



Cumbria Office of the Police and Crime Commissioner  
Code of Corporate Governance 2015-2016



## Foreword

Welcome and thank you for taking the time to read the Police and Crime Commissioner for Cumbria's Code of Corporate Governance. I am pleased to introduce this Code, which sets out the Commissioner's commitment to continue to uphold the highest possible standards of good governance. This document clearly demonstrates his drive to ensure that this is in place. Good governance is about how the Commissioner will ensure that he is doing the right things, in the right way, for the communities he serves, in a timely, inclusive, open, honest and accountable way.

The Code provides clarity about how the Commissioner and Chief Constable will govern their organisations both jointly and separately, in accordance with their statutory responsibilities. It will do this by highlighting the key enablers for ensuring good governance. The Code sets out how the organisations will govern, using the six good governance core principles as the structure for setting out the statutory framework and local arrangements.

Robust governance enables the Commissioner to pursue his vision effectively as well as underpinning that vision with mechanisms for control and management of risk.



A handwritten signature in black ink that reads "Stuart Edwards".

**Stuart Edwards**

**Chief Executive and Monitoring Officer**

**Office of the Police and Crime Commissioner**

## Introduction

The Police Reform and Social Responsibility Act 2011 (PR&SRA) established Police and Crime Commissioners as elected officials with statutory functions and responsibilities for Policing and Crime within their area. Those responsibilities include: setting the strategic direction and objectives for policing and crime and disorder reduction in their area; maintaining the police force; and holding the Chief Constable to account. Police and Crime Commissioner's also have wider responsibility for community safety, enhancing criminal justice and supporting victims.

The statutory and regulatory framework setting out the responsibilities, powers and duties of Police and Crime Commissioners is continually developing. The PR&SRA is supported by the Policing Protocol Order 2011, the Home Office Strategic Policing Requirement 2015 and the Home Office Financial Management Code of Practice 2013. The Anti-Social Behaviour, Crime and Policing Act 2014 has developed and conferred further powers in respect of the wider responsibilities of Police and Crime Commissioners.

The Police and Crime Commissioner for Cumbria (the Commissioner) is responsible for ensuring that business is conducted in accordance with this statutory and regulatory framework and in accordance with proper standards. This includes ensuring that public money is safeguarded, properly accounted for and used economically, efficiently and effectively. In fulfilling this overall responsibility, the Commissioner is responsible for putting in place proper arrangements for governance, including risk management and the arrangements for ensuring the delivery of the functions and duties of his office.

In doing this, the Commissioner approves and adopts annually this Code of Corporate Governance, 'The Code'. The Code gives clarity to the way the Commissioner governs and sets out the frameworks that are in place to support the overall arrangements for the Cumbria Office of the Police and Crime Commissioner (COPCC). The Code is based on the core principles of governance set out within the CIPFA/SOLACE good governance standard for public services which has 'proper practices' status. The Code is appended with a schematic that sets out diagrammatically all the key elements of the governance framework.

On an annual basis the Commissioner will produce an Annual Governance Statement (AGS). The AGS reviews the effectiveness of the arrangements for governance and sets out how this Code of Corporate Governance has been complied with.

## The Code of Corporate Governance

This code of corporate governance sets out how the Police and Crime Commissioner will govern. It is based on the six good governance core principles highlighted by the good governance standard for public service. This code uses those principles as the structure for setting out the statutory framework and local arrangements that are in place to achieve them. Those principles are:

1. Focusing on the purpose of the Commissioner and the Force and on outcomes for the community, creating and implementing a vision for the local area
2. Leaders, officers and partners working together to achieve a common purpose with clearly defined functions and roles
3. Promoting values for the Commissioner and demonstrating the values of good governance through upholding high standards of conduct and behaviour
4. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk
5. Developing the capacity and capability of the Commissioner and officers of the Commissioner to be effective
6. Engaging with local people and other stakeholders to ensure robust public accountability



## Governance Principle 1: Focusing upon the purpose of the Commissioner and the Constabulary, and on outcomes for local people, and creating a vision for the local area

The Police Reform and Social Responsibility Act (PRSR) 2011 and the Policing Protocol Order set out the purpose of the Police and Crime Commissioner, conferring their statutory duties and responsibilities. These include the requirement to issue a Police and Crime Plan. The plan sets out the vision and strategic direction for policing and reducing crime for the local area. It outlines police and crime objectives, priorities and outcomes that

*The Strategic Policing Requirement sets out the capabilities we are expected to have to support national policing objectives.*

the Commissioner will focus on in carrying out his functions. In developing the plan the Commissioner must have regard to the strategic policing requirement set by the Home Office and the priorities of the responsible authorities.<sup>1</sup> The responsible authorities have a duty to co-operate in preventing

crime and disorder and to participate in the development of crime and disorder strategies.

