the Commissioner's staff (referred to as the Commissioner's Chief Executive) to act as the head of the body's paid service under Section 4 of the Local Government and Housing Act 1989.

- To administer the Independent Custody Visitors (ICV) Scheme and any other volunteer schemes including the appointment, suspension and removal of custody visitors and other volunteers.
- To obtain legal or other expert advice in matters pertaining to the OPCC.
- To commence, defend, withdraw or agree financial settlements of all claim or legal proceedings where required, on the PCC's behalf in consultation with the PCCCFO. To consider, with the PCC, any complaint made against the Chief Constable, and where appropriate, to make arrangements for appointing an officer to investigate the complaint.
- To respond to consultations on proposals affecting the PCC.
- To ensure that appropriate arrangements are in place to gather community's views on policing and crime in Nottinghamshire.
- To ensure compliance with the requirements for publication of all aspects of the Local Policing Bodies (Specified Information Order 2011).
- To decide on whether any information to support a decision taken by the PCC and published by Executive Order should be exempt from being published under the exemptions contained within the Local Government Act 1972 – Schedule 12A.
- To make recommendations to the PCC on Police Pension forfeiture in accordance with the policy.
- In the absence or unavailability of the Commissioner's Chief Finance Officer to sign contracts, leases and make other urgent financial decisions in accordance for Financial Regulations and Contract Standing Orders.
- Approve all requests for financial assistance to officers and staff involved in legal proceedings or inquests except those felt to be significant because:
 - They involve a high profile claimant
 - There is a particular public interest in the case
 - There is a real risk that the Commissioner or the Force will be exposed to serious public criticism or serious weaknesses in the organisation or policies and procedures will be revealed.
- To approve exceptional cases in the provision of police advice and assistance to international agencies, because the full cost is £4,000 or more (including air flights, accommodation and salary costs of the police officer or member of staff); and it is a sensitive case involving travel to a politically sensitive country.
- To order goods and services and spend on tenders for goods and services provided for the revenue budget.
- To ask for and accept quotations and tenders for goods and services provided for the revenue budget.
- To manage any complaint against staff under the direction and control of the CEO.

- To undertake the management of staffing resources for all staff employed by the Commissioner (and not under the direction and control of the PCC in line with agreed policies and procedures (including issues such as creating and appointing staff, restructuring, re-grading, discipline, grievances and job evaluation etc)).

Functions delegated to the Chief Finance Officer of the PCC

The Chief Finance Officer is the financial advisor to the PCC and has statutory responsibilities as set out in Section 151 of the Local Government Act 1972, sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2011. He/she must ensure that the financial affairs of the PCC are properly administered having regard to probity, legality and relevant standards

The Financial Regulations set out the responsibilities of the Chief Finance Officer. These are contained in part B of Corporate Code of Governance and Working Together.

The Chief Finance Officer must:

- Be a key member of the PCC's Leadership Team, working closely and supporting with the Chief Executive
- Be actively involved in and able to bring influence to bear on, all strategic business decisions of the PCC
- Lead the promotion and delivery by the PCC of good financial management so that public money is safeguarded at all times and used appropriately
- Ensure that the finance function is fit for purpose

Functions delegated to the Chief Finance Officer of the PCC includes:

- 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
- To approve the arrangement and preparing the PCC's accounts and annual governance statement (AGS)
- To approve the opening of all bank accounts
- To undertake financial management of the PCCs budget in accordance with the Financial Regulations
- To commit expenditure within the approved budget to meet the policies and objectives agreed with the PCC and reflected in the Policing Plan
- To manage grants awarded to the PCC
- To prepare, from time to time, draft financial and contract regulations, in consultation with, and having due regards to the view of the Force, for approval by the PCC.
- To act as the money laundering officer under the Proceeds of Crime Act 2002, and Money Laundering Regulations 2003 or other appropriate legislation from time to time in force

- To make financial and contractual decisions as outlined in the Financial Regulations and Contract Standing Orders.
- To sign all contracts on behalf of the Police and Crime Commissioner in accordance with the delegated limits specified in the Contract Standing Orders within this Scheme.
- To affix the common seal of the Nottinghamshire PCC to all contracts, where any of the following applies:
 - Agreements or transactions in respect of which there is no consideration
 - That relate to the provision of goods and services by the PCC to another body
 - That are £181,302 (upper threshold of EU Procurement limit) 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 PCC that there is a particular need for the seal to be attached
 - Where any of the contracting parties require it
- To consider, in consultation with the CEO whether to provide indemnity to the PCC and to deal with or make provision to deal with other matters arising from any proceedings relating to them.
- To consider and approve, in consultation with the CEO provision of indemnity and/or insurance to individual staff of the PCC in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004.
- To ensure compliance with the responsibilities of the PCC as the Pension Supervising Authority for the Chief Constable's Pension.

