



**POLICE AND CRIME COMMISSIONERS  
FOR WARWICKSHIRE  
AND WEST MERCIA**

**RECORD OF DECISION**



**TITLE: Corporate Governance Framework**

Ref: PCC/D/2018/23

**EXECUTIVE SUMMARY**

- 1.1 The Joint Corporate Governance Framework, which includes the Financial Regulations, has been in existence across the Alliance since the inception of Police and Crime Commissioners and the creation of Chief Constables as separate legal entities. The Corporate Governance Framework was fundamentally reviewed for April 2014 with the transfer of staff to the Chief Constables. Further comprehensive reviews were undertaken in 2015, 2016 and 2017.
- 1.2 In accordance with established good practice, the Framework has again been reviewed by the Chief Executives, Treasurer, Chief Finance Officer and Head of Legal Services.
- 1.3 There has been two significant changes that require amendments to the Corporate Governance Framework. One is the absence of a Deputy Police and Crime Commissioner in Warwickshire requiring a return to delegating conflicts of interest to the Chief Executive. The other is the reallocation of responsibilities following the retirement of the Director of Enabling Services and the decision to appoint a Director of Business Services.
- 1.4 Pending the appointment of a Director of Business Services, the functions and responsibilities that were delegated to the Director of Enabling Services need to be allocated elsewhere to avoid Chief Constables and Police and Crime Commissioners having to fulfil those functions personally. The Framework will have to be amended again once the new Director of Business Services has been appointed and decisions have been finalised as to what responsibilities and functions they will carry.

**PROPOSAL**

That Police and Crime Commissioners and Chief Constables approve and adopt the revised Corporate Governance Framework including the Financial Regulations.

**APPROVAL OF**

We hereby approve the above proposal.

**West Mercia Police and Crime Commissioner**

Signed

A blue ink handwritten signature, appearing to be 'P. Jones', written over a horizontal line.

**Warwickshire Police and Crime Commissioner**

Signed

A black ink handwritten signature, appearing to be 'Philip Jones', written in a cursive style.

**West Mercia Chief Constable**

Signed

A blue ink handwritten signature, appearing to be 'A. Jones', written over a horizontal line.

**Warwickshire Chief Constable**

Signed

A black ink handwritten signature, appearing to be 'A. Jones', written in a cursive style.

## PART 1 – NON-CONFIDENTIAL/EXEMPT FACTS AND FIGURES

### SUPPORTING REPORT

#### 1. Background

- 1.1 The Joint Corporate Governance Framework, which includes the Financial Regulations, has been in existence across the Alliance since the inception of Police and Crime Commissioners and the creation of Chief Constables as separate legal entities. The Corporate Governance Framework was fundamentally reviewed for April 2014 with the transfer of staff to the Chief Constables. Further comprehensive reviews were undertaken in 2015, 2016 and 2017.
- 1.2 In accordance with established good practice, the Framework has again been reviewed by the Chief Executives, Treasurer, Chief Finance Officer and Head of Legal Services.
- 1.3 The following paper outlines the changes proposed to the Corporate Governance Framework as a result of that review.

#### 2. Review

- 2.1 There have been two significant changes that requires amendments to the Corporate Governance Framework. One is the absence of a Deputy Police and Crime Commissioner in Warwickshire requiring a return to delegating conflicts of interest to the Chief Executive. The other is the reallocation of responsibilities following the retirement of the Director of Enabling Services and the decision to appoint a Director of Business Services.
- 2.2 Pending the appointment of a Director of Business Services, the functions and responsibilities that were delegated to the Director of Enabling Services need to be allocated elsewhere to avoid Chief Constables and Police and Crime Commissioners having to fulfil those functions personally. The Framework will have to be amended again once the new Director of Business Services has been appointed and decisions have been finalised as to what responsibilities and functions they will carry.
- 2.3 The following parts of the Scheme of Corporate Governance have been changed:
  - *Delegations to the Deputy Police and Crime Commissioner for Warwickshire have been transferred to the Chief Executive (former paragraph 3.4)*
  - *Delegations to the Director of Enabling Services by the Police and Crime Commissioners (paragraph 3.6 and 3.11.2) have been transferred to the Deputy Chief Constables.*
  - *Delegations to the Director of Enabling Services by the Chief Constables relating to people (paragraph 3.9) have been transferred to the Head of*

#### *People Services.*

- *Delegations to the Director of Enabling Services by the Chief Constables relating to day to day management of procurement (paragraph 3.8.7) have been transferred to the Deputy Chief Constables. Delegations relating to the signing of contracts (paragraph 3.10.3 have been transferred to the Chief Finance Officer.*
- *Responsibilities of the Director of Enabling Services for Assets (under paragraph 7.5.6 of the Financial Regulations) are transferred to the Deputy Chief Constables.*
- *Responsibilities of the Director of Enabling Services for the Administration of seized and found property (paragraphs 7.9.2 to 7.9.4 of the Financial Regulations) are transferred to the Head of Business Support.*

#### **FINANCIAL COMMENTS**

There are no financial implications arising out of this proposal.

#### **LEGAL CONSIDERATIONS**

By virtue of schedule 11, paragraph 14 of the Police Reform and Social Responsibility Act 2011 the Police and Crime Commissioners may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner. That includes: entering into contracts and other agreements (whether legally binding or not) and acquiring and disposing of property (including land).

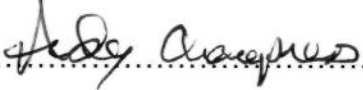
If the Corporate Governance Framework and Financial Regulations are not maintained then decision purportedly on behalf of either Police and Crime Commissioner or Chief Constable could be unauthorised and therefore illegal.


#### **PUBLIC ACCESS TO INFORMATION**

Information in this form is subject to the Freedom of Information Act 2000 (FOI Act) and other legislation. Part 1 of this form will be made available on the Warwickshire and West Mercia Commissioners' websites. Any facts and advice that should not be made automatically available on request are not included in Part 1 but instead in the separate Part 2 report. There is no Part 2 report.

## OFFICER APPROVAL

### Chief Executive Officers

Signature .....  ..... Date 11<sup>th</sup> October 2018

Signature .....  ..... Date 11<sup>th</sup> October 2018