The Police and Crime Plan is subject to scrutiny by the Police and Crime Panel and subject to consultation with the public and partners, including the Constabulary. It is reviewed and updated annually. Consultation processes support decision making on objectives and priorities prior to the

formal approval and publication of the plan on the Commissioner's website.

Key performance indicators are set to support the objectives within the Police and Crime Plan. This is supported by a comprehensive performance management framework. The performance framework and HMIC inspection and value for money reports support the Commissioner in holding the Chief Constable to account for the performance of the force and its efficiency and effectiveness. User Satisfaction Performance measures are included in the Performance Management Framework. A procedure for complaints enables the public to raise concerns about services.

An Executive Board structure comprising the Commissioner, Chief Constable, Chief Executive and Chief Finance Officer supports joint working and facilitates the arrangements for accountability and performance monitoring. The board provides a mechanism through which the Chief Constable provides briefings on matters or investigations over which the PCC may need to provide public assurance. A media and communication strategy governs the management of all aspects of communication both pro-active and reactive.

*The Commissioner's Police and Crime Plan can be found on our website at [www.cumbria-pcc.gov.uk](http://www.cumbria-pcc.gov.uk)*

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<sup>1</sup> The District and County Councils are the responsible authorities defined within the 1988 Crime and Disorder Act.

The Police and Crime Plan is developed alongside a medium term financial forecast that ensures funding is aligned to the resources need to deliver priorities and outcomes. The forecast supports the Commissioner in setting a robust budget and in the duty to maintain the force for the Cumbria police area. The budget provided to the Constabulary is supported by a detailed funding agreement that sets out a financial framework and conditions of funding in line with the requirements of the Home Office Financial Management Code. The medium term financial strategy and financial governance is supported through financial policies, regulations and detailed financial rules.

A Commissioning Strategy and framework supports the delivery of the Commissioner's wider duties and responsibilities and the objectives and outcomes within the Police and Crime Plan. The strategy sets out how the Commissioner will work with partners, including community and voluntary sector groups, to deliver activity and interventions that will support victims, improve community safety, reduce crime and enhance criminal justice. The strategy is underpinned by a commissioned services budget and programme.

Grant regulations provide a framework for governance through which grant agreements can be

put in place with partners to provide funding. Each agreement clearly defines the purpose of the funding and sets out information and monitoring requirements to ensure funding is targeted on activities that support the priorities and outcomes within the Police and Crime Plan.

The Commissioner's arrangements for governance are based on the requirement for openness and transparency, supporting members of the community to feel empowered to influence local policing solutions and ensuring that the correct governance procedures are in place at a strategic level.

The Office of Public Engagement is instrumental in giving the people of Cumbria the ability to communicate with the Commissioner. A complaints process provides clarity over the arrangements to respond to the breadth of concerns raised by local people. The Office publishes an annual report, scrutinised by the Police and Crime Panel, to communicate the PCC's activities, achievements and performance.

The Office of Victims Services has also been established, supported by a Victims advocate to commission and promote effective support services that will help victims to cope and recover.



## Principle 2: Working together to achieve a common purpose with clearly defined functions and roles

The key functions and roles of the Commissioner and the Chief Constable are set out in the Police Reform and Social Responsibility Act 2011 (PRSRA) and the Policing Protocol Order 2011 (PPO). The PRSA and the PPO also set out the function and roles of statutory officers, namely the Monitoring Officer and the Chief Finance Officer (CFO). Both the Commissioner and Chief Constable must appoint a CFO and further guidance on their roles and functions is provided by the Chartered Institute of Public Finance and Accountancy (CIPFA) in a statement on the Role of the Chief Finance Officer (the CIPFA statement).

### Key functions and role of the Commissioner

Sets strategic direction & objectives of the force, issues the Police and Crime Plan (the Plan) & an annual report

Holds the Chief Constable to account for the exercise of his/her functions and force performance; Monitors complaints.

