



# HUMBERSIDE

POLICE AUTHORITY

**SCHEME OF DELEGATION OF POWERS  
TO OFFICERS, COMMITTEES AND SUB-COMMITTEES**

## 1 Introduction

- 1.1 Good governance is core business for Humberside Police Authority. The delivery of the policing service is broadly the function of the Force. This means the operational management functions are principally delegated to the Chief Constable. However, there are certain aspects where the Police Authority has a direct responsibility for managing its own business.
- 1.2 It is important therefore that the Police Authority and the Force should operate transparent and sound decision making processes with an effective system to support it. It should be borne in mind that an underlying principle of the law relating to public authorities is that they must reach all their decisions – within the relevant legal framework – on the basis of reasonableness.
- 1.3 Humberside Police Authority, in common with most Police Authorities, operates corporate decision making arrangements, yet to facilitate effective operational management and expediency in decision making certain decisions can be delegated to Senior Officers and Members the Authority and Senior Officers of the Force.
- 1.4 This scheme sets out those functions and decisions for which the Police Authority has given the officers delegated authority to act. The scheme forms part of the Authority's Corporate Governance Framework and therefore should be read in conjunction with:
  - i. Committee Terms of Reference
  - ii. Police Authority Standing Orders
  - iii. Police Authority Financial Regulations and delegated limits
  - iv. Contract Standing Orders
  - v. Members' Code of Conduct

And in accordance with:

- i. Policies, principles, procedures, strategies and plans; and
  - ii. Budgets of the Authority as in place at the time.
- 1.5 Delegation is made by the Humberside Police Authority in accordance with its powers to delegate (to committees, sub committees and officers) under the provisions of section 101 (and section 107) of the Local Government Act 1972 and by virtue of section 3 of the Police and Justice Act 2006 to individual Members. In exercising delegated authority officers and members must abide by the above as these contain further detailed delegations.
- 1.6 The delegation framework is intended to ensure the efficient discharge of the Police Authority's business by providing for decision making to be carried out at the appropriate level i.e. the Chief Constable being able to carry out his responsibility for operational matters and the Police Authority being able to concentrate on fulfilling its statutory functions and dealing with issues of strategic importance. References to the Chief Constable in this scheme apply to a designated deputy in the absence of the Chief.

- 1.7 The Police Authority (and any of its standing committees) may require that a specific matter be referred to it for a decision and not dealt with under delegated powers as provided by s.22(3) of the Police Act 1996.
- 1.8 The Police Authority expects its Committees, Officers and individual Members, when exercising these delegated powers, to act within the strategies and policies approved by the Police Authority and to take appropriate professional advice as necessary. In addition, the Police Authority expects its Committees (Boards), when exercising any delegated powers, to draw to its attention issues which are, or have the potential to be, sensitive or contentious and, whenever it is considered prudent to do so, seek the views of, or a decision from either the Authority or a Committee as appropriate, on the issue in question.
- 1.9 The Chief Executive and Monitoring Officer, Chief Constable or Deputy Chief Executive and Treasurer should, when considering a professional or technical matter that is within the sphere of competence of another of these officers, consult with the appropriate professional officer before authorising the action.
- 1.10 The Chief Executive and Monitoring Officer, Chief Constable and Deputy Chief Executive and Treasurer may authorise officers in other named posts under their direction and control to act on their behalf in exercising any of their delegated powers. This authorisation should be made in writing. Officers to whom authority has been delegated should, when considering a matter that is within the sphere of competence of another officer, consult with the appropriate professional officer before authorising the action.
- 1.11 All decisions made by officers under powers delegated to them by the Authority shall be properly documented and available for inspection by Members and internal and external audit. Officers to whom powers or functions are delegated remain at all times accountable for the exercise of the powers and functions delegated to them.
- 1.12 The Chief Constable shall be responsible for ensuring the provisions and obligations of the Corporate Governance Framework and this Scheme of Delegation of Powers to Officers are properly drawn to the attention of staff under his direction and control.

