



Office of the  
Police and Crime  
Commissioner  
for Warwickshire



Warwickshire  
**POLICE**

# Joint Corporate Governance Framework

## Introductory Document

### Introduction

The Joint Corporate Governance Framework is a suite of documentation which describes how the Police and Crime Commissioner and Chief Constable of Warwickshire exercise their functions in relation to each other and how corporate governance operates for the PCC and Chief Constable of Warwickshire and jointly between them. This document describes how the suite of documentation is organised.

### Document List

1. Introductory Document (this document)
2. Statement and Code of Corporate Governance
3. Scheme of Delegation
4. Financial Regulations
5. Contract Regulations
6. Financial Delegations
7. Ways of Working Documents:
  - To update Mou / SLA OPCC services provided by the Force
  - *To draft* Ways of Working – Estates
  - To draft Ways of Working – Procurement?

## 2. Legislation

This section outlines the key legislation, and guidance referred in this documentation. The principal statutory framework within which the organisations will operate is:

- Police Reform and Social Responsibility Act 2011 (PRSRA11, the Act) - this is referred to in a number of sections and is abbreviated to PRSRA11. It is the legislation which established Police and Crime Commissioners, and therefore updated previous legislation
- Police Act 1996
- The Police Reform Act 2002
- The Policing and Crime Act 2017
- Policing Protocol Order 2023 (the Protocol)
- Strategic Policing Requirement
- Data Protection Act 2018/General Data Protection Regulation (GDPR), Freedom of Information Act 2000 and Environmental Information Regulations 2004
- CIPFA Statement on the role of Chief Finance Officers of the PCC and Chief Constable.
- Financial Management Code of Practice for the Police (Home Office, 2018)
- Standards in Public Life: First Report of the Committee on Standards in Public Life (known as the Nolan Principles), Code of Ethics
- Elected Local Policing Bodies (Specified Information) Order 2011, Elected Local Policing Bodies (Specified Information) (Amendment) Order 2012, Elected Local Policing Bodies (Specified Information) (Amendment) Order 2021
- Code of Practice for Victims of Crime in England and Wales (Victims' Code) issued under section 32 of the Domestic Violence, Crime and Victims
- Health and Safety at Work legislation and codes.

## 3. Role of the PCC

The PCC's functions are set out in statute and subordinate legislation. The key powers and duties of the PCC are set out in the PRSRA11 and the Policing Protocol Order as follows:

- Set the strategic direction and objectives of the force through the Police and Crime Plan, which must have regard to the strategic policing requirements set by the Home Secretary.
- Scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan.

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- Hold the Chief Constable to account for the performance of Warwickshire Police officers and staff, the exercise of the functions of the office of Chief Constable and the functions of persons under the Chief Constable's direction and control.
- Approve the annual budget and medium term financial plan, allocating to the Chief Constable annual revenue funds and capital funding allocations subject always to approval of capital spending business cases.
- Set the council tax precept for the area covered by the PCC.
- Appoint and remove the Chief Constable.
- Maintain an efficient and effective police service for the area.
- Enter into collaboration agreements with other PCC's, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where this relates to the functions of the force then it must be with the agreement of the Chief Constable).
- Provide a local link between the police and communities.
- Publish information as specified by the Secretary of State and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and Chief Constable.
- Comply with all reasonable requests from the Police and Crime Panel to attend their meetings.
- Prepare and issue an annual report to the Police and Crime Panel.
- Monitor all complaints against officers and staff and complete reviews of eligible complaints.
- Make crime and disorder reduction grants, and commission services.
- Maintain an effective Independent Custody Visiting Scheme for monitoring facilities for people being held in custody.

The PCC is the recipient of all funding relating to policing and crime reduction, including government grant, council tax precept and other sources of income. How this money is allocated is a matter for the Police and Crime Commissioner in consultation with the Chief Constable, or in accordance with any grant terms. The statutory officers of the Chief Constable and the Police and Crime Commissioner will provide professional advice and recommendations.

