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## ANNUAL GOVERNANCE STATEMENT 2021

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### 1 INTRODUCTION

The Annual Governance Statement concerns itself with the Police and Crime Commissioner's (PCC) governance arrangements and explains the extent to which the PCC complies with his Code of Corporate Governance, and which in turn is consistent with the seven principles of good governance.

The document has been drawn having regard to Delivering Good Governance: Guidance notes for Policing Bodies in England and Wales 2016 Edition published by the Chartered Institute of Public Finance and Accountancy (CIPFA).

This Annual Governance Statement reflects the position as at 26 November 2021, including the financial year 2020/21, when the Statement of Accounts was approved by the Police and Crime Commissioner (PCC). The changes made to adapt to the impact of COVID-19 are outlined throughout the Annual Governance Statement.

### 2 SCOPE OF RESPONSIBILITIES

The PCC is responsible for ensuring that his business is conducted in accordance with the law and proper standards, and that public money is safeguarded, properly accounted for, and used economically, efficiently and effectively.

In discharging this responsibility, the PCC must put in place proper arrangements for the governance of his affairs and for facilitating the exercise of his functions. This includes ensuring there is a sound system of governance (incorporating the system of internal control) maintained through the year and that arrangements are in place for the management of risk. In exercising this responsibility the PCC places reliance on the Chief Constable of the Suffolk Constabulary to support the governance and risk management processes.

The PCC has approved and adopted a Code of Corporate Governance, which is consistent with Delivering Good Governance: Guidance Notes for Policing Bodies in England and Wales published

in 2016 by CIPFA. The PCC's Code of Corporate Governance was reviewed during 2016 to accommodate the seven governance principles contained within the Guidance Notes referred to above so that with effect from 1 January 2017 a revised code replaced the previous 2013 edition (see Decision No 49-2016).

A copy of the Code is available on the PCC website at [www.suffolk-pcc.gov.uk](http://www.suffolk-pcc.gov.uk) or can be obtained from the PCC's offices at Police Headquarters, Martlesham Heath, Ipswich, IP5 3QS. This Annual Governance Statement explains how the PCC has complied with the Code of Corporate Governance.

In accordance with the 2011/12 Code of Practice on Accounting, the PCC's Chief Finance Officer has reviewed the PCC's financial management arrangements against the governance requirements set out in Principle 3 of the CIPFA Statement upon the role of the Chief Finance Officer to the PCC. He is satisfied that the PCC's financial management arrangements conform with each of the governance requirements set out in Principle 3 and that accordingly public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.

Both the PCC and the Chief Constable are subject to the Accounts and Audit Regulations 2015. These Regulations require all relevant bodies to prepare an Annual Governance Statement which must accompany the Statement of Accounts. Group accounts must be completed by the PCC for the PCC and Chief Constable, and the Chief Constable must complete individual accounts. Both the PCC and the Chief Constable are required to produce Annual Governance Statements.

### **3 THE PURPOSE OF THE GOVERNANCE FRAMEWORK AND GOOD GOVERNANCE**

The governance framework comprises the systems, processes, culture and values by which the PCC directs himself and maintains control and the activities through which he accounts to and engages with the community. It enables the PCC to monitor the achievement of strategic objectives and to consider whether these objectives have led to the delivery of appropriate, cost-effective services, including achieving value for money.

The system of internal control is a significant part of that framework and is designed to manage risk to a reasonable and foreseeable level. It cannot eliminate all risk of failure to achieve policies, aims and objectives; it can only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify and prioritise the risks to the achievement of the PCC's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, to manage them effectively, efficiently and economically.

Good governance is about how decisions are made, focusing on matters such as understanding and clarity of aims, the integrity, fairness and transparency of decisions and the effectiveness of controls and accountability mechanisms. Good governance means doing what is right and doing it properly and must be central to the culture of the organisation.

## 4 THE GOVERNANCE FRAMEWORK

This section describes the key elements of the structures, systems and processes that comprise the PCC's governance arrangements. In producing this explanation steps have been taken to ensure that the actions identified in the PCC's Code of Corporate Governance are being addressed. This statement refers to a number of documents and decisions made by the PCC which help to illustrate the Governance Framework of the PCC. These documents and decisions are available through the PCC website referred to above.

In mid to late March 2020, the COVID-19 outbreak began to impact in a material way on the responsibilities of the PCC and the Constabulary. Changes were made to the way day-to-day business was conducted. However, conduct of business was underpinned by the Governance Framework which, notwithstanding an emergency situation, is sufficiently flexible with some minor amendment to enable good governance to be delivered, and enabled corporate governance to continue as set out in this statement without any significant departure from it being necessary.

### a Identification, Communication and Review of the PCC's Aim and Objectives

This section describes how the PCC's vision for his purpose and the intended outcomes for citizens and service users are identified and communicated.

#### Police and Crime Plan

A Police and Crime Plan for the period 2017–2021 was produced to apply from 1 January 2017 (see Decision No 2 - 2017). Its production complied with the processes required to be adopted by legislation and as pertained with its predecessor. The Police and Crime Plan was reviewed and varied during 2019 (see Decision No 32 – 2019).

The Plan clearly articulates the PCC's police and crime objectives. To enable the PCC's vision for policing to become a reality, the objectives have been translated into an Action Plan which drives day-to-day activities. Progress against the Action Plan is assessed under the Performance Monitoring Arrangements. The Action Plan and Police Monitoring Arrangements are described in Decision Nos 2-2017 and 32-2019. A detailed Delivery Plan outlining specific actions, timescales and milestones has also been produced and which drives delivery by the Chief Constable and the Office of the PCC.

A new Plan is now in the process of being produced to cover the period 2022-2025.

#### Annual Report

The PCC is required to produce an Annual Report. The PCC produced an Annual Report for 2019/20 and which was formally submitted to the Police and Crime Panel for consideration in autumn 2020.

The production of an Annual Report provides an opportunity for the PCC to report upon progress in relation to his activities, achievements, financial position and performance.

**b Ensuring Delivery of Services and the Best Use of Resources**

This section explains how the quality of policing and crime services is measured and how the PCC ensures that they are delivered in accordance with his objectives. Further it explains how it is ensured that the services represent the best use of resources.