## 2 Humberside Police Authority – Role and Responsibilities

2.1 Humberside Police Authority's core statutory duty is to secure the provision of an efficient and effective police service and to hold the Chief Constable to account for the exercise of his/her functions and those of persons under his/her direction and control on behalf of the public of the Humberside policing area. Humberside Police Authority is part of the 'tripartite structure' with responsibility for policing together with the Home Secretary and the Chief Constable and acts as the employer of all Humberside Police non-sworn staff.

2.2 To fulfil its core statutory duty Humberside Police Authority has a number of duties and responsibilities. The main ones are illustrated below and the Police Authority will discharge these unless they are delegated to a Committee, Sub Committee or Chief Officer. Those highlighted in paragraph 2.3 have specifically not been delegated.

- i. Hold the Chief Constable to account for the quality and cost of policing services;
- ii. Determine and approve the annual policing precept and police budget. Thereafter to approve the use of police authority reserves;
- iii. Ensure arrangements are in place within the Force for proper financial management;
- iv. Ensure that the Force has adequate arrangements for the management of risk;
- v. Ensure that the Force acts within its powers and in accordance with the law;
- vi. To appoint (and dismiss, if necessary) the Chief Constable and other Chief Police Officers and determine their conditions of service;
- vii. To approve, publish and monitor the 4 year strategic policing plan;
- viii. To approve and monitor local policing objectives and targets as part of the strategic policing plan (taking account of any national objectives and targets set by the Home Secretary);
- ix. Ensure that the Force keeps improving, including receiving HMIC force inspection reports and responding to HMIC about implementing recommendations;
- x. To call for reports from the Chief Constable on such matters as may be specified, being matters connected with the policing of the Force area;
- xi. To publish policing information / annual report on the extent to which objectives contained in the strategic policing plan have been achieved and comment thereon;
- xii. To approve any change of numbers of Chief Officers or the ratio of police officers to police staff in the Chief Officer Group;
- xiii. To consider and investigate (where appropriate) complaints about the conduct of Chief Officers or (where appropriate) refer complaints to the Independent Police Complaints Commission (IPCC); (see also 4.16)
- xiv. To keep itself informed of the working of the complaints and discipline procedures, including direction and control matters;
- xv. To make arrangements to engage local people regarding the policing of their area and obtain their co-operation in preventing crime and anti-social behaviour;

- xvi. Work in partnership with others to reduce crime and disorder and the fear of crime;
- xvii. Approve the appointment of Independent Members of the Authority from a recommendation provided by the Selection Panel.
- xviii. Secure collaboration between forces, in the interests of efficiency and quality, to jointly provide equipment, premises, other material, facilities or policing services delivered to the public and to approve proposals made by the Chief Constable to work jointly with others;
- xix. Monitor the Force's compliance with human rights legislation;
- xx. To promote equality and diversity within the Force and Authority and ensure relevant legislation governing diversity is complied with;
- xxi. Meet employer's liabilities, including health and safety requirements, and ensure the force does likewise;
- xxii. Publish annual accounts to demonstrate the authority's stewardship of public funds;
- xxiii. To maintain and operate an Independent Custody Visiting Scheme to provide an independent check on persons being detained in police cells;
- xxiv. To appoint a Chief Executive and Monitoring Officer to the Authority and s.151 Officer.

2.3 Whilst some of the duties and responsibilities listed above are mostly discharged through delegated arrangements to Committees (see section 7) or senior officers (see sections 4, 5 and 6) in accordance with this scheme of delegation, the Police Authority reserves for itself items ii, xii, xiii, xiv, xvii, xviii and the approval aspects of vii and viii from the above list.

2.4 Whilst it is the Police Authority's role to oversee and scrutinise all Force activity it should not interfere with the day to day operational functions of the Force which are the preserve of the Chief Constable.

### **3 Urgency Powers**

3.1 There is a presumption that all decisions not delegated to the officers will be made through the Authority's normal committee processes.