The PCC is established as a corporation sole and is the legal contracting body who owns all the assets and liabilities of the Force, including the policing estate, with responsibility for approving the overall financial strategies and budget, and the financial administration of the OPCC. The PCC will receive all funding relating to policing and crime reduction, including the government grant and precept, and other sources of income. These identified funds are to be allocated in accordance with any grant terms and conditions, and on the basis set out in the Police and Crime Plan and associated strategies.

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The PCC is responsible for handling complaints and conduct matters in relation to the Chief Constable and for monitoring the Force's handling and investigation of complaints against police officers, staff and the wider service, and complying with Independent Office for Police Conduct (IOPC) requirements, as appropriate. From February 2020, the Policing and Crime Act 2017 made the PCC responsible for reviews of recorded complaints handled under Schedule 3 of the Police Reform Act 2002. In relation to complaints, the PCC may issue directions to the Chief Constable in accordance with Section 15 of the Police Reform Act 2002.

The PCC may suspend the OPCC Statutory Officers if the alleged misconduct warrants such action, but the PCC may not take any other disciplinary action without having due regard to a recommendation in a report made by designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct). Any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

Under the provisions of Schedule 1 of the PRSRA11, the PCC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the PCC.

## 4. Statutory Officers

The key roles referred to in the Corporate Governance Framework are:

- Chief Constable, who is established in law as a corporation sole. The Chief Constable is responsible for maintaining the King's peace and direction and control of the Force. The Chief Constable is accountable in law for the exercise of police powers, operational decision making, and to the PCC for delivery of efficient and effective policing, management of resources and expenditure by the Force.
- PCC Chief Executive and Monitoring Officer (known hereafter as Chief Executive) – an appointment required by the Police and Social Reform Act 2011, the Chief Executive carries out the role of Monitoring Officer, as detailed in section 5 of the Local Government and Housing Act 1989, and the role of Head of Paid Service under Section 4 of the Local Government and Housing Act 1989.
- PCC Chief Finance Officer – appointed to the PCC under s151 of the Local Government Act 1972; the financial adviser to the PCC has a statutory responsibility to manage the Commissioner's financial affairs as set out in sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2003 (as amended).
- CC Chief Finance Officer (known hereafter as Director of Finance) – appointed to the CC under s151 of the Local Government Act 1972; the financial adviser to the Chief Constable has a statutory responsibility to manage the Chief Constable's financial affairs as set out in sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2003 (as amended).

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The Statutory Officers have specific responsibilities as explained throughout these documents, and they also have a general responsibility to ensure those working for them understand the Corporate Governance Framework, associated documentation and their own roles and responsibilities, especially when responsibilities have been delegated to them.

### 5. Glossary

- OPCC - refers to those employed into the office of the Police and Crime Commissioner including the Deputy PCC if appointed.
- Force - refers to the Chief Constable, police officers, police staff, police community support officers (PCSO), special constabulary, volunteers and other members of the wider police family under the Chief Constable's direction and control.
- Chief Officers and Directors – Chief Officers are the Chief Constable, Deputy Chief Constable and Assistant Chief Constables. The Directors refer to the 3 Directors in the senior team; the Director of Data, Strategy and Technology, Director of Finance and Director of Enabling Services. The force Senior Leadership Team includes the Chief Officers and Directors and several other key personnel.
- Employees - when referred to as a generic term shall refer to police officers, police staff, OPCC staff and other contractors or agents.
- Authorised Officer - refers to employees authorised through the Joint Corporate Governance Framework and Scheme of Delegation.
- Joint Audit and Standards Committee (JASC) - has been established to advise the Police and Crime Commissioner (PCC) and Chief Constable jointly according to good governance principles established in the Home Office Financial Management Code of Practice. The purpose of the JASC is to provide independent assurance on the adequacy of the risk management framework, the internal control environment, and the integrity of the financial reporting, ethics and standards and annual governance processes. It will also consider the internal and external audit plans and reports of both organisations.