Receives all funding, decides the budget & precept; allocates funding to maintain an efficient and effective police force

Provides the link between the police and communities; publishes information on Commissioner and force performance

Responsible for the delivery of community safety, crime reduction, the enhancement of criminal justice and victim support

### Key functions and role of the Chief Constable

Maintaining the Queen's Peace and the exercise of police powers; politically and operationally independent

Leading the force, planning police functions; appointing officers and staff; managing complaints

Accountable to the Commissioner for efficient and effective policing, management of resources and expenditure

Being the operational voice of policing, publically explaining the actions of officers/staff under their command

Supporting the Commissioner in the delivery of the Plan and in accessing information, officers and staff as required

The functions and roles set out in legislation and guidance are codified in the Commissioner's scheme of delegation. This provides the Commissioner's staff with the legal power to carry out duties on behalf of the Commissioner, other than those functions for which legislation prohibits delegation. The scheme includes a number of general principles of delegation that ensures staff carrying out duties under delegation do so within an appropriate set of standards and guidelines. The Commissioner may appoint a deputy who will be a member of his staff as highlighted in the PRSA Act 2011 (section 18). The functions that may be delegated to a deputy are also set out within the scheme of delegation. The Commissioner is statutorily required to appoint a Chief Executive and a Chief Finance Officer.

The Chief Executive is the Commissioner's statutory Head of Staff and Monitoring Officer with responsibility for all aspects of operational management of the Commissioner's office. The Chief Executive is responsible to the Commissioner for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with. The Chief Executive provides support to ensure the Commissioner's functions are carried out and has specific legal, financial and governance duties in addition to those which derive from statutory responsibilities.

The Home Office Financial Management Code of Practice and CIPFA 2014 Statement on the Role of the Commissioner's Chief Finance Officer set out the responsibilities of the Commissioner's Chief Financial Officer. The job profile for this role is based on the CIPFA Statement. Compliance with the statement is self-assessed on an annual basis and reviewed by the Joint Audit and Standards Committee. The Chief Finance Officer is the

financial advisor to the Commissioner and has statutory responsibility to ensure that the financial affairs of the Commissioner are properly administered, having regard to their probity, legality and appropriate standards. The CFO provides all financial advice, provides a statutory report on the robustness of the budget and ensures systems of internal financial control are effective.

Section 51 of the Police Reform Act (as amended) requires Police and Crime Commissioners to make arrangements for detainees in Police Custody to be visited by volunteers from the local community who are appointed as Independent Custody Visitors (ICV's). The Commissioner's scheme sets out the role of ICV's, providing for volunteers to make weekly unannounced visits, in pairs, to each of the Police Stations in Cumbria which have designated 24/7 Custody facilities. ICV's also visit other non-designated Police Stations whenever the Constabulary notifies that the cells at those stations are in use (e.g. Appleby Police Station during the Annual Horse Fair).

The Commissioner's scheme of delegation is part of a wider governance framework that further details specific responsibilities of key officers in relation to areas of governance and ensure all staff have a shared understanding of the roles and responsibilities within the Commissioner's office. A funding agreement between the Commissioner and Constabulary sets out the consents and arrangements for governance between the Commissioner and Chief Constable, including specific consents in respect of financial management of the Constabulary budget. All arrangements for governance are subject to cyclical review.

A protocol document further sets out the roles of political office holders (the Commissioner/Deputy Commissioner) and non-political office holders (staff employees) to provide clarification on respective responsibilities and expectations around how relationships are anticipated to work.

Terms and conditions for remuneration of the PCC are set by the Home Office. Staff terms and conditions and remuneration are based on national agreements translated into local policies and subject to consultation with staff and trade unions. All officers have clearly defined job roles and reporting lines based on the roles and the functions for which they are accountable. A performance management framework provides for annual performance and development reviews to ensure service delivery responsibilities are clear and monitored.

The Police and Crime Plan recognises the importance of partnership working in developing the future direction of policing and taking account of public priorities. The Police and Crime Plan sets out a Pan-Cumbrian vision. The vision recognises that in preventing crime commitment is needed from a range of organisations involved in policing, community safety and criminal justice.

The Commissioner works in partnership with a number of public and third sector partners to do this and has statutory powers to bring together Community Safety Partnerships (CSP's) within the Policing Area of Cumbria. The Plan commits to utilising the existing partnership structures across the County to do this wherever possible. Grant

agreements are in place for services and projects commissioned from partners. These set out the shared outcomes which that funding is planned to deliver.

The Commissioner is part of the Cumbria Leadership Board of Council and other key partnerships, as well as Chair of the Safer Cumbria Partnership's Direction Group, which brings together key partners across community safety and criminal justice. This

enables the Commissioner and partners to build commitment to shared priorities and to exercise oversight of the delivery of shared outcomes.