Police and Crime Objectives

The Police and Crime Plan referred to above contains the police and crime objectives which contribute toward achieving the PCC's overall aim of making Suffolk a safer place in which to live, work, travel and invest.

The Plan has a supporting Action Plan which sets out the actions required to deliver the Police and Crime Plan. The Action Plan is complemented by a detailed Strategic Delivery Plan which specifies the activities, milestones and responsible owners of actions.

The PCC is able to utilise the funds available to him to award crime and disorder reduction grants and commission victims services. The PCC commissions services from any suitable provider who he considers can provide services to contribute to his police and crime objectives and which are consistent with his statutory powers.

Monitoring Delivery of Objectives

The PCC regularly reviews progress against his police and crime objectives. Where grants have been awarded the awards have been made against the timescales and milestones for delivery and include agreed success criteria or performance measures.

The delivery of performance in the Plan is monitored as specified in the Action Plan to the Police and Crime Plan.

Where the PCC has awarded grant monies to organisations this has been undertaken against robust business cases which clearly set out the success criteria and how the initiative for which funding is sought will deliver clear and measurable outcomes against the police and crime objectives. Where funding has been awarded to a body, that body reports on outcomes and progress deriving from the grant to the PCC and in some cases, particularly for larger grants and contracts, to the Accountability and Performance Panel as required by the PCC. The process for awarding funding and monitoring performance was reviewed by internal audit during 2018/19 and which resulted in a grading of "substantial assurance".

### Accountability and Performance Panel

The PCC has established the Panel primarily to hold the Chief Constable to account in a public forum. A Schedule of Business for the Panel is maintained to provide clarity on forthcoming items. As indicated above the Panel will monitor performance in a number of other areas and which includes financial monitoring, compliance with the Strategic Policing Requirement, estates issues, collaboration, protective services, human resources issues, stop and search, children and equality issues. The Constabulary Risk Register is also viewed regularly in private session at Panel meetings.

For the period of the COVID-19 outbreak and until further notice, arrangements have been made to continue with these meetings on a virtual basis in order to comply with the law changes to facilitate social distancing. All open papers and minutes are available for viewing on the PCC website. Application for attendance at the meetings conducted by Microsoft Teams can be made to the PCC and this has resulted in attendance by members of the Police and Crime Panel, media and other interested parties. An adjustment was made to the Scheme of Governance and Consent to facilitate this.

### Medium Term Financial Plan

The Medium Term Financial Plan (MTFP) for 2021/22 to 2024/25 has been drawn up in line with the PCC's manifesto commitments. The MTFP was drawn up following identification of the 2021/22 government grants in December 2020. Delivery of a balanced budget against the period of the MTFP is dependent upon the Constabulary continuing to make savings and improving effectiveness. This will be monitored formally by the PCC through the Accountability and Performance Panel. The position will be monitored on the PCC's behalf on a day-to-day basis by the PCC's Chief Finance Officer.

For more information on the MTFP see PCC Decision No 2-2021.

### Inspection

The PCC and Chief Constable carry out a large number of internal inspections each year. These are undertaken by either the Constabulary itself or through the joint programme of linked audits undertaken by the Internal Auditors.

There are also a number of external inspections undertaken of the Constabulary, in the main by Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) but also including the external auditors. Reports from the external inspections and auditors are considered variously by the PCC. Where actions are required and as appropriate the necessary improvements are monitored by the PCC by consideration of progress against action plans. Any matters of concern may be recorded upon the PCC's Risk Register.

All inspections of the Constabulary by the HMICFRS are available on the PCC's website together with the statutory responses from the PCC to the Home Secretary upon the inspections.

Overall therefore there are robust and effective arrangements for ensuring that policing services are delivered in accordance with the PCC's objectives and to a high standard and further for ensuring that they represent the best use of resources.

## **c Roles and Responsibilities**

This section explains the definition and documentation of the roles and responsibilities of the PCC, his statutory officers and those exercising delegated authority on his behalf. The nature of the delegation arrangements for challenging and scrutinising Constabulary activity are also explained.

### PCC Functions

As a corporation sole established by statute the PCC performs a number of functions that are provided for in legislation, namely the Police Reform and Social Responsibility Act 2011. Principal amongst those functions are the duties to secure the maintenance of the police force, secure that the force is efficient and effective, and to hold the Chief Constable to account for the exercise of their functions and those under their direction and control.

The functions and responsibilities of the PCC are discharged by the PCC himself except insofar as the performance of the functions is delegated.

### PCC's Governance Scheme

The PCC has established a corporate governance framework, known as the Scheme of Governance and Consent. The Scheme contains a number of elements. Key amongst them are:

- Delegations by the PCC;
- Financial Regulations;
- Contract Standing Orders; and the
- Decision-Making and Accountability Framework.

The Scheme is monitored on a continuous basis to ensure it is fit for purpose. The Scheme (with the exception of the Financial Regulations) has been amended twice during 2020 and once during 2021. The first review in 2020 (see PCC Decision No 2-2020) was carried out in the main to accommodate minor revisions to the Seven Forces' Contract Standing Orders and changes to delegations. The second review (see PCC Decision No 13-2020) was to modify the Decision-Making and Accountability Framework to enhance its flexibility due to the COVID-19 outbreak. The changes made to the Scheme in 2021 (see PCC Decision no 4-2021) concerned further changes to the Seven Forces' Contract Standing Orders.

A temporary modification was also made to the contract execution process under the Seven Forces' Contract Standing Orders at the commencement of the COVID-19 outbreak to allow for the electronic execution of contracts instead of the physical sealing of high value contracts. This remains in place.

## Decision-Making and Accountability Framework

The Decision-Making and Accountability Framework has been developed to enable the PCC and those exercising delegated authority on behalf of the PCC to make robust, well-informed and transparent decisions and hold the Chief Constable to account. The formalities relating to the making of decisions are clearly established with decisions, apart from those where there are reasons of confidentiality, being published on the PCC's website. The decision-making arrangements are detailed in the Scheme of Governance and Consent which is published on the PCC's website.