Urgent Matters

If any matters which would normally be referred to either to the PCC (or Deputy PCC) for a decision arises and cannot be delayed, the matter may be decided by the appropriate statutory officer. The statutory officers are the Commissioners Chief Executive and Chief Finance Officer. Urgent decisions taken must be reported to the Commissioner within 24 hours or as soon as practically possible.

Delegation to the Chief Finance Officer of the Chief Constable

The Chief Constable must appoint a person to be responsible for the proper administration of the Force's financial affairs, in accordance with the Financial Management Code of Practice, as issued by the Home Office. There is a statutory responsibility for the post holder to manage the Force's financial affairs, in accordance with sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2003(as amended).

- The detailed financial management responsibilities of the Chief Constable's Chief Finance Officer, which includes a number of delegated powers, are set out in the financial regulations.
- The Chief Constable's Chief Finance Officer is also the Chief Constable's nominated s151 officer.
- Chief Constable's Delegations to the Chief Finance Officer includes:
- To ensure that the financial affairs of the Nottinghamshire Police are properly administered having regards to probity, legality, financial regulations and appropriate standards.
- To plan the Force's budget in conjunction with the PCC's CFO.
- To approve arrangements for securing and preparing the financial accounts for the Force, including preparation of the Annual Governance Statement (AGS)
- To be responsible for the day to day management of the budget delegated to Nottinghamshire Police in accordance with financial regulations.
- To approve all agreements for the provision of non-policing services to other organisations within the Force area in line with the financial regulations, This does not apply to provisions of mutual aid by the Chief Constable to another Force under section 24 of the Police Act 1996, or the provision of advice of assistance to international organisations under the Police Act 1996, which are operational matters. However, these are subject to consultation with the PCC.
- To approve the award of contracts which are for the supplies or services for any matter required to facilitate the running of the Police Force and within the delegated limits specified within the contract standing order and financial regulations.

Delegation to the Head of Legal Service

The delegations below are a record of those formal delegations granted by the PCC to the Head of Legal Services, which are in effect at the time of the publication of this scheme.

The Head of Legal Services may make the following decision **subject to the PCC** when the decision is taken:

Where it is considered necessary to settle a claim, the following authorisation levels (subject to paragraphs 2 to 4) will apply:-

- Claims with a settlement value for damages and costs of up to £10,000 – Head of Legal Services or Deputy Head of Legal Services
- Claims with a settlement value for damages and costs in excess of £10,000 – in cases against a Chief Constable, the Deputy Chief Constable; and in cases against the Commissioner that Commissioner’s Chief Executive or Chief Finance Officer. Where a claim relates to a regional unit, such as EMSOU, authority will be sought from the Deputy Chief Constable (East Midlands).

The settlement of any claims arising out of an Employment Tribunal, regardless of value, will require the authorisation of the Chief Executive or ACPO Lead for Legal Services of the relevant Force Deputy Chief Constable.

The Chief Executive or ACPO Lead for Legal Services of the relevant Force will be responsible for notifying and providing an on-going briefing to the Chief Constable and Police and Crime Commissioner of any claim they consider

- Involves a high profile claimant; and/or
- Has a particular public interest
- There is a real risk that the PCC or the Force will be exposed to serious criticism or serious weaknesses in the organisation or policies and procedures will be revealed; and/or
- Is likely to result in the payment of damages of over £100,00

The deputy Chief Constable or the Commissioner’s Chief Executive will be responsible for securing the necessary approvals from the Chief Constable and/or PCC.

Authorisation for the settlement of any claim which falls within a category set out at paragraph 2 to 4 above will be required from the Police and Crime Commissioner and Chief Constable. The Chief Executive or Deputy Chief Constable will be responsible for gaining any necessary approval.

Institute, defend or participate in legal actions to protect the interests of the Force and Commissioner.

5. Arrangements for the Review of Governance

The following arrangements are in place to review the effectiveness of Governance:

Self-assessment

Using the Framework of the six principles of Good Governance, the PCC and Chief Constable will regularly test the structure of governance by carrying out a thorough and wide ranging self-assessment which will inform the Annual Governance Statement. From time to time the PCC and Chief Constable will commission internal audit to commission an independent review of the different aspects of governance, such as risk management, commissioning, decision making and core financial controls.