The Commissioner's Chief Executive is a member of the Cumbria Chief Executives' Group and the Safer Cumbria Action Group, whose role is to facilitate delivery of shared priorities and address areas of concern.

The broader prevention agenda within The Police and Crime Plan supports the Commissioner's statutory duty to reduce crime. To support the delivery of this, the Commissioner is engaged with the Local Children's Safeguarding Board and the Youth Offending Service. In addition, the Commissioner works with a range of individual partners in the fields of victim services, criminal justice and crime and disorder.

**Partnership Working:**

**Restorative Justice**

*Restorative justice is an example of one of the priorities within the Police and Crime Plan. Getting criminals to understand the consequences of what they have done and the impact on victims is an important way of reducing re-offending. There is a commitment to partnership working to achieve this, based on a joined up approach to community resolutions across all agencies.*

## Principle 3: Promoting the values for the Commissioner and demonstrating the values of good governance through upholding high standards of conduct and behaviour

The Policing Protocol Order 2011 requires the Commissioner to abide by the seven Nolan principles (standards in public life 2005). The order places an expectation on the Commissioner, the Chief Constable, the Police and Crime Panel and the staff and constables of the Commissioner and Constabulary, that they will establish and maintain effective working relationships. It also highlights the expectation that the relationship between all parties will be based upon the principles of goodwill, professionalism, openness and trust.

The standards of conduct and personal behaviour expected in the Commissioner's office are set out in a Code of Conduct. The Code of Conduct commits to the 7 Nolan Principles of Public Life. The Code sets out commitments with regard to how people will be treated, the use of resources, disclosure and conflicts of interest, disclosure of information and transparency. The Commissioner and all staff are required to sign up to an anti-discrimination Code that sets out values and standards with regard to the prevention of discrimination, harassment and bullying.

A protocol exists to define the relationship between political (Commissioner and Deputy Commissioner) and appointed office holders (Audit and Standards Committee Members) and staff employees. The protocol sets out the expectations that each party can have, of the other, within their working relationships. The Commissioner and Joint Audit and Standards Committee Members must sign and operate within the protocol.

### 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.*

*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.*

The Commissioner's arrangements for anti-fraud and corruption set out clear definitions of fraud, corruption, theft and irregularity. They make clear the duty everyone has with regard to their own conduct and those of others, to protect the organisation against fraudulent and corrupt acts. The arrangements include procedures that provide contact information for confidential reporting (whistleblowing) and guidance for managers and the public with regard to how any reporting will be responded to.

The procedure includes guidance for integrity in respect of gifts and hospitality, completion of a register of interests, supplier contact and declarations of related party transactions. These ensure staff avoid being engaged in any activity where an actual or perceived conflict may exist and that there is transparency in respect of any personal or business relationships. The arrangements incorporate an anti-fraud and corruption policy and plan covering the culture expected within the organisation, what is in place to prevent fraud and corruption and how it will be detected and investigated.

The Commissioner's Procurement Regulations incorporate a Business Code of Conduct, re-enforcing the integrity requirements within the anti-fraud and corruption policy in the context of procurement activity and interactions with commercial suppliers. They provide a guide to staff and suppliers in respect of the principles that will be followed in the conduct of business and the processes we expect staff to comply with when buying goods and services. The Business Code of Conduct requires that staff shall always seek to uphold and enhance the reputation of the organisation and act professionally.

***Business Code of Conduct: Staff shall:***

- *Maintain the highest possible standards of probity in all commercial relationships;*
- *Reject business practice which might reasonably be deemed improper and never use authority for personal gain;*
- *Enhance the proficiency and stature of the organisation by acquiring and maintaining technical knowledge and the highest standards of behaviour;*
- *Ensure the highest possible standards of professional competence, including technical and commercial knowledge;*
- *Optimise the use of resources to provide the maximum benefit to the organisation.*

The Home Office Financial Management Code of Practice requires the Police and Crime Commissioner to ensure that the good governance principles are embedded within the way the organisation operates. The Commissioner's financial regulations set out the internal framework and procedures for financial regulation and administration. They set out the arrangements for the proper administration of financial affairs ensuring these are conducted properly and in compliance with all necessary requirements. They also seek to reinforce the standards of conduct in public life, particularly the need for openness, accountability and integrity.

The Commissioner's Grant regulations set out the governance framework for the award of grants in support of crime and disorder reduction and victims. The regulations are based on a framework that

supports open award grant processes and make clear the Commissioner's commitment to the principles with the Cumbria Compact, an agreement between public and third sector organisations. They provide minimum standards and terms and conditions for the grant award process that seek to protect public money and ensure activity is targeted towards delivery of the Police and Crime Plan.

