

ORIGINATOR: CHIEF FINANCE OFFICER

PAPER NO:

AC23/12

SUBMITTED TO: AUDIT COMMITTEE 23 JUNE 2023

SUBJECT: POLICE AND CRIME COMMISSIONER'S ANNUAL GOVERNANCE STATEMENT 2023

SUMMARY:

1. It is the responsibility of the Audit Committee to consider the corporate governance arrangements for the Police and Crime Commissioner and Chief Constable including reviewing their Annual Governance Statements.
2. The draft Police and Crime Commissioner's Annual Governance Statement for 2023 is now submitted to the Audit Committee for early consideration in advance of its adoption by the Commissioner in readiness for the approval of the Commissioner's Statement of Accounts later in the year.
3. The Statement is a review of the effectiveness of the Commissioner's governance arrangements by reference to the Commissioner's Code of Corporate Governance.

RECOMMENDATION:

1. The Committee is requested to consider the Commissioner's draft Annual Governance Statement 2023 (attached at Appendix A).

DETAIL OF THE SUBMISSION

1. INTRODUCTION

- 1.1 Each year the Police and Crime Commissioner (PCC) and Chief Constable, as corporation soles, and thereby separate legal entities, must by virtue of the Accounts and Audit Regulations 2011, each produce Annual Governance Statements. A draft Annual Governance Statement has been prepared on behalf of the PCC for early consideration (attached at Appendix A). The Annual Governance Statement provides the opportunity to review the effectiveness of the PCC's governance arrangements by reference to the Code of Corporate Governance.
- 1.2 The Annual Governance Statement must accompany the PCC's Statement of Accounts when they are approved.
- 1.3 The Annual Governance Statement is a key governance document and is now presented to the Committee for early consideration prior to its approval and adoption by the PCC.
- 1.4 The statement remains a working draft. It is, in a number of respects, incomplete. For example, it does not yet have the annual internal audit statement.

2. FINANCIAL IMPLICATIONS

- 2.1 There are no financial implications of any significance arising from consideration of this paper.

3. OTHER IMPLICATIONS AND RISKS

- 3.1 There are no other implications or risks of significance associated with consideration of this paper.

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No
Has the PCC's Chief Finance Officer been consulted?	Yes
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes
Have human resource implications been considered?	Yes
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Not applicable
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	The draft Annual Governance Statement has been shared with the Constabulary and will be seen by the internal and external auditors on publication of the Audit Committee papers.
Has communications advice been sought on areas of likely media interest and how they might be managed?	No – not considered necessary.
Have all relevant ethical factors been taken into consideration in developing this submission?	Ethical considerations have been taken into account in the production of the Annual Governance Statement.

In relation to the above, please ensure that all relevant issues have been highlighted in the 'other implications and risks' section of the submission.

ANNUAL GOVERNANCE STATEMENT FOR 2022/23

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 **XX 2023**, including the financial year 2022/23, when the Statement of Accounts for the financial year 2022/23 was approved by the Police and Crime Commissioner (PCC).

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 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.

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. She 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 2022–2025 was produced to apply from 1 April 2022 (see Decision No 10 - 2022) and succeeded the 2017-2021 Plan. Its production complied with the processes required to be adopted by legislation.

The Plan clearly articulates the PCC's police and crime objectives. To enable the PCC's vision for policing to become a reality, and to drive delivery by the Chief Constable and the Office of the PCC, the objectives and the related activity in the Plan have been translated into a Performance Framework. The Performance Framework outlines how progress against the Plan will be assessed and how it informs the Schedule of Business considered at the PCC's Accountability and Performance Panel meeting.

Annual Report

The PCC is required to produce an Annual Report. The PCC produced an Annual Report for 2021/22 which was formally submitted to the Police and Crime Panel for consideration in autumn 2022.

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 the services 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.

Objective 2 of the Plan is to "Provide Services which support victims of crime and invest in initiatives which reduce crime and disorder". This is specifically about how the PCC uses his powers to make grants and commission services to support victims of crime and reduce crime and disorder.

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. In most cases, and particularly for larger grants and contracts, there are formal contact monitoring arrangements (including quarterly meetings) in place. The PCC may require the attendance of any grant recipients at a public meeting of the PCC's Accountability and Performance Panel. All grant and contract funding decisions are published on the PCC website. The process for awarding funding and monitoring performance was scheduled for review by internal audit during 2022/23. The internal audit report is expected in summer 2023. Prior to this, the commissioning of grants process had previously been reviewed by internal audit in 18/19 and which resulted in a grading of "substantial assurance". [To be updated prior to signing with results of 2023 internal audit]

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 published and maintained to provide clarity on forthcoming items. The Panel's Schedule of Business helps the PCC to monitor activity set out in the Police and Crime Plan through thematic reports. The Panel monitors performance in a number of areas and which includes financial monitoring, compliance with the Strategic Policing Requirement, 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, arrangements were made to continue with these meetings on a virtual basis. Application for attendance at the meetings conducted by Microsoft Teams could be made to the PCC. An adjustment was made to the Scheme of Governance and Consent to facilitate this.