3.2 In circumstances where an urgent decision is needed it is preferable, if timescales allow, for that matter to be determined by one of the Authority's Standing Committees, irrespective of whether the subject matter forms part of that Committees normal terms of reference.

3.3 Where any matter arises, however, that cannot await the next meeting of the Police Authority or appropriate standing committee and where the Chair of the Authority feels that it is inappropriate to call an extraordinary meeting, the following urgency powers will be invoked:

The Chief Executive and Monitoring Officer, Deputy Chief Executive and Treasurer and the Chief Constable may take the necessary decision provided s/he has first obtained the written support of the Chair of the Authority in the form of a decision record or if that is not possible the Vice Chair.

- 3.4 Urgent decisions taken under the above provisions must be notified to all Members of the Authority at the next meeting of the Authority.

#### **4 Powers delegated to the Chief Executive and Monitoring Officer**

##### Monitoring Officer Function

- 4.1 To act as Monitoring Officer in accordance with section 5(1) of the Local Government and Housing Act 1989 to ensure the Authority is compliant with legal requirements.
- 4.2 To maintain under section 81 (1) of the Local Government Act 2000 a Register of Members' personal interests including any gifts or offers of hospitality and to maintain a Register for Members and Officers in relation to the anti-discrimination Code of Conduct.

##### Legal Functions

- 4.3 To institute, defend or participate in any legal proceedings (including appointing a solicitor) and may authorise or approve that a Member or officer shall do so on the Authority's behalf in any case where such action is necessary to give effect to decisions of the Authority or in any case where the Chief Executive and Monitoring Officer considers that such action is necessary to defend the Authority's interests.
- 4.4 Where any document is necessary to any legal procedure or proceedings on behalf of the Authority, it will be signed by the Chief Executive and Monitoring Officer or other person nominated by the Chief Executive and Monitoring Officer, unless any enactment otherwise authorises or requires, or the Authority has given requisite authority to some other person.
- 4.5 The Common Seal of the Authority will be kept in a safe place in the custody of the Chief Executive and Monitoring Officer. A decision of the Authority, or any part of it, will be sufficient for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Chief Executive and Monitoring Officer should be sealed. The affixing of the Common Seal will be attested by the Chief Executive and Monitoring Officer or some other person authorised by the Chief Executive and Monitoring Officer.
- 4.6 To agree any fees for copies or extracts of documents requested by the public under the provisions of the Local Government (Access to Information) Act 1985 and the Freedom of Information Act 2000.
- 4.7 To seek Counsel's opinion or other expert advice and to retain Counsel whenever this is considered to be in the interest and to the benefit of the Authority.

##### Management/Human Resources

- 4.8 For staff directly employed by the Authority (who are not under the direction and control of the Chief Constable) to manage staff resources and the determination of general staffing issues, including:

- i. The appointment and dismissal of staff and the determination of terms and conditions of service;
- ii. For the appointment of senior posts, to ensure member involvement (via an Appointments Panel) in the recruitment and determination of terms and conditions;
- iii. The management and implementation of key HR policies such as recruitment, disciplinary, grievance, harassment, absence management and redundancy and to utilise Force policies and procedures in all cases where the Authority does not have its own.
- iv. Approving a Performance Development and Review (PDR) Scheme for all Secretariat staff;
- v. Agreeing incremental changes to roles, grades and pay bands;
- vi. The extension of service for staff over normal retirement age;
- vii. Granting leave of absence without pay beyond that provided for;
- viii. The payment of honoraria to officers who have undertaken additional duties over an extended period in the absence of a more senior officer;
- ix. The engagement of temporary or agency staff or consultants;
- x. Approving the attendance of officers at conferences / seminars;
- xi. To manage any other matters involving Police Authority Secretariat, including staff resources and service delivery;

4.9 To approve minor restructurings of establishment of up to three posts in relation to the Authority's Secretariat, subject to:

- i. Confirmation that the proposals are unlikely to have any repercussions on or significance for other elements of the staffing structure;
- ii. There being budget provision for the proposals;
- iii. Consultation with the trades union.