All key decisions made by the Commissioner are taken at public meetings of the Commissioner's Executive Board. Decisions are subject to scrutiny by the Police and Crime Panel and members of the public are able to ask questions of the Commissioner at the Executive Board meetings.

A complaints procedure sets out the Commissioner's commitment to take all complaints seriously and to support those wishing to make complaints. It explains how to do this, the help available and what to do if anyone is unhappy with how a complaint is handled. The procedure reinforces the commitment to upholding the highest ethical standards.

The Police and Crime Panel manages complaints against the Commissioner and provides information on a website explaining how to complain. The Commissioner's Office will refer any complaints received within the remit of the Panel to the County Council's Monitoring Officer who has authority to manage this work on the Panel's behalf. The complaints process provides for a sub-committee of the Panel to hear complaints where it has not been possible to reach local resolution. The full complaints process is available on the Panel's website.

The leadership values for the organisation and staff are set out in the Police and Crime Plan. Objectives

within the plan are translated into targets and action feeding through to staff performance appraisal. The appraisal identifies development needs and provides an opportunity to feedback on staff performance, including behaviour and conduct.

An Ethics and Integrity Panel deals with matters of conduct and standards. The purpose of the Panel is to promote and influence professional ethics in all aspects of policing and within both organisations. It will also provide assurance to the public that this area of business is being independently scrutinised and that any issues or concerns are highlighted and monitored.

Four members have been appointed to the Panel. The areas of work which they will monitor and scrutinise will include the dip sampling of public complaint files, performance reports for areas of business such as public complaints, integrity, civil claims and grievances. An annual work programme has been developed to facilitate their quarterly meetings.

A Joint Audit and Standards Committee has responsibility for standards matters covering hearings and determining appeals in relation to the Commissioner's personal policies and decisions of the Chief Executive. Appeals can be raised by the Commissioner's staff, by Independent Custody Visitors and Independent Members of Police Misconduct Panels. The Committee also provides advice in respect of the Commissioner's governance framework including arrangements for anti-fraud and corruption.

Collectively these arrangements aim to support good governance, supporting values that advocate high standards of conduct and behaviour.

## Principle 4: Taking informed and transparent decisions, which are subject to scrutiny and managing risk

A decision making process is in place to govern how decisions will be taken by the Commissioner. All decision making operates within the specific legislative and regulatory frameworks that confer on the Commissioner duties, powers and responsibility. The significant elements of the statutory framework for decision making comprise:

- The Police Reform and Social Responsibility Act 2011 (PR&SRA) providing the legal framework for decision-making and the function of the Police and Crime Panel to review and scrutinise decisions made by the Commissioner;
- The Police and Crime Commissioner Elections (Declaration of Acceptance of Office) Order 2012 requiring the office to be served without fear or favour and with a public commitment to tackling the role with integrity, impartiality and fairness;
- The Policing Protocol Order 2011 setting out the framework within which the PCC & CC should work and requiring all parties to abide by the Nolan Principles;
- The Home Office Financial Management Code of Practice for the Police Service 2013, embedding the principles of good governance into the way the Commissioner operates;
- The Elected Local Policing Bodies (Specified Information) Order 2011 and The Elected Local Policing Bodies (Specified Information) (Amendment) Order 2012 specifying the information that must be published by the Commissioner and including both the time scales and requirements for recording and publication of decisions and related policies.

### ***Principles of Decision Making***

- *Decision-making will be well informed*
- *The decision-making process will be open and transparent*
- *To have 'due regard' within the decision making process*
- *Be rigorous and transparent about how the decisions are taken*
- *All decisions of significant public interest will be recorded and published.*
- *The PCC will uphold the highest standards of integrity and honesty when taking decisions, as set out in the Nolan Principles.*

Challenge and scrutiny contribute to good governance by being part of accountable decision making, policy making and review. The implementation of a robust decision making process ensures that the right decisions are taken for the right reason at the right time.

The Commissioner adopts rigorous standards in his decision-making and all decisions are taken solely in the public interest. This is achieved by adherence to a decision making policy that sets out the parameters and the application of a set of principles that guide decision making. The approach within the policy adheres to the Good Governance Standard for Public Services and the Good Administrative Practice 2.

All key decisions are taken at public meetings of the Commissioner's Executive Board and are subject to scrutiny by the Police and Crime Panel. The Commissioner's decision making policy sets out the decision making process and how decisions will be recorded and published to ensure transparency of all decisions taken. A forward plan provides public notification of all key decisions.