Annual Governance Statement

As separate corporations sole, both the PCC and the Chief Constable are required to produce Annual Governance Statements, in order to provide assurance of their respective compliance with the Code. The Joint Audit and Scrutiny Panel will review the draft Annual Governance Statement in June / July of each year. This will be finalised and published with the Annual Statement of Accounts, which have to be published by the 30 September each year.

The PCC and the Chief Constable's Annual Governance Statements will include action to rectify any significant areas of weakness in corporate governance. The statements will be signed by the Commissioner, the CEO, the Chief Constable and the Commissioner and Chief Finance Officer respectively.

The Police and Crime Panel

The Police and Crime Panel are responsible for reviewing and scrutinising the Commissioner's exercise of their statutory functions. The Panel does not scrutinise the Chief Constable, this is the role of the PCC. While the Panel is there to scrutinise the PCC, it must also exercise its functions with a view to reviewing the proposals for the amount of council tax, considering the Annual Report and appointment of a new Chief Constable and investigating complaints about the PCC.

Joint Audit and Scrutiny Panel

In accordance with the Financial Management Code of Practice for the police service issued by the Home Office, the Commissioner and Chief Constable have established a Joint Audit and Scrutiny Panel. This Panel will advise the Commissioner on matters relating to external or internal audit assessment. They also perform a scrutiny function relating to the PCC's business.

Strategic Resources and Performance Meetings

The Strategic Resources and Performance meetings take place every two months and are held at various venues around Nottingham and Nottinghamshire. These meetings are where the PCC publically holds the Chief Constable to account on the performance of the Force and make decisions. These meetings are open to the public to attend to observe how the PCC discharges his/her statutory role.

Chairs of Strategic Partnership Meeting

These meetings are held quarterly and are not open to the public. These meetings involved the Chairs of Strategic Partnerships such as District Community Safety Partnerships, Safeguarding boards and Youth Offending Service boards to enable good communication and best practice to develop between organisations across Nottingham and Nottinghamshire.

Internal Audit

The primary role of Internal Audit is to give assurance to the PCC and Chief Constable, on the effectiveness of internal controls and arrangements for risk management and good governance. Following consideration of internal audit reports by the PCC and Chief Constable, the Internal Auditors, will report to the Joint Audit and Scrutiny Panel on a quarterly basis, highlighting any major control weaknesses identified. On an annual basis the PCC and Chief Constable will agree an audit plan.

The review of both corporate governance and risk management arrangements periodically feature in the Annual Audit Plan, which is subject to review by the Joint Audit and Scrutiny Panel. Corporate governance and risk management issues may arise through other reviews carried out by Internal Audit. In this case the issues will be escalated through to the relevant audit report.

External Audit

The External Auditors, audit the PCC and Chief Constable's financial statements, Annual Governance Statement and performance management arrangements. The External Auditor's plans and reports, including the Annual Audit Letter, will be considered by the PCC and Chief Constable and reviewed by the Joint Audit and Scrutiny Panel at appropriate times in the annual cycle of meetings.

Her Majesty's Inspectorate of Constabulary and Fire Rescue Service (HMICFRS)

The role of HMICFRS is to promote the efficiency and effectiveness of policing in England, Wales and Northern Ireland, through the inspection of police organisations and functions to ensure agreed standards are achieved and maintained; good practice is spread and performance is improved. It also provides advice and support to the Home Secretary, PCCs and forces.

HMICFRS reports are sent to the Chief Constable and PCC for consideration and appropriate action. The PCC also prepares and publishes comments on any of the HMICFRS's published reports, Section 55(5) of the 1996 Police Act.

Independent Office for Police Conduct (IOPC)

The IOPC oversees the police complaints system in England and Wales. It is independent, making its decisions entirely independently of the police, government and complainants. There are opportunities to build in the lessons learned through complaints and subsequent reviews into improved policing policies and working practices for the Commissioner and the Chief Constable.

6. Sharing of Information

The PCC and the Chief Constable shall ensure compliance with Data Protection legislation through proper application of the governance arrangements and General Data Protection Regulations.

For the purpose of the General Data Protection Regulation the PCC and the Chief Constable remain the data controller for any personal information recording (in whatever format) on any information system under their respective control.