The accountability arrangements are similarly explained in the Scheme of Governance and Consent. In order to hold the Chief Constable to account and to enable issues to be discussed (and where appropriate decisions made) in public, the PCC established an Accountability and Performance Panel. This Panel, scheduled to meet every two months, is the primary vehicle by which the PCC holds the Chief Constable to account in a public forum. A Schedule of Business for these meetings is published, with the business for these meetings being added to as the year progresses. Not only does the Panel consider bi-monthly reports on the delivery of the elements of the Police and Crime Plan as well as financial reports against the Budget, the PCC also considers updates on delivery between each of the meetings.

In addition to this formal accountability mechanism there are also regular meetings between the PCC and Chief Constable. Currently arranged on approximately a weekly basis, they are also attended by the Chief Executive, PCC's Chief Finance Officer, Head of Communications and Engagement, Deputy Chief Constable and Chief Constable's Chief Finance Officer. These weekly meetings became key during the COVID-19 outbreak and were conducted on a virtual basis where the Chief Constable was able to update on the Constabulary's operational response and which included financial monitoring.

## Delegations by the PCC

Delegations by the PCC are found in the Scheme of Governance and Consent. The Delegations identify those powers of the PCC which may be exercised by officers on his behalf. The Scheme requires to be read and operated together with the Decision-Making and Accountability Framework, as well as the Financial Regulations and Contract Standing Orders and which are available through the PCC website.

The four essential elements of the Scheme of Governance and Consent provide for how, in addition to operating within statutory parameters, the decisions of the PCC and those exercising authority on his behalf, are made.

The Chief Executive and the PCC's Chief Finance Officer monitor the Scheme of Governance and Consent on a continuous basis to ensure it is fit for purpose.

## Officer Roles

The Chief Executive, PCC's Chief Finance Officer, Chief Constable and others as appropriate, are required to advise and support the PCC in meeting his responsibilities.

### Chief Executive

The Chief Executive's role is to support and advise the PCC in delivering his Police and Crime Plan and in undertaking his statutory duties and responsibilities. As well as responsibility for the management and day to day running of the Office of the PCC the Chief Executive is also the Head of Paid Service and the Monitoring Officer. In discharging the Monitoring Officer role the Chief Executive is required to report to the PCC if it appears that any proposal, decision or failure within their organisation constitutes, has given rise to, or is likely to break the law or a code of practice. Whilst the Chief Executive will look to find ways to achieve a desired outcome, the Monitoring Officer responsibility will ensure that any solution adopted is lawful and proportionate. The Chief Executive also discharges the statutory role of Data Protection Officer (PCC Decision No 13-2018).

### PCC's Chief Finance Officer

The PCC's Chief Finance Officer is required to ensure that the financial affairs of the PCC are properly administered. Whilst the PCC's professional adviser on financial matters, the PCC's Chief Finance Officer also has similar legal duties and responsibilities to the Monitoring Officer in connection with any unlawful, or potentially unlawful, spending by the PCC or those acting on the PCC's behalf.

The Chief Executive and PCC's Chief Finance Officer continually consider the resources and support necessary to perform effectively in their roles.

Papers to be considered by the PCC for decision are scrutinised by the Chief Executive and/or PCC's Chief Finance Officer, as appropriate for compliance purposes. Indeed any submission for decision by the PCC must be certified by the Chief Executive. More information about the roles and responsibilities of the Chief Executive and the PCC's Chief Finance Officer can be found in the Scheme of Governance and Consent.

### Chief Constable

The role and responsibilities of the Chief Constable are set out in the common law, legislation and Chief Constable's job description, amongst other sources. The Police Reform and Social Responsibility Act 2011 and the Policing Protocol 2012 are key in this regard. The key roles of the Chief Constable are briefly summarised in the PCC's Scheme of Governance and Consent.

### Scheme of Consent

The Scheme of Governance and Consent comprises a number of key elements including Financial Regulations, Contract Standing Orders and the Delegations of the PCC. There is no separate

Scheme of Consent; rather the consents granted to the Chief Constable appear as appropriate throughout the document. They relate in particular to the extent of, and any conditions attaching to, the PCC's consent to the Chief Constable and others to exercise powers to enter into contracts and acquire or dispose of property.

#### The Police and Crime Panel

Whilst the PCC is ultimately accountable to the electorate, the Panel provides a check and balance in relation to performance of the PCC. The Panel scrutinises the PCC's exercise of their statutory functions. Comprising 11 local county and district councillors and 2 co-opted members and appointed independently of the PCC, the Panel exercises its functions with a view to supporting the effective exercise of the PCC's functions. It has two powers of veto in relation to the PCC's proposed precept and the appointment of a Chief Constable.

After the COVID-19 outbreak the Panel was given time-limited statutory powers to conduct its business virtually.

#### **d Standards of Conduct**

##### Code of Ethics

The College of Policing has produced a national Code of Ethics which sets out the principles and standards of behaviour that will promote, reinforce and support the highest standards from everyone who works in policing in England and Wales. The staff of the Office of the Police and Crime Commissioner have been trained in its content and application. The PCC has monitored the implementation of the Code through the policing workforce via the Audit Committee.

##### PCC

The Local Policing Bodies (Specified Information) Order 2011 (as amended) requires a PCC to publish "a statement of the elected local policing body in relation to the conduct of relevant office holders, including procedures for the handling of qualifying complaints and conduct matters". The PCC has adopted a Statement of Policy upon Ethical Conduct to meet this obligation – see PCC Decision No 12-2014. The Chief Executive reviewed the Policy on 4 January 2017 and concluded that no material change was required and that it remained valid in its current form. Notable within the Policy is the PCC's commitment to openness and serving the public interest.

The PCC is accountable to the electorate for his conduct. Upon taking up office the PCC made a statutory declaration of acceptance of office by which he committed to serving all the people of Suffolk. In making the declaration he promised to act with integrity, give the public a voice, be transparent and be accountable to the public. In discharging his responsibilities he is expected to adhere to the Nolan principles relating to standards of behaviour in public life. Briefly stated these relate to selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

These principles have been developed in producing the Statement of Policy. The Policy sets out the Standards of Conduct that the PCC has set himself and gives examples of how he demonstrates that he meets those standards. The PCC is also subject to the Official Secrets Act 1989 in the same way as police officers.