Reports for decision are based on a template that ensures the implications of any recommendations are clearly understood. This includes relevant financial, legal, human resources, equality, procurement, IT and risk management advice. All decisions are recorded on a decision making template that is available for public scrutiny on the Commissioners' website. A Code of Conduct provides advice with regard to potential conflict and declarations of interest.

The Chief Executive will instruct external legal advisers on decisions where there are significant legal complexities or legal risk. The Commissioner's arrangements for the Executive Board provide an opportunity for the Chief Constable, Chief Executive and Chief Finance Officer to offer challenge and scrutiny to any reports and recommendations. Relevant officers of the Commissioner and the Chief Constable provide professional advice and expertise. All decision making reports must be submitted 7 days in advance of the meeting other than for urgent items that meet very specific criteria. Decisions for significant financial investment are subject to a fully developed business case that provides a clear justification for the expenditure.

The Chief Executive is the Commissioners Monitoring Officer and together with the Chief

Finance Officer has responsibility for the lawfulness of decision making. The responsibilities of both statutory officers are codified within the Commissioner's scheme of delegation and financial regulations. This includes parameters for officer decision making, including the delegations, consents and financial limits for specific matters. The Office structure provides for responsibilities in respect of a deputy Monitoring Officer and deputy Chief Finance Officer to ensure resilience of advice in respect of decision making.

Communication and engagement strategies set out how the Police and Crime Commissioner will ensure that local people are involved in decision making. An Office of Public Engagement has responsibility for keeping people informed, ensuring that activities and decisions are transparent and that effective, transparent and accessible arrangements are in place for dealing with complaints.

The Office of Public Engagement plays a key role in ensuring public opinion can influence the Commissioner's decision making. Furthermore an information publication scheme ensures that information relating to decisions will be made readily available to local people, with those of greater public interest receiving the highest level of transparency, except where operational and legal constraints exist.

The Police and Crime Panel oversee the performance of the Commissioner, can call in for further scrutiny any decisions made and will consider any complaints against the Commissioner. The Panel has a veto in respect of the Commissioner's precept decision and decisions on the appointment of the Chief Constable and Statutory Officers. There is also a requirement for

the Commissioner to consult with the Panel on the Police and Crime Plan and present to them the Annual Report. The Panel's annual work programme provides cyclical scrutiny to key areas of the Commissioner's business.

Arrangements for governance, internal control and risk management, including the arrangements for anti-fraud and corruption and whistle-blowing, are subject to review by the Joint Audit and Standards Committee, in accordance with their terms of reference. The Committee operates as an advisory body prior to formal decision making. Meetings of the Committee are public with published notifications. Agendas and papers are available to the public on the Commissioner's website to aid transparency.

A risk management strategy establishes how risk is embedded throughout the various elements of corporate governance of the COPCC, whether operating solely or jointly with the Constabulary. The Commissioner's Risk Management Strategy sets out the overall arrangements for managing risk including those for holding to account the Chief Constable in respect of those risks that fall within his functions. The strategy incorporates a clear framework of objectives, designates roles and responsibilities for risk management and provides a mechanism for evaluating and scoring risks to support decision making in respect of mitigating action.

Identified risks are logged on a risk register with clear ownership and are reviewed cyclically based on a score that denotes the severity and impact of the risk should it occur. Arrangements for risk and the management of strategic risks are subject to

review by the Joint Audit and Standards Committee. The strategic risk register is presented to the Committee at each quarterly meeting.

An annually developed internal audit plan uses risk as the basis of developing an audit programme to assess the sufficiency of internal controls and their operational effectiveness. The Chief Internal Auditor (CIA) reports to the Joint Audit and Standards Committee on its findings including recommendations for improvement. The Committee monitors the implementation of audit recommendations. Internal audit makes an annual assessment and reports on the overall arrangements for risk management.



## Principle 5: Developing the capacity and capability of all to be effective in their roles

The Police and Crime Commissioner subscribes as a member of the Association of Police and Crime Commissioners (APCC). The APCC delivers daily written briefings received by the Commissioner and office staff, covering press and parliamentary reporting on those areas within the Commissioner's responsibilities. The APCC delivers national events to ensure Commissioners and their staff remain informed and have the opportunity to discuss significant issues and develop collective approaches. APCC events are supplemented by events run by the Home Office, Ministry of Justice, Grant Thornton (the Commissioner's external auditors) and the Chartered Institute of Public Finance and Accountancy (CIPFA). These national and regional arrangements support the capability of the Commissioner and his staff to be effective in their roles.