Since September 2022 the Panel meetings have once again been held physically at Police Headquarters with the facility for attendance at meetings also being available through Microsoft Teams as during the period of Covid-19.

Medium Term Financial Plan

The Medium Term Financial Plan (MTFP) for 2023/24 to 2026/27 was drawn up following confirmation of the 2023/24 government grants in December 2022. Delivery of a balanced budget against the period of the MTFP is dependent upon the Constabulary continuing to make savings and improving effectiveness. This is monitored formally by the PCC through the Accountability and Performance Panel. The position is 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 Decision No 2 – 2023 on the PCC website.

Inspection

The PCC and Chief Constable carry out a large number of internal inspections each year, 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 His 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 was amended once in 2022 following a review of the Financial Regulations (see PCC Decision No 13 - 2022) and it has been amended in 2023 following a similar, annual review of Financial Regulations and taking into consideration the current OPCC structure with up to date job titles and delegations made by the Chief Executive (see PCC Decision No 14 – 2023).

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.

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, Assistant Chief Constable and Chief Constable's Chief Finance Officer, as required.

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.

A temporary Chief Finance Officer arrangement was in place at the start of financial year 2022/23 (Decision 35-2021) which was required until the PCC could make a substantive appointment. By Decision 17-2022 a substantive appoint of a Chief Finance Officer was made by the PCC and they have been in role since July 2022.

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, district and borough 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.

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.

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.

Fraud is deterred through the exercise of policies and procedures. The latest approved Anti-Fraud and Corruption Policy is available on the staff intranet site and it is due to be reviewed again in 2023/24. This Policy sets out the processes for identifying and responding to fraud.

The Confidential Reporting and Whistleblowing Policy (Breaches of Professional Standards) is also available on the staff intranet site and aims to ensure that officers and staff feel obligated and able to report actual or suspected wrongdoing and sets out the processes for how this can be done.

The Financial Regulations are reviewed annually and set out the requirement for internal financial controls, including the approach to preventing fraud and include the arrangements for dealing with suspected fraud, theft, irregularity and improper use or misappropriation of property or resources. In addition, regular internal audits and vetting of staff all contribute to deterring fraud.

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 reviewed and modified in 2022 (PCC Decision No 13 – 2022) and were last reviewed in early 2023 (PCC Decision No 14 - 2023).

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 2022 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 22 – 2022).

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 attempts to 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.

Risk Management is also included on the internal audit plan for 2022/23 and will cover the structures and processes in place to ensure effective risk management and review the Constabulary's and PCC's approach to risk management. The internal audit report is expected in summer 2023. **[To be updated once final internal audit report received].**

g The Role and Functioning of the Audit Committee

Audit Committee

As defined by the Chartered Institute for Public Finance and Accountancy's (CIPFA) 2022 Position Statement on Audit committees in local authorities and police, the purpose of the Audit Committee is *"to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements."*

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 is also a document from which the Audit Committee are 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 remotely by Microsoft Teams. In December 2022 physical meetings were reinstated with the addition of the Microsoft Teams facility for attendees if required.

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 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 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, news 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. Public engagement opportunities are sought across the county. They range from meetings to which the public are invited to informal 'StreetMeet' events and 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

The PCC engages with the business community on a frequent basis. The PCC meets regularly with the CEO of Suffolk's Chamber of Commerce to listen to the concerns of its members. In this year, he also met with the Transport and Infrastructure Group and the Invest in Suffolk Business Ambassadors to discuss policing issues affecting them.

The PCC meets regularly with the National Farmers Union (NFU) and the Country Land and Business Association (CLA) at both local and county-wide level to discuss policing issues affecting the rural economy.

The PCC also offers opportunity to business representatives to meet with him to discuss local issues as required.

I Partnerships

The PCC has a number of collaborative/partnership arrangements with members of the wider policing/local government family. During the COVID-19 pandemic the engagement with partners moved away from physical meetings toward virtual meetings in order to maintain the flow of business. Since restrictions have lifted the PCC adopts a hybrid of both virtual and in person partnership meetings to maximise efficiencies.

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 regularly 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 series of collaboration agreements entered into between the PCCs and Chief Constables of the seven police areas.

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 with the fire service of buildings throughout the county for Safer Neighbourhood Teams.