Complaints against the PCC fall to be considered under the Elected Policing Bodies (Complaints and Misconduct) Regulations 2012. The appropriate authority for complaints made against the PCC is the Police and Crime Panel. The Panel is responsible for the initial recording of complaints and conduct matters and for referring any complaints which allege criminality to the Independent Office for Police Conduct. Where complaints do not allege criminality, the Panel is responsible for handling and informally resolving these complaints. At its meeting on 25 January 2013 the Panel delegated to the PCC's Chief Executive responsibility for receipt, initial handling and recording of complaints, and to the Monitoring Officer of Suffolk County Council, responsibility for securing informal resolution of complaints.

Under the Elected Local Policing Bodies (Specified Information) Order 2011 (as amended) the PCC is required to maintain a register of interests of the PCC. Accordingly the Register of Interests is maintained and available for examination via the PCC's website.

#### Officers and others

As well as the Code of Ethics referred to above PCC staff are subject to rules of conduct applicable under their contracts of employment.

In addition to these rules of conduct the Chief Executive as a solicitor, and the PCC Chief Finance Officer as an accountant, are also subject to professional codes of conduct.

Complaints against the PCC officers (and other volunteers utilised by the PCC) are handled in accordance with the explanation found on the PCC's website. The PCC is committed to maintaining the highest levels of honesty and integrity and the prevention of corrupt, dishonest, unethical and unprofessional behaviour. All PCC staff and volunteers performing custody visitor duties are subject to police vetting processes. The PCC's vetting policy is set out in PCC Decision No 7-2013.

#### Gifts and Hospitality

Under the Elected Local Policing Bodies (Specified Information) Order 2011 (as amended) the PCC is required to publish a register of each offer of gift or hospitality made to the PCC or a member of staff, indicating whether the offer was accepted or refused. Accordingly a Register of Gifts and Hospitality is maintained and is available for examination via the PCC's website.

#### Fraud

The Constabulary intranet site is proactively used on a regular basis to remind all officers and staff of their various responsibilities relating to fraud, ethical behaviour and other related matters.

The approved Anti-Fraud and Corruption Policy (Constabulary Policy No 110) was published on the Suffolk Constabulary website in April 2016. It is also available via the PCC website. This Policy sets out the processes for identifying and responding to fraud. Fraud is deterred through the exercise of policies and procedures. Regular internal audits, vetting of staff and a whistleblowing policy all contribute to deterring fraud. The Financial Regulations set out the requirement for internal financial controls, including the approach to preventing fraud and compliance, together with the arrangements for dealing with suspected fraud, theft, irregularity and improper use or misappropriation of property or resources.

**e      Governance Scheme, including Contract Standing Orders, Financial Regulations and their Update**

This section explains the arrangements that apply for Contract Standing Orders and Financial Regulations, both of which are part of the Scheme of Governance and Consent (see section c above).

Financial Regulations

The PCC has adopted a set of Financial Regulations as a part of the Scheme of Governance and Consent. Available through the PCC website, the Regulations are a major part of the overall governance arrangements for the PCC and help establish a sound internal control environment. In order to conduct business effectively, the PCC and Chief Constable need to ensure that sound financial management policies are in place and that they are strictly adhered to. The Regulations that have been adopted have been drawn up to ensure that the financial affairs of the PCC and the Chief Constable are conducted properly and in compliance with all necessary requirements. They are designed to establish overarching financial responsibilities, and to provide clarity about the financial accountabilities of groups or individuals. They apply to all PCC staff and all of the Chief Constable's officers and staff and anyone acting on their behalf.

The Financial Regulations cannot be viewed in isolation but rather as part of the overall regulatory framework of the Scheme of Governance and Consent.

The Regulations are subject to continuous monitoring by the PCC Chief Finance Officer and Chief Executive to ensure they are fit for purpose in view of the constantly changing environment.

The Regulations are joint Regulations with the Norfolk policing area such that the Norfolk and Suffolk police areas operate under the same Financial Regulations. They were last reviewed and modified in May 2021 (PCC Decision No 18-2021)

Contract Standing Orders

The Contract Standing Orders govern the relationship between the PCC, Chief Constable and others in relation to the entering into of contracts. In January 2019 the PCC and Chief Constable entered into a collaboration agreement with their counterparts for the police areas of Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Kent and Norfolk in relation to procurement. In this

agreement a common set of Contract Standing Orders have been agreed for the seven police areas and these now supercede the orders that applied between the Suffolk and Norfolk police areas. During early 2021 a number of changes were made to these Contract Standing Orders and these have been formally implemented in Suffolk through modifications to the Scheme of Governance and Consent (see Decision No 4-2021).

**f Risk Management**

**Risk Management Strategy**

A key aspect of decision-making by the PCC relates to risk management. The PCC has adopted a Risk Management Strategy which is encapsulated within the document Risk Management Strategy (incorporating the statement of responsibilities). The PCC seeks to identify, analyse and prioritise the risks faced. He then seeks to manage and control the risks in order to maximise the quality and efficiency of service provision. The strategy recognises the importance of working closely with the Constabulary and sets out clearly the various responsibilities of the individuals and groups in the risk management regime.

The Chief Executive has overall responsibility for overseeing the PCC approach to risk management. The Chief Executive reviewed the Risk Management Strategy in July 2021 and made a number of modifications which were approved by the PCC (PCC Decision No 24-2021).

Both the PCC and the Chief Constable maintain strategic risk registers which are regularly reviewed. The PCC's Risk Register, which identifies, profiles, controls and maintains all strategic risks is published upon the PCC's website at each update. The PCC also maintains a confidential Risk Register which is not published.

All submissions to the PCC for decision are required to address risk and this is specifically provided for in the Strategy.

All reports to the PCC's Accountability and Performance Panel require the originators to address the risks associated with the subject matter of the report. This approach ensure that risk management plays a major role in the key elements of the PCC's work relating to financial and budgetary management, service planning and performance management.