The Commissioner is required to appoint a Chief Executive and Chief Finance Officer, statutory officers. The Chief Executive and Monitoring Office is the Commissioner's lead advisor. The Chief Executive has overall responsibility for the strategic direction, planning and management of the Commissioner's office in accordance with professional standards and the legislative and fiduciary responsibilities of the statutory office. Key responsibilities include working with the Commissioner to enable delivery against his vision, strategy and identified priorities and facilitating the accurate and appropriate scrutiny of the Constabulary's activities.

The Chief Executive is a member of the Association of Chartered Secretaries and Administrators (ICSA) and the Association of Police and Crime Chief Executives

(APACCE). The Chief Executive operates within the APACCE statement on the role of the Chief Executive and Monitoring Officers for Police and Crime Commissioners. The Chief Executive's job profile is based on the APACCE model.

The structure and arrangements for staffing ensures the Chief Executive has management of overall staffing resources and provides for effective succession planning and resilience on matters of business within a small team.

The Commissioner's Chief Finance Officer (CFO) is a member of CIPFA. The CFO reports to the Chief Executive as Head of the Commissioner's staff and in the capacity of Deputy Chief Executive. The CFO has a direct line of reporting to the Commissioner for all CFO functions.

The CFO operates within the CIPFA guidance set out in the CIPFA Statement on the Role of the Chief Finance Officer of the Police and Crime Commissioner. The institute issues Codes of Practice, guidance and annual updates in addition to setting professional standards and continual professional development requirements. The Commissioner's financial and governance arrangements comply with the relevant CIPFA codes. The job profile for the CFO is based on the CIPFA statement and the CFO is a member of the Commissioner's Executive Board. The job profile includes specific requirements in respect of scrutiny and challenge in line with the CIPFA statement and supporting the Commissioner in holding the Chief Constable to account.

The CFO subscribes to the Police and Crime Commissioners' Treasurers' Society (PaCCTS). The

society holds regular seminars and provides a technical information service to support financial analysis of funding settlements and other key Government funding announcements. External advice is commissioned to support specialist services for treasury management, taxation and insurance brokerage. Regular meetings take place with these advisors to ensure all relevant finance staff have the necessary technical and professional skills to be effective. A deputy CFO role provides for succession planning arrangements.

All staff are engaged in an annual performance and development review process to assess the support, training and development they need to carry out their duties and responsibilities. Professional staff undertake continued professional development in line with the requirements of their professional bodies. The budget setting process provides for training and development budgets to support mandatory and discretionary training requirements.

Professional body subscriptions ensure access to up to date Codes of Practice, guidance and professional standards. Business is carried out supported by policies and procedures that support a wide range of human resource management responsibilities by providing guidance to staff on how to carry out their roles and the wider responsibilities they should take account of.

Members of the Joint Audit and Standards Committee are recruited for the specific skills and experience requirements to fulfil the role of the Committee. Role profiles include a rigorous person specification that requires applicants to demonstrate a sound understanding and relevant professional experience across the fields of finance, internal control and risk management. The Committee has a clear terms of reference and membership that is

consistent with the requirements of the Home Office Financial Management Code of practice, CIPFA guidance and the HM Treasury Audit Committee Handbook. Seminar briefings ahead of Committee meetings and access to relevant CIPFA publications and external audit briefing papers support members continued development.

The Cumbria ICV Scheme comprises four panels of Custody Visitors, one for each of the four designated Custody sites. Each panel elects its own Chair and Vice-Chair who operate the panel with the support of a dedicated part-time resource provided by the Office of the Police and Crime Commissioner. Every new volunteer is required to undertake a half-day basic induction course, followed by an accompanied observation visit, normally undertaken at a weekend on the night shift, to observe an entire shift. Thereafter, new visitors are trained “on the job” by attending visits in the company of a more experienced colleague for the first six months.

On-going ICV training is provided at the regular panel meetings, which take place three times a year, in February, June and an Annual General Meeting in October, when the Chair and Vice-Chair are elected by the members. The Police and Crime Commissioner organises an Annual Conference for all the Cumbria ICVs, which is held in April. The six Police and Crime Commissioners in the North West of England and North Wales organise a joint Regional Conference, usually held in September.

The Commissioner through his Office of Public Engagement is constantly working with partners to ensure capability and effectiveness. The office of Public Engagement works with partners to ensure engagement takes place across a wide range of functions and using existing networks.