4.10 To manage (in conjunction with the Deputy Chief Executive and Treasurer) that part of the budget which is not delegated to the Chief Constable, in accordance with the Authority's Financial Regulations and Standing Orders.

4.11 To place orders for goods and services and to incur expenditure for which provision is included in the revenue budget.

4.12 To invite and accept quotations and tenders for goods and services for which provision is included in the revenue budget in accordance with Financial Regulations and Contract Standing Orders.

#### General

4.13 To agree the attendance of Members at conferences, seminars and other events. If the cost per member exceeds £1,000 then agreement must be sought from the Chair or Vice Chair of the Police Authority. The Deputy Chief Executive and Treasurer may also exercise this delegated power in the absence of the Chief Executive and Monitoring Officer.

- 4.14 To agree changes to scheduled Authority or Committee dates and Committee membership, in consultation with the Chair of the Authority or the relevant Committee Chair, as appropriate.
- 4.15 To select, in consultation with the Chair of the Police Authority, three Members of the Authority to form the Appeals Committee to hear any appeal by a member of police staff, in accordance with Force policies on discipline or conduct dismissal.
- 4.16 In connection with complaints against Chief Police Officers received by the Authority in accordance with the Police Reform Act 2002, to determine, in conjunction with the Chair of the Police Authority or Lead Member for Professional Standards:
- i. In relation to complaints, to determine (and respond to the complainant accordingly) wherever possible within 5 days of the complaint being received, whether or not the Authority is the appropriate body to consider such a complaint.
  - ii. Wherever possible to make decisions in dealing with complaints and conduct matters against the Chief Police Officers including:
    - Recording decisions (for conduct matters)
    - Initial assessments
    - Suitability for local resolution
    - Referral of the complaint to the IPCC
    - Referral to the Crown Prosecution Service
    - Application to the IPCC for dispensation or discontinuance
    - Appointment and briefing of the investigator
    - Appointment and misconduct hearing or meeting, members (and related determinations)
    - The Authority's representations (or the decision not to make representations) to misconduct proceedings in accordance with regulation 35(10) of the Police Conduct Regulations 2008
    - Police Authority representation at proceedings, meetings, appeals, hearings and for other such related matters.
  - iii. If the Authority is the appropriate body, and in accordance with IPCC guidance whether or not the complaint relates to the direction and control of the Force and so should be referred to the Chief Constable for consideration.
- 4.17 Maintain an effective Independent Custody Visiting Scheme including the appointment and removal of visitors and an Animal Welfare Scheme.
- 4.18 To respond to consultations affecting the Authority whenever this may prove necessary for reasons of timing of Committee meetings, in consultation with the Chair of the Authority or appropriate Committee Chair.
- 4.19 To make the necessary arrangements and appointments to constitute a Police Appeals Tribunal under schedule 6 of the Police Act 1996 in the event that notice is received under section 85 of the Act.
- 4.20 To provide Secretariat assistance to the Panel for the Selection of Independent Members in accordance with Schedule 3 of the Police Act 1996.

- 4.21 To approve the attendance of substitute Members at meetings of external bodies and organisations on which the Authority is represented.
- 4.22 To authorise payments of Members' expenses and allowances (including annual cost of living increases) in accordance with the Authority's approved scheme and to vary such allowances from time to time in accordance with the provisions of the Scheme. The Deputy Chief Executive and Treasurer may also exercise this delegated power.
- 4.23 To ensure appropriate forums / arrangements are established, maintained and regularly reviewed through which the views of the community on policing, anti-social behaviour and the prevention of crime are obtained.
- 4.24 To make arrangement as necessary to appoint three Independent Members of the Authority's Standards Committee and make the appropriate payments in accordance with section 7 of the Members' Allowances Scheme when attendance is reasonably justified.
- 4.25 To compile and maintain a list of independent persons to sit on certain misconduct panels arising from a complaint.
- 4.26 To monitor and analyse any damages and costs awarded against the police in respect of torts or in relation to the settlement of a claim subject to the limits set out in the financial regulations and reported to the Resources Committee as appropriate.
- 4.27 To promote equality and diversity within the police force maintained for its area and within the Authority and monitor and scrutinise the development and implementation of equalities schemes for both the Authority and Force and the equality standards for the police service. Specifically as part of the above to monitor and scrutinise the use of stop and search and stops by the Force.
- 4.28 To monitor and analyse the Authority's and Force's employment procedures and practices in accordance with legislation on anti-discrimination laws.
- 4.29 After consultation with the Chair of the Authority, to determine sums to be paid from the Police Property Act Fund for community safety or charitable purposes.