In spring 2017 the internal auditors reported a level of substantial assurance in their review of the PCC's risk management arrangements.

In June 2021 the internal auditors reported a level of reasonable assurance in their review of how the Constabulary have engaged with risk management. The objective of the audit was to review the systems and controls in place for risk management and focused on the risk maturity of the Constabulary following developments in its risk management processes.

**g The Role and Functioning of the Audit Committee**

**Audit Committee**

The Audit Committee for the PCC and Chief Constable discharges the functions of an Audit Committee as suggested by the Practical Guidance for Local Authorities and Police Audit Committees (2013) published by the Chartered Institute for Public Finance and Accountancy (CIPFA). The Audit Committee comprising four members was appointed and met for the first time on 28 March 2014. The current membership of the Committee stands at five members with the fifth member being appointed in autumn 2020 to join the four members who were reappointed for a four year term with effect from 1 January 2020.

The Audit Committee performs the functions as set out in the CIPFA Guidance:

*“to provide independent assurance on the adequacy of the risk management framework and the associated control environment, independent scrutiny of the organisation’s financial and non-financial performance to the extent that it affects exposure to risk and weakens the control environment, and to oversee the financial reporting process”.*

In order to undertake this role the Committee takes assurance from inspections carried out upon the activities of the PCC and Chief Constable. Inspection reports originate, as appropriate, from a number of sources, including internal audit, the external auditors and Her Majesty’s Inspectorate of Constabulary and Fire and Rescue Services, as well as other periodic reports on key issues of the control environment. The Annual Governance Statement itself was also a document from which the Audit Committee was able to take assurance.

The Audit Committee agrees an Annual Report upon its activities each year and these are published on the PCC website.

For the period of the COVID-19 outbreak arrangements were made to conduct Audit Committee business by telephone conference in order to comply with obligations relating to social distancing. Whilst the public were not able to attend, all open papers and minutes remained available for viewing on the PCC website.

For further information upon the Audit Committee, reference should be made to the Decision-Making and Accountability Framework comprised within the Scheme of Governance and Consent.

**h Compliance with Law and Internal Policy and Procedure**

This section addresses the arrangements that are in place to ensure that relevant law is complied with by the PCC and to ensure that internal policy and procedure is observed. In particular, the arrangements to ensure that all expenditure by the PCC is lawful are described.

## Statutory Officers

The PCC is responsible for securing an efficient and effective police service for the area, for observing the duties imposed and exercising the powers conferred by legislation. The Chief Executive and the PCC's Chief Finance Officer are required to support and advise the PCC in delivering his manifesto, as expressed through the Police and Crime Plan, and in undertaking his statutory duties and responsibilities. This includes in relation to strategy and resource planning, working in partnership with others, commissioning and service delivery, engagement and information management, scrutiny, evaluation and performance.

The Chief Executive is a statutory officer. Whilst responsible for the effective and efficient administration of the PCC's office he also fulfils the statutory role of monitoring officer. In this regard he has responsibility to draw to the PCC's attention any actual or possible contravention of law, maladministration or injustice.

The PCC's Chief Finance Officer, also a statutory officer, has similar responsibilities relating to financial management and governance, and is similarly required to report issues of a financial nature to the PCC where they may give rise to a breach of requirements, be they statutory or otherwise.

All originators of submissions to the PCC for decisions are required to consider a number of issues in the production of their submissions, namely legal, financial, equality, diversity and human rights, human resources, consistency with the objectives of the Police and Crime Plan, consultation, media and risks. The Chief Executive must be satisfied that all relevant advice has been taken into account in the preparation of a submission before it is considered by the PCC. Similar issues must be considered by originators in the production of reports for the PCC's Accountability and Performance Panel.

Whilst the PCC is reliant upon the statutory professional officers to scan and monitor the environment for potential legislative impacts upon him he is also assisted by numerous professional networks. These include the Association of Police and Crime Commissioners which, amongst other things, is a source of support and advice to PCCs. This is supplemented by the Chief Executive and PCC's Chief Finance Officer membership of the Association of Policing and Crime Chief Executives and the Police and Crime Commissioners' Treasurers' Society respectively, both of which provide a conduit for further professional advice. Technical support services of a financial nature, in common with other police areas, are received from Somerset County Council.

Each year a programme of internal audits is undertaken which is aimed at ensuring compliance with internal policy and procedure. The Plan of internal audits, considered by the Audit Committee, takes into account current corporate governance and risk management issues as well as the risk appetite of the PCC and Chief Constable.

It is clear therefore that there are numerous mechanisms across the PCC's office whereby steps are taken to ensure the PCC complies with both his external and internal obligations.

i **Whistleblowing and Complaints**

This section describes the processes for whistleblowing and explains the transparent and accessible arrangement for handling complaints.

Whistleblowing

The statutory provisions relating to whistleblowing apply to police officers and police staff alike. This means that such staff are able to make disclosures protected by the legislation and remain protected from action by their employer. These statutory provisions are reflected in the policies that apply to staff of the PCC and the Constabulary and explain the action to be taken in cases of whistleblowing.

Complaints

The handling of complaints relating to the police service is an intricate and complex combination of statutory and employment related provisions. The PCC's website provides information regarding the various types of complaint which might arise and to where complaints should be addressed. It also advises on how the Office of the PCC deals with complaints which are its responsibility.

The PCC has also adopted a Statement of Policy and Procedure upon the Police Complaints and Conduct System (see Decision No 3-2020) which sets out some of the key aspects of the law and responsibilities relating to the PCC in this area and how they will be applied.

Complaints against the PCC

The appropriate authority for complaints made against the PCC is the Police and Crime Panel. The Police and Crime Panel is responsible for initial recording of complaints and conduct matters and for referring any complaints which allege criminality to the Independent Office for Police Conduct (IOPC). Where complaints do not allege criminality, the Police and Crime Panel is responsible for handling and informally resolving these complaints. The Police and Crime Panel has determined that the Chief Executive of the Office of the PCC shall have delegated authority for the receipt and initial handling and recording of complaints against the PCC. However the Monitoring Officer of the Suffolk County Council has responsibility for securing the informal resolution of complaints as appropriate. Complaints are handled in accordance with the Elected Policing Bodies (Complaints and Misconduct) Regulations 2012.