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 2022/23, the PCC committed £2.553m to crime and disorder reduction and victims services (including funding to the PCC Fund). A significant proportion of funding was committed to Leeway Domestic Violence and Abuse Service to deliver the Suffolk Independent Domestic Violence Advisory Service, and to Victim Support to deliver the multi-crime victim assessment and referral service Norfolk and Suffolk Victim Care 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

[This section to be updated on receipt of relevant internal audit reports, Data Security Information and CFO report on 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. The Committee has acknowledged that the internal auditor is compliant with the requisite regulations and standards, and through the self-assessments individuals took assurance that there is an effective system of internal control. 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.

Based on the findings of the internal audit work carried out throughout 2022/23, 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, for the Police and Crime Commissioner for Suffolk and Chief Constable of Suffolk Constabulary effective risk management, control and governance processes are 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 2022/23 the internal auditors advised that they had carried out X reviews, designed to ascertain the extent to which the internal controls were adequate to ensure that activities and procedures are operating to achieve objectives. X of the reviews were assurance audits and X was an advisory follow-up review. For each assurance review an assessment of the combined effectiveness of the controls in mitigating the key control risks was provided. Of the assessments X were graded as “substantial”, X were graded as “reasonable” and X had, at the point of the Report, been completed to fieldwork stage.

During 2022/23 the internal auditors reported to Audit Committee that a number of recommendations from internal audits remained outstanding. Chief Officers from the Constabulary 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.

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. Suffolk received a positive Police Effectiveness, Efficiency and Legitimacy (PEEL) report in August 2022 which noted six of the ten areas assessed as “good”, three areas as “adequate” and one area as “requiring improvement”.

The PCC monitors the progress against those areas identified nationally and locally for improvement at both public accountability meetings and through regular meeting with the Chief Constable.

Data Security

During the financial year period 2022/23 covered by this Annual Governance Statement there have been X referrals to the Information Commissioners Office by the Constabulary (2021/22: three). No formal action has been taken but the Constabulary has been invited to take appropriate steps to ensure processes are made more robust.

Financial Planning

The PCC’s Medium-Term Financial Plan (MTFP) 2023/24 to 2026/27 was developed following the announcement of the provisional central government grant on 14 December 2022.

The proposals in the MTFP were 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 the end of March 2023; provisional local tax base figures and planning assumptions regarding future funding levels, on-going commitments and capital expenditure plans.

The Home Office has commenced a project to consider the police funding formula. The results of this project will not be published until 2023/24 at the earliest. As a result, there are no changes to grant damping in 2023/24.

The 2023/24 settlement shows an increase in government funding of £1.6m (1.85%) over 2022/23, with the majority of the additional funding provided as part of the Home Office funding of the 5% pay award to police officers in 2022/23 and conditional on the Constabulary maintaining its number of police officers at or above 1,403 which is its post uplift programme total. PCCs at the point of the December 2022 settlement were given the freedom to increase their Band D precept by £15 in 2023/24 without the need to call a referendum.

The Constabulary is committed to delivering the planned savings of £2.3m in 2023/24, and to identify and deliver savings of around £5m by the end of the MTFP period.

The PCC's MTFP 2023/24 to 2026/27 was finalised and considered by the Police and Crime Panel at its meeting on 27 January 2023, and the PCC's proposed increase in council tax by £14.94 per annum for a Band D property in 2023/24 was supported.

Based on the financial planning assumptions, financial balance will be achieved through the delivery of planned savings of £2.3m in 2023/24, together with further savings to be identified of £4.85m over the course of the 2023/24 – 2026/27 MTFP period.

Robust governance arrangements are in place across Suffolk and Norfolk Constabularies, which provide both the framework within which to monitor delivery of the approved planned savings, and to consider joint opportunities to progress the savings requirements in 2024/25 to 2026/27.

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 2022/23 outturn showed general and earmarked reserves forecast to increase from £20.239m as at 31 March 2022 to £23.469m as at 31 March 2023, representing an in-year net contribution to reserves of £3.230m. This included an increase in the General Fund of £0.2m to £4.5m to maintain the balance at c.3% of Net Revenue Budget.

General and earmarked reserves were therefore forecast to be £1.084m higher in 2026/27 than assumed in the MTFP due to the net contribution in 2022/23 and offset by an additional capital funding requirement for slippage in 2024/25.

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. In undertaking the review the Committee has been advised by the Chief Executive and the PCC's Chief Finance Officer.

6 **SIGNIFICANT GOVERNANCE ISSUES**
(Section to be reviewed before finalisation)

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

Colette Batson
Chief Finance Officer
Office of the Police and Crime Commissioner for Suffolk