## **5 Powers delegated to the Deputy Chief Executive and Treasurer**

- 5.1 The Deputy Chief Executive and Treasurer (and the Chief Constable) will arrange for the financial management of the service in accordance with the details and delegations set out in financial regulations. The following delegations listed 5.2 to 5.6 apply:
- 5.2 The Deputy Chief Executive and Treasurer shall be responsible for the administration of the Authority's financial affairs as set out in Sections 112 and 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations 2003. The responsibilities are to:

- i. Provide professional financial advice to the Authority including advice on arrangements for financial delegation;
- ii. Advise the Authority on the content and implications of the budget and medium term financial strategy / plans;
- iii. Assist the Authority in seeking to obtain best value for money;
- iv. Ensure that accurate, complete and timely financial management information is provided to the Authority;
- v. Advise the Authority on financial propriety;
- vi. Provide, under delegation from the Authority, an adequate and effective internal audit service and assistance in securing safe and efficient financial arrangements;
- vii. Secure the preparation and publication of statutory and other accounts;
- viii. Secure appropriate banking arrangements and treasury management including loans and investments;
- ix. Advise on risk management and insurance;
- x. Work with the Chief Executive and Monitoring Officer to the Authority to ensure effective corporate management of the Authority's resources.

5.3 To determine whether to write off debts considered irrecoverable, including in cases where write-off action results from theft or fraud, up to an individual maximum amount of £10,000. Above this limit Police Authority or Resources Committee approval is required.

5.4 In the absence of the Chief Executive and Monitoring Officer to agree the attendance of Members at conferences, seminars and other events. If the cost per member exceeds £1,000 then agreement must be sought from the Chair or Vice Chair of the Police Authority.

5.5 To authorise payments of Members' expenses and allowances (including annual cost of living increases) in accordance with the Authority's approved scheme and to vary such allowances from time to time in accordance with the provisions of the Scheme or after any independent review of such allowances. The Chief Executive and Monitoring Officer may also exercise this delegated power.

## **6 Powers delegated to the Chief Constable**

### Financial

6.1 The statutory responsibilities of a 'Chief Finance Officer' are set out in Sections 112 and 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations. The Home Office Financial Management Code of Practice recommends that, wherever possible, the financial management of the Force takes place within that Force.

6.2 The Chief Constable (and Deputy Chief Executive and Treasurer) will arrange for the financial management of the service in accordance with the details and delegations set out in the financial regulations. The following delegations listed 6.3 to 6.29 apply:

- 6.3 The Chief Constable shall undertake the day to day financial management of Humberside Police, including responsibility for Force expenditure provided that such responsibility is exercised in accordance with the law and with the Authority's Financial Regulations and Contract Standing Orders and any statutory guidance and codes of practice. The Chief Constable should also have regard to the Corporate Governance Framework and submit, as a standing item, revenue and capital budget monitoring reports to the Authority's Resources Committee.
- 6.4 The Chief Constable shall appoint a Chief Officer with responsibility for financial matters, known in Humberside Police as the Assistant Chief Officer (Support), with a professional qualification to take responsibility for the Finance function and for ensuring robust financial policies and procedures are in place. This will include such matters as the provision of payroll, pensions and general financial administration, subject to the role of the Deputy Chief Executive and Treasurer as S.151 Officer.
- 6.5 The Assistant Chief Officer (Support) shall:
- i. Provide the strategic financial perspective on the main management board of Humberside Police;
  - ii. Provide financial expertise, advice and information within Humberside Police directly to the Chief Constable to enable him to fulfil his delegated responsibility from the Humberside Police Authority for the financial management of Humberside Police.
  - iii. Provide professional leadership of the finance function within Humberside Police, ensuring that high standards of financial management are maintained; that financial systems and procedures promote the effective conduct of business; and that financial considerations are fully taken into account in all policy decisions.
  - iv. Work closely with the Deputy Chief Executive and Treasurer of the Humberside Police Authority to make proposals for the Financial Regulations and the delegated limits within which Humberside Police will operate. To ensure that managers at all levels are aware of their responsibilities in relation to these Financial Regulations and that they adhere to them.
  - v. Support the Deputy Chief Executive and Treasurer to the Humberside Police Authority in his statutory responsibilities for the financial affairs of Humberside Police by ensuring probity, legality and appropriate standards in all financial dealings.
  - vi. Act as the main point of contact with the Deputy Chief Executive and Treasurer in providing, receiving and interpreting information on the financial affairs of Humberside Police.
  - vii. Ensure effective control of financial planning, budgeting and monitoring within a devolved budget framework in respect of all Humberside Police income and expenditure. Nominated budget holders within the Force will have responsibility for that part of the budget allocated to them.
  - viii. Ensure that the Authority's intellectual property rights are not compromised by commercial agreements, and shall report any significant issues in this respect to the Chief Executive and Monitoring Officer.
  - ix. Take the lead in developing, refining and implementing the medium term financial strategy in Humberside Police.

- x. Be authorised by the Deputy Chief Executive and Treasurer to operate bank accounts on behalf of the Authority.
  - xi. Provide the Chief Constable with expertise, advice and information to enable him to fulfil his delegated responsibility in respect of procurement, transport, property matters, risk management, treasury management, information technology, communications and other support services.
- 6.6 The Chief Constable shall consult the Chief Executive and Monitoring Officer / Deputy Chief Executive and Treasurer, who will determine whether the Authority's approval should be sought, for all expenditure proposals of an exceptional nature because of particular difficulty, potential public interest or sensitivity.
- 6.7 The Chief Constable may commit expenditure or vire between budget headings within the overall approved budget to meet the policies and objectives agreed with the Authority and reflected in the strategic policing plan. Such virements must be in accordance with the limits set out in the financial regulations of the Police Authority. These will be reported to the Authority's Resources Committee.
- 6.8 The Chief Constable may write off debts considered to be irrecoverable up to an individual maximum amount of £10,000. Any individual write off above £10,000 must be referred to the Authority or the Authority's Resources Committee, as appropriate, for approval. All cases where write-off action results from theft or fraud shall be referred to the Deputy Chief Executive and Treasurer for approval up to an individual maximum of £10,000 and to the Authority's Resources Committee as appropriate above £10,000.
- 6.9 To accept income, offers of sponsorship and gifts on behalf of the Police Authority provided that decisions taken in this regard are in accordance with the law, comply with any guidance or policy which the Authority may from time to time determine and meet the requirements set out in the Financial Regulations.

#### Tendering and Contracts

- 6.10 The Authority remains the legal contracting party for Contracts, however responsibility for the day to day management and control of contracts is delegated to the Chief Constable, in accordance with the Authority's Contract Standing Orders and provided that the Authority is satisfied that the Chief Constable has in place adequate systems, procedures and expertise to discharge these responsibilities. All action must accord with the contract standing orders. The delegations set out in this section may be exercised by the Chief Constable or his authorised representative.