Complaints against the Chief Constable

The PCC is the appropriate authority for a complaint or recordable conduct matter that relates to the conduct of the Chief Constable. In dealing with complaints about the Chief Constable, the PCC follows the statutory guidance issued by the IOPC and in line with the Police (Complaints and Conduct) Regulations 2020 and other relevant legislation.

### Complaints against Police Officers and Police Staff

If anyone wishes to make a complaint against a police officer (other than the Chief Constable) or a member of police staff that works for the Suffolk Constabulary, the PCC's website directs them to the dedicated section of the Constabulary's website or alternatively to the IOPC website.

The PCC does not, except as set out below, deal with complaints about police officers (apart from the Chief Constable) and staff who work for the Constabulary. However the PCC does have a responsibility to monitor and keep himself informed of complaints and misconduct issues relating to police officers and police staff. Where permissible and necessary, the PCC also has the power to direct the Chief Constable to take action in relation to complaints matters. The PCC regularly monitors information about complaints received by Suffolk Constabulary and the lessons learnt by the force.

### Review of Complaints

The Policing and Crime Act 2017 gives PCCs the responsibility for reviews in respect of complaints considered by the Chief Constable with effect from 1 February 2020. The Statement of Policy and Procedure referred to above sets out how the PCC will operate the discharge of the statutory review function.

### Complaints against PCC Support Staff

Complaints against staff employed by the PCC are considered in the first instance by the Chief Executive. Similar complaints against the Chief Executive are considered by the PCC. Where necessary complaints against staff are progressed in accordance with their contractual terms and conditions. The PCC website explains the action to be taken should any person wish to complain against a member of the PCC staff.

### Other Complaints

If anyone wishes to make a complaint about the conduct of an Independent Custody Visitor or an Audit Committee Member the PCC's website explains the action to be taken.

## **j      Conditions of Employment and Development of Officers in relation to their Roles and Training**

### Terms and Conditions

The staff of the Office of the Police and Crime Commissioner, all of whom are under the direction and control of the PCC, are employed on the standard terms and conditions of the Suffolk Constabulary subject to local variation appropriate to their circumstances. The policies of the Suffolk Constabulary similarly are generally applicable to them subject to variation as necessary within the employment grouping.

## Development

The two statutory officers, namely the Chief Executive and PCC's Chief Finance Officer are required to maintain levels of competencies in order to sustain professional qualifications.

Staff meetings are held as required and which provide an opportunity for staff to update and enhance their knowledge of key developments on an ongoing basis.

All new staff are inducted into the work of the PCC and receive guidance appropriate to the roles to be performed.

## **k Engagement with Communities and Other Stakeholders**

This section describes how the PCC establishes clear channels of communication with all Suffolk communities and stakeholders, recognising that different sections of the Suffolk community have different priorities and how it ensures accountability and encourages open consultation.

### Communication

The PCC's website, which is regularly updated, is one of the primary sources by which the PCC publicises his activity. In easily accessible format, it includes material upon the PCC's day-to-day activity, new stories, forthcoming meetings, meeting agendas and associated papers, key governance documentation, advice on how to make a complaint, and decisions as well as information that the PCC is statutorily required to publish. In this latter regard information regarding the expenditure and the running expenses of the Office of the PCC can be found. Responses to all Freedom of Information requests are also published.

### Consultation

One of the PCC's key functions is to make arrangements for obtaining the views of the community upon policing. This includes obtaining the views of the people in Suffolk and victims of crime about the policing of Suffolk. Further the views of people in Suffolk and victims of crime in Suffolk must be obtained upon the draft Police and Crime Plan before it is issued. In addition the views of the people and ratepayers representatives must be obtained on proposals for expenditure. This means that decisions of the PCC about police and crime objectives, contained within the Police and Crime Plan, and decisions about expenditure must be informed by the views gained in pursuit of the above obligations upon the PCC. In addition the PCC must exercise their functions having regard to the relevant priorities of each responsible authority.

A Strategic Planning Framework was developed to lead up to the issue of a Police and Crime Plan in a thorough and systematic way. The Framework can be found in PCC Decision No 4-2013. This decision, along with PCC Decision No 14-2013, summarises the consultation that takes place with responsible authorities, business representatives, stakeholders, obtaining the views of the people

of Suffolk and victims of crime, and collaboration upon the draft Police and Crime Plan and expenditure, as well as how that consultation shapes the Police and Crime Plan.

The purpose of the Strategic Planning Framework was to ensure that the PCC secured and understood the view of local people about policing, that police and crime objectives were shaped around local needs and which would help improve public confidence. The PCC went on to provide feedback on how issues raised through consultation and community engagement were considered and acted upon.

### Engagement

The PCC holds meetings to engage directly with the public. They range from meetings to which the public are invited to one-to-one surgeries with members of the public. The meeting arrangements vary from time to time. All public meetings are publicised in advance via the PCC's website.

### Business

To enable regular engagement with the business community, the PCC offers opportunity to representatives of that community to meet with him.

Whilst the COVID-19 pandemic and the requirement for social distancing has meant that direct physical engagement has not been possible electronic, telephonic and hard copy channels of communication have remained open.

## I **Partnerships**

The PCC has a number of collaborative/partnership arrangements with members of the wider policing/local government family. Since the beginning of the COVID-19 pandemic the engagement with partners has moved away from physical meetings toward virtual meetings in order to maintain the flow of business.

### Collaboration with Norfolk

Both Norfolk and Suffolk Constabularies are collaborating extensively across a range of service areas. At the point where collaborative opportunities are identified as able to deliver efficiencies, savings or improved service then the PCC is required to give their approval to collaborate. This is recognised by Norfolk and Suffolk alike.

The most longstanding collaborative project is the Police Investigation Centres Project which seeks to provide custody facilities across Norfolk and Suffolk under a private finance initiative (PFI). All of the custody facilities were formally commissioned during 2011. A legally binding Second Joint Working Agreement, which in general terms describes the management and governance arrangements between the two PCCs, and which runs for the 30 year life of the service, is in existence. The PCC currently maintains oversight of the project through membership of a joint PFI

Board by the Chief Executive and the PCC's Chief Finance Officer. Decision-making relating to specifically identified decisions requires PCC approval.