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

The Policing Protocol Order 2011 highlights that the Police and Crime Commissioner is accountable to local people and that he draws on this mandate to set and shape the strategic objectives for the force area in consultation with the Chief Constable. The Police Reform and Social Responsibility Act 2011 (PRSRA 2011) established a Police and Crime Panel for each police area as the statutory body that provides the public accountability checks and balances in relation to the performance of the Commissioner. The panel ensures the Commissioner is accountable for the exercise of his/her functions but must also operate in a way that supports the Commissioner in being effective. The Panel membership comprises Councillors from each of the District Council's in Cumbria, the County Council and 2 independent members.

The Panel agrees an annual work programme with specific areas of activity that will be subject to review in addition to the receipt of cyclical information and reports in line with the Panel functions. The Commissioner provides an annual report to the Panel setting out the activities that have been undertaken to fulfil the Commissioner's functions and that of the Chief Constable and the force. The annual report presents the performance outcomes achieved against an agreed framework of targets and measures. Where data is available performance is benchmarked against statistical neighbours.

The Commissioner is subject to the Accounts and Audit (England) Regulations 2011 and prepares a set of accounts in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting that are subject to audit. The statements include a

### *Police and Crime Panel Functions*

- *To review the draft police and crime plan*
- *To publically scrutinise the annual report*
- *To review the proposed precept*
- *To receive relevant reports and information and require the Commissioner to attend meetings and answer questions*
- *To review and confirm appointments (Chief Constable, Deputy Commissioner, Chief Executive & CFO) and dismissal (Chief Constable)*
- *To respond to complaints and conduct, passing serious matters to the Independent Police Complaints Commission (IPCC)*

comprehensive income and expenditure statement and the Police Objective Analysis (POA), a methodology for reporting expenditure on policing to help readers better understand policing activities and their cost.

The Commissioner is required to comply with the Elected Local Policing Bodies (Specified Information) Orders 2011 & 2012 and the guidance provided by the Information Commissioner in respect of an information publication scheme. This ensures key information to ensure public accountability is available through the Commissioner's website. This includes information in respect of the Commissioner, his staff, income and expenditure, property, decisions, policies and the independent custody visitors' scheme. The Commissioner's Monitoring

Officer has overall responsibility for ensuring compliance with the Orders and Scheme.

The PRSRA 2011 places a duty on the Commissioner to make arrangements for obtaining the views of the community on policing and for obtaining the views of victims of crime. A community engagement strategy sets out how this will be achieved and aims to ensure clear channels of communication are in place with all sections of the community and other stakeholders. This is achieved through an Office of Public Engagement that ensures a wide range of engagement approaches so that the Commissioner actively listens, considers and effectively uses the views of the people of Cumbria as an integral part of his decision making. The Office of Public Engagement reports to the Executive Board on a quarterly basis.

As part of the community engagement strategy the Commissioner undertakes formal consultation with the public and other stakeholders in respect of the Police and Crime Plan and the budget. The Commissioner continues to develop arrangements for effective engagement with key stakeholders, ensuring that where appropriate they remain closely involved in decision making, accountability and future direction.

The Office of Cumbria Police & Crime Commissioner is responsible for investigating complaints about the Chief Constable, the Police & Crime Commissioner, any appointed Deputy, the Office of Cumbria Police

& Crime Commissioner's own staff and Independent Custody Visitors. A formal process exists for dealing with complaints should they arise. The arrangements are clearly set out, including the role of the Police and Crime Panel, on the 'contact us' section within the Commissioner's website. The protocol for managing complaints is set out in the Commissioner's complaints Policy. The Executive Board receives regular reports for scrutiny that detail all complaints received and any quality of service issues. The report details the nature of the complaint/issue and how the matter has been resolved. Complaints falling within the remit of the Chief Constable are subject to dip sampling on a quarterly basis for assurance purposes, the results of which are presented to the Executive Board in its report.

The Commissioner has adopted a number of joint personnel policies with the Constabulary in addition to operating within a suite of COPCC specific policies that provide a framework for all issues related to employee management, terms and conditions and this includes policies on how staff and staff associations will be engaged in any change processes. Trade union and staff association representatives are consulted during any reviews of personnel policies. There is a general principle for on-going consultation and engagement during any areas of business change.



Further information on the arrangements for Governance can be found on the Commissioner's website under the tab headed Governance and Transparency.

We welcome your views on the Commissioner's Code of Corporate Governance. You can do this by using the contact information below:

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Corporate Code of Governance Schematic 2015-2016

