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Dear Kevin,

**The Police and Crime Commissioner for Suffolk & Chief Constable of Suffolk  
Understanding how the Police and Crime Commissioner for Suffolk and Chief Constable of Suffolk gains assurance from management**

Thank you for your letters of 5 May 2016.

Having given consideration as to how best to respond to the questions in our respective letters (which are the same), we concluded that as the PCC and CC share the same major finance and other systems (and therefore the same policies, procedures, processes and controls), have a joint Audit Committee, a single internal audit function and joint annual audit plan, together with the same external auditors, it is appropriate to reply jointly. Where relevant, individual PCC or CC comments have been included.

Please find below our joint responses to the various questions contained within your letters.

**1. How do you, as 'those charged with governance' as the Police and Crime Commissioner for Suffolk (the PCC) and Chief Constable (CC), exercise oversight of management's processes in relation to:**

- ▶ **Undertaking an assessment of the risk that the financial statements may be materially misstated due to fraud or error (including the nature, extent and frequency of these assessments).**

The financial statements are prepared in line with the IFRS Code of Practice and are subject to internal quality assurance arrangements that review areas of highest risk. The accounts are subject to analytical review that would identify major movements between years and seek explanations that would assess the likelihood for material misstatement. The CFO provides managerial challenge throughout the preparation of the Statement of Accounts process, particularly in the areas of analytical review.

Key tasks in this area are covered within the agreed Closedown Timetable 2015-16, with responsibilities assigned to individuals and dates for action to be completed included. Compliance with the timetable is monitored throughout the year-end closedown period and reported to senior finance staff, with corrective action taken as required.

On an on-going basis checks are made at a corporate level through the management accounting processes to ensure the accuracy of financial coding.

The officers who prepare the statements are professionally qualified accountants who undertake CPD activities. Their work is segregated where feasible and they work to their

professional bodies codes of conduct. The officers will be present at the meeting of the Audit Committee on 23 September 2016 when the Statements of Accounts for 2015-16 are presented and Audit Committee members' detailed questions will be answered.

Further explanations of controls in place are provided under item number 3 below.

- ▶ **Identifying and responding to risks of fraud in the PCC and Suffolk Constabulary, including any specific risks of fraud which management have identified or that have been brought to its attention, or classes of transactions, account balances, or disclose for which a risk of fraud is likely to exist.**

Internal Audit reports their findings to the Audit Committee via 4 main reports (Internal Audit Plan; Annual report; Half-yearly progress report: Review of Effectiveness of the System of Internal Audit) – these reports encapsulate many of the management processes required and the annual report and half-yearly report both contain a paragraph on fraud and notified frauds.

Audits on the main accounting systems are conducted annually and reported to the Audit Committee. Fraud is deterred through the existence of policies and procedures (which include segregation of duties, two authorising signatories required for many transactions etc.) and provides more detail than Financial Regulations. Regular internal audits, vetting of employed or re-employed staff and a whistle blowing policy all contribute to deterring fraud.

At its meeting on 23 September 2014, the Audit Committee reviewed the Confidential Reporting Policy (Whistleblowing) Paper AC14/18, which, subject to changes outlined by the Chief Constable, was approved by the Audit Committee. The approved Confidential Reporting and Whistleblowing Policy (Breaches of Professional Standards) was published on the Constabularies intranet sites on 20 January 2016.

The Anti-Fraud and Corruption Strategy approved by the former Monitoring and Audit Committee on 17 April 2009 brought together in a single document a number of inter-related strands covering the Police Authority and Constabulary's policies and procedures; the required standards of behaviour, the steps taken in preventing fraud and corruption; the detection and investigation arrangements in relation to suspected cases of fraud and corruption, and the arrangements in relation to suspected cases of fraud and corruption, and the arrangements for promoting awareness and commitment to providing relevant training.

In common with other strategies, policies and procedures of the former Police Authority which transferred to the PCC in November 2012, the head of the joint Professional Standards Department and CFO updated the Anti-Fraud and Corruption Policy. This draft policy was considered on 23 September 2014 by members of the Audit Committee, with suggested amendments being incorporated into a revised draft policy, which has since been through a period of formal consultation. The draft policy was considered and approved at the Joint Joint Negotiating Consultative Committee (JJNCC) on 10 July 2015, Legal Services on 18 March 2016 and Policy owner on 12 April 2016. The approved policy was published on the Constabularies intranet sites on 13 April 2016.

In addition to training for all staff and officers, the intranet site is proactively used on a regular basis to remind all officers and staff of their various responsibilities as set out in the various policies and procedures relating to fraud, ethical behaviour and other related matters.

The intranet also contains a highly confidential fraud reporting line, which is highlighted in the approved Confidential Reporting and Whistleblowing Policy (Breaches of Professional Standards), and was published on the Constabularies intranet sites on 20 January 2016.

All former and current Audit Committee members are familiar with the Anti-Fraud and Corruption Strategy, which sets out the process for identifying and responding to fraud.