The Collaboration Panel for Norfolk and Suffolk, as described in the Scheme of Governance and Consent provides an opportunity for the counties' respective PCCs to consider issues of mutual interest and discharge the governance responsibilities of the PCCs as and when required.

### Regional Collaboration

Collaboration within the Region has been pursued for a number of years. Since the introduction of PCCs, the six PCCs from the region have met quarterly as a group with their Chief Constables and Chief Executives. All collaborations that have been entered into have a collaboration agreement which specify the formalities of the collaboration arrangements in relation to specific collaborations.

Since October 2015 the six police areas in the Region have been joined by Kent in the 7Force Strategic Collaboration Programme. This has been formalised in a collaboration agreement entered into between the PCCs and Chief Constables of the seven police areas and which is now in its fourth iteration.

### Wider Public Sector

The PCC is also involved in partnerships outside of the police family and in this regard has continued the work overseen by the predecessor authority. The police service in Suffolk currently share use of a number of buildings with the County Council ranging from Landmark House in Ipswich (which involved the joint purchase and commissioning of this major capital asset) to the shared use of local fire stations throughout the county for Safer Neighbourhood Teams. Further collaborative work is currently being undertaken for the police and fire services to share further premises in addition to those that are currently used jointly. The ambulance service is also involved in the further work that is being undertaken. This work is overseen by the Blue Light Sponsor and Executive Boards.

The PCC also attends or is represented on a number of other countywide strategic boards which comprise Suffolk Public Sector Leaders, the Norfolk and Suffolk Local Criminal Justice Board, the Suffolk Health and Wellbeing Board, and the Safe and Strong Communities Group. Whilst not a responsible authority for the purposes of the Community Safety Partnerships within the County, the PCC engages with the partnerships in the course of discharging his role.

During the period of the COVID-19 outbreak a number of partnership groups came to the fore including the Local Resilience Forum Strategic Co-ordinating Group. Whilst not a member, the PCC maintained oversight through receipt of all papers and minutes and regular updates from Constabulary Chief Officers.

## Commissioning

Section 143 of the Anti-Social Behaviour Crime and Policing Act 2014 provides that the PCC may provide or arrange for the provision of services that will secure or contribute to securing crime and disorder reduction in the area and services which are intended to help victims, or witnesses of, or persons affected by offences and anti-social behaviour. The Office of the Police and Crime Commissioner ensures that the services commissioned are consistent with the PCC's objectives as set out in the Police and Crime Plan.

For the financial year 2020/21, the PCC committed over £1.7m to crime and disorder reduction and victims commissioning grants (including funding to the Safer Suffolk Fund). A significant proportion of that funding was committed to deliver the Suffolk Independent Domestic Violence Advisory Service and to commission Victim Support to deliver the generic victim assessment and referral service together with Norfolk OPCC.

All grants awarded are subject to conditions and monitoring requirements, business cases must set clear success criteria and the outcomes to be achieved must be demonstrated. Details relating to grants made are published on the PCC website.

## **5 REVIEW OF EFFECTIVENESS**

The PCC has the responsibility for conducting, at least annually, a review of the effectiveness of the governance framework, including the system of internal audit and the system of internal control. Review of these systems has been informed by the work of internal auditors and officers of the PCC who have responsibility for the development and maintenance of the governance environment. Comments made by external auditors and other review agencies have also informed this review.

The Corporate Group comprising the Chief Executive and PCC's Chief Finance Officer, with the responsibility for drafting this Annual Governance Statement have considered the governance framework and the system of internal controls as necessary and vital concomitants to producing such a statement. These officers have involvement in the oversight of the processes involved in maintaining and reviewing the effectiveness of the governance framework. This has included assessing effectiveness against the principles of good governance as well as evaluation of compliance with the Financial Management Code. In producing this statement full regard has been taken of the PCC's Risk Registers. The maintenance and review of the effectiveness of the governance framework also extends to others within the Office of the PCC. The PCC himself maintains overall control of the governance framework and has been involved, for example, in considering and approving the Scheme of Governance and Consent, the Risk Management Strategy, as well as challenging Constabulary performance. The Audit Committee has carried out work against its terms of reference, and which has included the consideration of the effectiveness of the PCC's risk management arrangements and the internal audit plan. Internal audit have carried out a programme of work at a level commensurate with the legal and professional obligations of the PCC.

The Audit Committee as part of its regular business reviews the effectiveness of the system of internal control on an annual basis. In accordance with Regulation 6 of the Accounts and Audit Regulations 2015, the review of the effectiveness of internal audit has concluded that the opinion in the annual report on internal audit work can be relied upon as a key source of evidence. The effectiveness of the system of internal audit includes the effectiveness of the Audit Committee (to the extent that its work relates to internal audit) as well as the performance of internal audit.

Internal audit provided an independent opinion on the adequacy and effectiveness of the PCC's system of financial control including, in particular, the key controls operating within and around the core financial systems.

Deficiencies in internal controls are reported by internal audit to management whose responsibility is to consider them and act appropriately. The result of the internal audit review of the effectiveness of the system of internal control has been reported to the Audit Committee.

Internal audit has notwithstanding the COVID-19 pandemic, been able to modify its audit approach to enable discharge of the internal audit function.

Based on the findings of the internal audit work carried out throughout 2020/21, the Head of Internal Audit has given the following opinion:

*"Head of Internal Audit's Annual Opinion*

*TIAA is satisfied that, for the areas reviewed during the year, the Police and Crime Commissioner for Suffolk and Chief Constable of Suffolk Constabulary have reasonable and effective risk management, control and governance processes in place. This opinion is based solely on the matters that came to the attention of TIAA during the course of the internal audit reviews carried out during the year and is not an opinion on all elements of the risk management, control and governance processes or the ongoing financial viability or your ability to meet financial obligations which must be obtained by the Police and Crime Commissioners for Suffolk and Chief Constable of Suffolk Constabulary from its various sources of assurance".*

In their Annual Report 2020/21 the internal auditors advised that they had carried out 23 reviews, designed to ascertain the extent to which the internal controls were adequate to ensure that activities and procedures are operating to achieve objectives. For each assurance review an assessment of the combined effectiveness of the controls in mitigating the key control risks was provided. Of the assessments five were graded as "substantial", 14 were graded as "reasonable" and three were graded as "limited" assurance. These three comprised Data Quality, Management of Police Information and Recovered Property – Seized Monies. Recommendations have been made to enhance the control environment and internal auditors will report on progress to implement compliance by the Constabulary.