The Chief Constable retains responsibility for the operational control of the Force. It therefore follows that the Chief Constable is the Data Controller for all information gathered and produced by police officers and police staff, which is in furtherance of this responsibility.

For the purposes of the Freedom of Information Act 2000 (FOI) if either the PCC or the Chief Constable should receive an FOI request then the PCC or Chief Constable as appropriate would be responsible for responding to that request and with any subsequent compliance arrangements required under FOI. Each party will support the other in meeting their responsibilities under the FOI Act.

The Chief Constable is committed to providing reliable, accurate and timely information and information services to the PCC and his office, to respond to requests for information from:

- Members of the public, victims of crime and partners;
- National government departments and organisations;
- Consultant and independent research companies appointed by the PCC or his/her office;
- Police and Crime Panel and other Committees/Panels with a responsibility for policing;
- Community safety and criminal justice partnership structures; and
- Government Inspectorates.

The Chief Constable will ensure provision of a Joint Data Protection Officer for both the OPCC and Nottinghamshire Police.

The Chief Constable will, wherever possible, provide advice and guidance on specialist policing areas and on the efficient and effective delivery of policing through regular policy briefings, meetings with the PCC/the OPCC or through the provision of data, reports, evidence and access to police officers and staff.

The Chief Constable will ensure that bespoke requests for services or information to support the work of the PCC or Deputy PCC's work (where appointed) will be met, wherever possible. These will be one off requests and cannot be planned into the regular service or information requests. Where such requests arise, the OPCC will endeavour to provide advance warning to enable the request to be delivered.

The Commissioner requires access to information and officers and staff of the Chief Constable 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.

7. Decision Making

Making and Publication of Decisions of Significant Public Interest

The PCC has the sole legal authority to make a decision on any given day as a result of discussion or information provided by the public, partner organisations, members of staff from the office of the PCC or Chief Constable.

Poor decision making processes can sometimes lead to adhoc decisions, not being properly recorded or acted on effectively. Poor decision making can lead to legal challenges and judicial reviews.

The PCC's Chief Executive is designated as Monitoring Officer under Sch 16, para 202 of the Police Reform and Social Responsibility Act 2011 ("the Act"). The role of the Monitoring Officer (Local Government and Housing Act 1989) is to ensure lawful and fair decision making and to report if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. The Monitoring Officer/Chief Executive is therefore consulted in respect of all decisions.

In making any substantive decision, consideration is given as to whether that decision is or is not of significant public interest. The requirement is to determine whether the decision matter is of any public interest. If so, consideration will then be given as to whether the public interest in that decision is significant.

In determining whether a decision is of public interest, regard will be had to the public interest test under the Freedom of Information Act 2000 and the guidance relating to that test issued by the Information Commissioner's Office. As the guidance states, there is a distinction to be drawn between what is in the public interest and what interests the public.

A register will be kept of all decisions which are considered to be of significant public interest. Each decision will aim to be published on the PCC's website within 2 full working day of its approval.

It is the intention to publish a forward plan on a quarterly basis giving advance notice of key decisions that are scheduled to be taken over a four month period. This forward plan will be reported to the Police and Crime Panel for public scrutiny.

Appendix 1 contains a list of examples of items that have been identified as being of significant public interest.

The following will not normally be regarded as matters of significant public interest:

- Any decision taken in the course of developing any budget strategy policy report or plan prior to consultation with the Chief Constable or submission to the Panel and/or publications following its approval or adoption.
- Day to day internal management decisions
- Decisions relating to the appointment suspension or dismissal of staff or any disciplinary proceedings against them or any determination relating to their terms and conditions of appointment except in so far as may be required under Part 1 of the Schedule to the Order.

A decision that a matter is not of significant public interest should not be taken to mean that it is of no public interest. The intention in restricting the register to decisions of significant public interest is merely to avoid the need to record every decision made in the normal course of business, however minor. Any freedom of information request for information that would require disclosure of a decision not recorded on the register will be dealt with on its merits. However, all decisions of a nature which could be deemed to be novel or contentious will be recorded.

The Elected Local Policing Bodies (specified information) Order 2011 set out the statutory requirement for the recording and publication of information. The Freedom of Information Act 2000 provides a further level of public access to information.

There will be occasions where the circumstance of a decision dictates that only some elements of the checklist will be employed. All measures will be taken to ensure that urgent decisions are limited.