► **Communicating to employees its views on business practice and ethical behaviour (for example by updating, communicating and monitoring against the PCC and CC's codes of conduct).**

Both the Office of the PCC and Suffolk Constabulary have adopted the Code of Ethics developed by the College of Policing, and a Joint Integrity Strategy Working Group has been established to implement an action and communication plan designed to raise employees awareness of the importance of the Code of Ethics. The action plan is monitored by the Chief Officer Team, and the Chief Constable reports back to the PCC and Audit Committee. The Audit Committee considered Paper AC 15/20 Update on Embedding of the Code of Ethics at its meeting on 25 September 2015.

The approved Confidential Reporting and Whistleblowing Policy (Breaches of Professional Standards), which was published on the Constabularies intranet sites on 20 January 2016, makes particular reference to the requirements under the Code of Ethics.

In particular regard to standards of conduct, please refer to the PCC and CC draft Annual Governance Statements 2015-16, which were considered at the Audit Committee on 24 June 2016.

► **Encouraging employees to report their concerns about fraud.**

The Anti-Fraud and Corruption Strategy approved by the former M&A Committee on 17 April 2009 brought together in a single document a number of inter-related strands covering the Police Authority and Constabulary's policies and procedures; the required standards of behaviour, the steps taken in preventing fraud and corruption; the detection and investigation arrangements in relation to suspected cases of fraud and corruption, and the arrangements in relation to suspected cases of fraud and corruption, and the arrangements for promoting awareness and commitment to providing relevant training.

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► **Communicating to you (i.e. those charged with governance) the processes for identifying and responding to fraud or error.**

The Anti-Fraud and Corruption Strategy approved by the former M&A Committee on 17 April 2009 brought together in a single document a number of inter-related strands covering the Police Authority and Constabulary's policies and procedures; the required standards of behaviour, the steps taken in preventing fraud and corruption; the detection and investigation arrangements in relation to suspected cases of fraud and corruption, and the

arrangements in relation to suspected cases of fraud and corruption, and the arrangements for promoting awareness and commitment to providing relevant training. The approved Anti-Fraud and Corruption Policy sets out the processes for identifying and responding to fraud or error.

All former and current Audit Committee members are familiar with the Anti-Fraud and Corruption Strategy, which sets out the process for identifying and responding to fraud.

## **2. How do you oversee management processes for identifying and responding to the risk of fraud and possible breaches of internal control?**

Fraud is deterred through the existence of policies and procedures (which include segregation of duties, two authorising signatories required for many transactions etc.) and provides more detail than Financial Regulations. Regular internal audits, vetting of employed or re-employed staff and a whistle blowing policy all contribute to deterring fraud. We have not identified any particular areas within our respective organisations that are considered to have a higher risk of fraud or possible breach of internal control than others.

Section C2 (Internal controls) of the PCC's Financial Regulations (Decision No 1-2013) set out the requirements for internal controls, with Section C4 (Preventing fraud and corruption) describing the approach to preventing fraud and corruption, together with the arrangements for dealing with suspected fraud, theft, irregularity and improper use or misappropriation of property or resources.

## **3. Is the Committee aware of any:**

### **breaches of, or deficiencies in, internal control?**

At its meeting on 24 June 2016 the Audit Committee considered two papers, a) Paper AC 16/8 Review of the Effectiveness of the System of Internal Control 2015/16, and b) Paper AC 16/9 Annual Assurance Report 2015/16, which include recommendations that the review of the effectiveness of internal audit work can be relied upon as a source of evidence, and that the Audit Committee can take assurance in the operation of internal controls.

No breaches of, or deficiencies in, internal control were reported to the Audit Committee.

### **actual, suspected or alleged frauds during 2015-16?**

There were no actual, suspected or alleged frauds notified to management or the Audit Committee during 2015-16.

## **4. Is the Committee aware of any organisational or management pressure to meet financial or operating targets?**

Financial and operational targets are openly and jointly agreed between the PCC and Chief Constable, and we are not aware of any inappropriate organisational or management pressure, or incentives offered, either to ourselves or colleagues to meet such targets.

Responsibility for monitoring achievement against agreed targets rests with the Accountability and Performance Panel of the PCC.

## **5. How do you gain assurance that all relevant laws and regulations have been complied with? Are you aware of any instances of non-compliance during 2014-15?**

Each year the PCC and Chief Constable, as corporations' sole and thereby separate legal entities, must by virtue of the Accounts and Audit Regulations 2015, each produce Annual Governance Statements (AGS). Draft PCC AGS and CC AGS covering 2015-16 were considered at the Audit Committee meeting on 24 June 2016.

The preparation and publication of an Annual Governance Statement in accordance with the publication "Delivering Good Governance in Local Government: Interim Guidance Notes for Police Authorities and Forces in England and Wales", published by the Chartered Institute of Public Finance and Accountancy (CIPFA) is necessary to meet this statutory obligation.