During 2020/21 the internal auditors reported to Audit Committee that a number of recommendations from internal audits remained outstanding. Chief Officers from the Constabulary

will monitor the action taken to address the recommendations upon a regular basis and the internal auditors will continue to report upon progress with regard to completion of the recommendations to the Audit Committee. Whilst it is not considered that the outstanding recommendations amount to a significant governance issue the matter is addressed within the Action Plan at Annex A hereto.

#### **HMICFRS – Effectiveness**

In the period covered by this Annual Governance Statement the HMICFRS reported on a number of inspections which covered Suffolk and other forces nationally. The inspection reports can all be viewed on the PCC's website as well as the PCC's response to each of the reports.

The PCC will monitor progress against those areas identified nationally and locally for improvement through the Accountability and Performance Panel.

#### **Data Security CHECK WHEN CONSTABULARY AGS RECEIVED**

On data security there have been three referrals to the Information Commissioner's Office. Whilst two referrals remain outstanding, the third referral has resulted in no formal action. Additional data protection training has been provided in the Constabulary following the referrals.

#### **Financial Planning**

The PCC's Medium-Term Financial Plan (MTFP) 2021/22 to 2024/25 was developed following the announcement of the provisional central government grant on 17 December 2020.

The proposals in the MTFP are based on the settlement for the police main grant and legacy council tax grants announced by the Home Office; the Constabulary's share of uplift officer numbers nationally by six thousand by the end of March 2022; provisional local tax base figures and planning assumptions regarding future funding levels, on-going commitments and capital expenditure plans.

The Home Office had been engaging with the police sector on changes to the police funding formula in recent years. However, due to changing government priorities, plans for amending the formula have been postponed until the next Spending Review at the earliest. As a result, there are no changes to grant damping in 2021/22.

The 2021/22 settlement of the police main grant includes an increase in funding of £4.3m (6.3%) over 2020/21 with the additional funding provided as part of the government's commitment to increase officers nationally by 20,000 by the end of March 2023. PCCs have been given the freedom to increase their Band D precept by £15 in 2021/22 without the need to call a referendum.

The Constabulary will continue to focus on improving investigations, protecting vulnerable people and provide better public contact and communications., and also address key priorities within the PCC's Police and Crime Plan 2017/21, whilst continuing to build upon the joint initiatives with our local public sector partners and collaborative ventures, including the Seven Force Strategic Collaboration Programme.

The Constabulary is committed to delivering the planned savings of £3.2m in 2021/22, rising to £4.7m by the end of the MTFP period.

The PCC's MTFP 2021/22 to 2024/25 was finalised and considered by the Police and Crime Panel at its meeting on 29 January 2021, and the PCC's proposed increase in council tax by £14.94 per annum for a Band D property in 2021/22 was supported.

Based on the agreed financial planning assumptions, financial balance will be achieved through the delivery of planned savings of £3.2m over the period of the MTFP, together with further savings to be identified of £4.7m.

Robust governance arrangements are in place across the Constabularies (Norfolk and Suffolk), which provide both the framework within which to monitor delivery of the approved planned savings, and also to consider opportunities to progress the further savings requirements in 2022/23 to 2024/25.

Through the Accountability and Performance Panel meetings and monthly updates from the Constabulary, the PCC will hold the Constabulary to account to ensure that the overall savings plans are delivered on time and within budget.

The reserves section of the 2020/21 outturn shows general and earmarked reserves forecast to increase from £11.025m as at 31 March 2020 to £16.282m as at 31 March 2021, representing an in-year net contribution to reserves of £5.257m. The General Fund is maintained at £4.0m.

General and earmarked reserves are therefore forecast to be £4.184m higher in 2024/25 than assumed in the MTFP due to the net contribution in 2020/21 and assumed use in 2021/22.

Officers remain vigilant about the need to continue to apply effective controls and Audit Committee Members will continue to monitor performance relating to this.

In considering this Annual Governance Statement the Audit Committee has reviewed the effectiveness of the governance framework including the system of internal control. Whilst the onset of COVID-19 has brought some challenges to the operation of the PCC's arrangements, the use of home-working and technology together with the permitted flexibilities to how PCCs may conduct their business, has allowed the PCC to continue operating within the tenets of good corporate governance. In undertaking the review the Committee has been advised by the Chief Executive and the PCC's Chief Finance Officer.

## **6 SIGNIFICANT GOVERNANCE ISSUES**

There are no significant governance issues that have been identified for the purposes of this Annual Governance Statement.

## 7 CONCLUSION

This statement gives an accurate summary of the governance arrangements in place and of their effectiveness. Further it is concluded from the above that proper arrangements for governance of the PCC's affairs are in place and that their operation through the governance framework is fit for purpose.

Signed:

**Tim Passmore**

Police and Crime Commissioner for Suffolk

**Christopher Jackson**

Chief Executive (and Monitoring Officer)

Office of the Police and Crime Commissioner for Suffolk

**Kenneth Kilpatrick**

Temporary Chief Finance Officer

Office of the Police and Crime Commissioner for Suffolk

26 November 2021

**Annual Governance Statement 2021**

**Action Plan for Governance Issues**

<b>Subject</b>	<b>Action</b>	<b>Recorded on Risk Register</b>
As detailed in Section 5, the internal auditors have reported regularly during 2020/21 upon outstanding recommendations from their internal audits.	The outstanding recommendations will be monitored and addressed on a regular basis by Chief Officers with the internal auditors. The internal auditors will continue to report progress upon compliance with the recommendations to Audit Committee.	No.