The Chief Constable shall have delegated authority:

- 6.11 To invite and accept tenders in accordance with the terms and conditions of the Police Authority's Contract Standing Orders, provided that a business case and a properly calculated written estimate of cost have been prepared prior to invitation and there is provision in approved estimates for the subject of tender action. The approval of the Resources Committee or full Police Authority must be sought where:
- i. The written estimate exceeds £250,000;

- ii. It raises questions of principle or financial policy;
- iii. It possesses unusual features or involves particular difficulty;
- iv. It might arouse particular public interest or publicity;
- v. It concerns a matter of particular importance or sensitivity; or
- vi. It concerns proposals for outsourcing contracts or is connected with a public/private partnership or a private finance initiative.

6.12 To open tenders, subject to the tendering arrangements of the Contract Standing Orders. In exceptional circumstances the Chief Constable or his authorised representative may accept a late tender, notifying the Chief Executive and Monitoring Officer and Deputy Chief Executive and Treasurer in every case.

6.13 To accept quotations based on the principle of best overall value for money measured against an objective, systematic, thorough and fair assessment to identify the most economically advantageous tender.

6.14 To sign all contracts on behalf of the Authority, irrespective of value, once they have been properly approved, except for those which are required to be executed under the Common Seal of the Authority. In these cases the Chief Executive and Monitoring Officer is authorised to affix the Seal (see delegation 4.5 above).

6.15 To declare goods surplus to requirements or obsolete and arrange for disposal in accordance with the financial regulations delegated limits.

#### Land and Property Matters

6.16 The Chief Constable or his authorised representative may purchase or dispose of land or property on behalf of the Authority, in accordance with Financial Regulations, the Estates Strategy or approved business case agreed by the Authority or the Resources Committee and / or by specific Authority decision. Transactions of a value in excess of £250,000 must be approved by the Authority or its Resources Committee. Naturally the disposal method should be one which, in the view of the Chief Constable having received appropriate advice from a qualified valuer, maximises value for money to the Authority.

6.17 To be responsible for the development of plans for the police estate. To manage the police estate, including maintenance of property and to incur costs within approved budgets.

6.18 To take all appropriate steps to ensure that the Authority's approved capital programme is implemented, subject to the Police Authority being periodically informed of progress through budget monitoring reports.

6.19 To authorise the use of police property by outside bodies or staff associations, provided that such use is temporary and no tenancy or other legal interest is created.

6.20 To exercise the powers and duties of the Police (Property) Regulations 1997 and in so doing, authorise, where appropriate, requests for the donation of unclaimed

found property to charitable causes and approve the retention of such property where it can be put to good use for police purposes.

### Management / Human Resources

- 6.21 To be responsible for the direction and control of persons employed by the Authority (police staff) to assist the Police Force, in accordance with section 15(2) and (4) of the Police Act 1996. This will include all appeals with respect to police staff (with the exception of Chief Officers), in respect of capability, grievance and grading.
- 6.22 To adjust the police staff and police officer establishment in numbers, locations, ranks and gradings within the overall MTFs, budget, and workforce strategy and, where appropriate, redundancy (and associated) policies approved by the Authority and to make best use of workforce modernisation principles. This does not apply to Chief Officer posts, both uniformed and police staff which will be referred to the Authority, including any shared arrangements between police authorities.
- 6.23 To authorise, in accordance with Police Staff Council conditions of service, the suspensions of staff and / or the termination of their employment with the exception of staff whose appointment is made by the Authority. Nevertheless any appeal against a dismissal lodged by a member of police staff will remain to be considered by the Authority's Appeals Committee, with the exception of any dismissals carried out in accordance with the Force's redundancy policy.
- 6.24 To approve the retirement, in the interests of the efficiency of the service, of police staff employees subject to the Local Government Pension Scheme (LGPS) with or without enhancement of service subject to reports to the Police Authority as appropriate about the actions taken in pursuance of this delegation.
- 6.25 To determine matters relating to police pensions (including widows' pensions) under 1987 and 2006 police pension regulations and injury on duty awards except for i) retirement on the grounds of ill health of ACPO officers and ii) decisions under regulation K5 which deals with the forfeiture of pensions upon the commission of certain criminal offences.
- 6.26 To determine ex-gratia payments to members of the public in respect of claims for loss or damage to property arising from police officers forcing entry in the course of their duties in accordance with the Financial Regulations.
- 6.27 To approve payments under any Authority approved bonus, productivity or performance related payment schemes and honoraria payments in recognition of additional duties and responsibilities or similar special payment schemes. For the avoidance of doubt, payments in relation to the ACPO PDR / Bonus Scheme shall be reserved to the Authority as shall the actual schemes operating with respect to CRTP and SPP.
- 6.28 To second officers and police staff to support national or regional policing. However, this does not apply to international secondments nor to Chief Officer posts, both uniformed and police staff, which will be referred to the Authority.