The draft PCC AGS and CC AGS have been produced in accordance with the template provided for in the CIPFA Guidance. The template required a number of areas to be addressed, including:

- undertaking the core functions of an audit committee, as identified in CIPFA's Audit Committee – Practical Guidance for Local Authorities;
- ensuring compliance with relevant laws and regulations, internal policies and procedures and that expenditure is lawful;
- whistle blowing and for receiving and investigating complaints from the public and handling citizen and other redress;
- identifying the development needs of members and senior officers in relation to their strategic roles, supported by appropriate training.

There have been no reported breaches of relevant laws and regulations during 2015-16.

## **6. Are there any actual or potential litigation or claims that would affect the financial statements?**

A review of potential litigation or claims has been undertaken, which concluded that there are potential claims arising from:

- A previous decision by the former Suffolk Police Authority in the application of Regulation A19 (retiring certain officers who had reached 30 years' service);
- A contractual dispute with Ipswich Town Football Club following the outcome of a judgement in the case between Leeds United Football Club and West Yorkshire Police;
- Municipal Mutual Insurance Ltd (MMI Ltd) ceased trading in 1992, with the full liability of claims not being met by the scheme of arrangements which was put in place;
- The potential underpayment of historic overtime claims from certain staff groups;
- The alleged unlawful discrimination arising from the Transition Provisions in the Police Pension Regulations 2015.

These have currently been assessed as a contingent liability; however, the position will be kept under review throughout the period of the audit.

## **7. How do you satisfy yourself that it is appropriate to adopt the going concern basis in preparing the financial statements?**

In his Letter of Representation dated 28 September 2012 (relating to the financial year ended 31 March 2012), the former PA Treasurer included reference to being satisfied that it was appropriate to adopt the going concern basis in the preparation of the financial statements, having taken note of a) the impact of known changes in Government policy, b) Accounting Code of Practice paragraph 3.8.2.9 that an intention by government to transfer services from one authority to another does not negate the presumption that the Authority is a going concern, and c) the Authority's operational or business risks, including whether there are sufficient working capital and reserves to help to continue to meet the Authority's objectives.

The Constabulary faced a year of unprecedented change during 2015-16, this included significant operational and back office changes as part of the agreed change programme within the Medium Term Financial Plan. Also during 2015/16, the Constabulary implemented two major corporate systems, Athena and ERP. This level of change presented the Constabulary with significant challenges, both operational and financial.

In terms of financial performance for the year ending 31 March 2016, this was considered at the Accountability and Performance Panel meeting on 10 June 2016, where the revenue outturn of the Group, after use of specific and earmarked reserves, was an overspend of £1.084m (0.97% of the

net revenue budget). Discussion of the year-end financial position was set in the context of successfully delivering planned recurring savings of £5.369m in 2015-16.

Following the Government's Autumn Statement on 25 November 2015, the Constabulary's savings requirement has significantly reduced from £20.5m by 2020 to just under £7.5m by 2020, as a result of the much better than expected funding settlement from the Home Office, and the decision by the PCC to increase the precept by just less than 2% per annum in 2016-17. Of the £7.5m savings target, there are already plans to save £6.2m, of which £5m will be delivered in 2016-17. This leaves a balance of savings to be achieved by 2020 of nearly £1.3m.

Assurance of medium term financial stability is detailed in the PCC's approved Medium Term Financial Plan (MTFP) 2016-17 to 2019-20 (Decision No 3-2016) and PCC Police and Crime Plan 2013-17 (Decision No 24-2013), which balances agreed operational priorities within the financial resources available from Home Office grants, council tax and other income. The MTFP shows a balanced budget position for 2016-17, subject to delivering planned savings, with further cumulative savings of nearly £1.3m to be identified and implemented over the period of the MTFP (including £0.96m in 2017-18).

Reference has been made in a number of the above responses to the draft PCC and CC Annual Governance Statements which were considered at the Audit Committee on 24 June 2016. These papers provide a comprehensive summary of the new PCC and CC governance framework comprising the systems, process, culture and values by which they direct themselves and maintain control, and the activities which they account to and engage with the community.

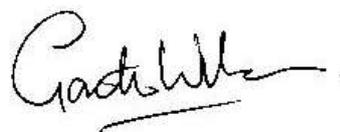
It enables the PCC and CC to monitor the achievements of strategic objectives and to consider whether these objectives have led to the delivery of appropriate, cost-effective services, including achieving value for money. As such, therefore, we would recommend that the draft PCC and CC Annual Governance Statements are read in conjunction with the responses to the specific questions raised, as they provide important context and relevant supplementary information.

I trust this letter provides you with sufficient detail regarding the management processes and arrangements that are in place across the PCC and Constabulary in those areas detailed in your letter. If you require clarification on any of the issues, please do not hesitate to contact us.

Yours sincerely



Tim Passmore  
Police and Crime Commissioner for Suffolk



Gareth Wilson  
Temporary Chief Constable of Suffolk