Occasions will arise when the line between 'strategic' and 'operational' will be ambiguous. The PCC and Chief Constable will work together to deal with any contentious decisions. These are defined as decisions which may attract high public and media interest, decisions that could lead to reputational damage and potential loss of public confidence and actions that conflict with the priorities as set out in the Commissioner's Police and Crime Plan.

There are two main ways the PCC makes decisions. They are through the 'Executive Decision Making' process or through the consideration of reports to one of their governance public meetings. The main public meeting where the PCC makes decisions and holds the Chief Constable to account takes place on a bi-monthly basis through the 'Strategic Resources and Performance Board'.

The 'Executive Decision Making' process is an administrative process to facilitate speedier decision making in relation to certain public interest decisions. Guidance on how this process is operated is attached in Appendix 2.

8. Decision Making Process

Administrative Process to Support Executive PCC Decision Making

The Force and other partners need an understood administrative process for the Commissioner to make formal decisions. This structure does not apply to ordinary day-to-day management decisions (e.g. diary management) that can be made informally.

The process has been designed to be flexible but this is the process that everyone is expected to follow. So that the public can see how decisions are likely to be made. In the event that there was a challenge to a particular decision or to the decision-making process in a particular case the procedure would be referred to and the PCC might need to explain why, if it had not been followed, there was good reason to adopt a different approach.

The principles that should apply to the process are:-

1. **Transparency** - unless there are reasons for confidentiality, consistent with legislation, decisions and the supporting reasons should be publicly available.

2. **Openness** – subject to confidentiality, the most important decisions should be taken in a public forum and should be the subject of public engagement and consultation.
3. **Auditable** – there should be evidence to demonstrate, if necessary, how the decision was made and what advice was taken.
4. **Proportionality** – the administrative process should be proportionate to the nature of the decision being taken.
5. **Timeliness** – the process should enable timely decisions to be made.

The Commissioner will have to take 4 types of decisions:

Category 1 All decisions that are statutory requirements and are of a significant public interest.

Category 2 Other decisions which are above the delegated financial limits.

Category 3 Management decisions as set out in the Scheme of Delegation.

APPENDIX 1

Examples of Typical Decisions of Significant Public Interest

- Police and Crime Plan
- Precept levels
- Medium Term Financial Plan
- Public and Victim consultation findings and responses
- Public complaints and misconduct
- Estates, ICT and Asset Strategic Planning
- Any new or amendments to policy and procedures
- Forecast budget and virement requests
- Levels of reserves and provisions
- Workforce Plan and recruitment strategies
- Performance monitoring and insight
- Commissioning and awarding of grants to individuals and organisations
- Strategic planning and performance monitoring for safeguarding and equalities (Commissioner and Force)
- Contracts above £250K
- All New business cases
- Decisions relating to the complaints and conduct matters relating to the Chief Constable
- Appoint, remove or suspend a Chief Constable
- Publication of annual report
- Restructuring of Force or OPCC staffing structure

Notes to accompany the decision making template

The decision making template should be used to record all decisions and published once the approval process has been signed off.

The decision making template should be completed in full and reports and supporting documentation appended to the template for further information.

In relation to reports that contain confidential or exempt information, a minute of the exempt decision will be published on the Commissioner's website. Background papers and the completed executive decision making template will be kept on a separate file within the Office of the Police and Crime Commissioner.

The form itself is self-explanatory and just requires a summary of the decision required and to evidence the appropriate approval process by officers.

The timing of decisions will be a key part of the decision making process. In the top right-hand corner of the template there is a pull down menu for officers to use to help in defining the timing required and therefore priority for the required decision. The categories are as follows:

- i. "Immediate" (i.e. it needs to be seen that day)
- ii. "Urgent" (i.e. it needs to be seen within 3 days)
- iii. "Normal" (i.e. it needs to be seen within two weeks)
- iv. "Routine" (i.e. there is no special timing factor)

A short sentence may also be added to explain the context of the timing (e.g. does it coincide with an announcement the Commissioner will be making?). It is also useful to give a date when a decision is required.

Nottinghamshire Police and Crime Commissioner
Notice of Decision



Author:	
Telephone number:	
E-mail address:	
For Decision or Information	
Date received*:	
Ref*:	

*to be inserted by Office of PCC

TITLE:

EXECUTIVE SUMMARY:

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

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)

Signature: _____ Date: _____
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:

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: _____ Date: _____
Chief Executive

POLICE & CRIME COMMISSIONER – NOTTINGHAMSHIRE

EXECUTIVE DECISION MAKING PROCESS