6.29 To authorise overseas visits for the purposes of supporting continuous improvement of policing or to enhance its reputation.

## **7. Powers delegated to Committees of the Police Authority**

7.1 Under its powers at s101 Local Government Act 1972, the Police Authority has established some 'Committees' (sometimes referred to as Panels or Boards) and has delegated some powers to those bodies to exercise certain of the Authority's powers, as follows.

- Business Development Committee
- Resources Committee
- Policing Committee
- Standards Committee
- Appointments Panel
- Appeals Committee
- Selection Panel for the Appointment of Independent Members
- Transitional Costs Sub-Group

7.2 The terms of reference of these bodies are set out below

## **BUSINESS DEVELOPMENT COMMITTEE**

### **Purpose**

To continually assess the external and internal environment and adopt effective planning techniques to develop the vision and strategic direction for policing in Humberside; ensure all business change supports the vision and policing strategy and constantly seek out innovative and collaborative arrangements to secure better value for money and policing outcomes for local people.

### **Terms of Reference**

1. To agree and continually review, in conjunction with the Chief Constable, the planning mechanisms to determine the vision and strategic direction of the Force, driven by community consultation, an assessment of the external environment and the threats, harms and risks facing local communities.
2. To develop and recommend to the Authority, in conjunction with the Chief Constable, the rolling strategic policing plan (including aims and priorities) for the service and any appropriate measures and improvement targets to assess performance.
3. To oversee and be assured of Humberside Police's corporate planning arrangements, culminating in the force business and service delivery plans, which outlines how the vision, strategic aims and priorities will be translated into meaningful action.
- 3a. To develop and oversee the corporate planning arrangements of Humberside Police Authority culminating in the approval of the Authority's Business Plan, which outlines how the vision, strategic aims and priorities will be translated into meaningful action.
4. In accordance with the financial regulations to recommend for Authority approval a MTFS, Workforce strategy and annual budget and any in-year variations.
5. In accordance with the financial regulations seek assurance, in conjunction with the Chief Constable, that other key underpinning resource strategies (e.g. Estates, IS/IT, Partnerships etc.) are in place to enable delivery of the vision, strategic aims and priorities, and to review and recommend any variations to them.
6. In support of the vision, strategic aims and priorities, and advised as appropriate by the Chief Constable, ensure an appropriate suite of key operational policies (e.g. crime reduction, drugs and alcohol, domestic violence) and organisational policies (e.g. procurement, recruitment, performance management) are in place.

7. To consider the existing strategic risks facing both the Police Authority and the Force, highlight new risks where necessary and ensure appropriate management plans are in place.
8. To oversee the implementation of the business change programme within the Force as part of the Integrated Business Management (IBM) process, to ensure the vision and strategic policing plan (and business plans) are successfully delivered.
9. To develop and recommend for Authority approval, a Value for Money Strategy and associated programmes to reduce costs, increase productivity, embed efficiency and maximise the benefits of collaboration, taking full account of HMIC Value for Money profiles, Police Objective Analysis and the Regional Efficiency and Productivity Strategy.
10. To consider and recommend to the Police Authority for approval any opportunities for collaboration that furthers the vision, strategic aims and priorities of the Authority.
11. To consider relevant HMIC assessment / inspection requirements and thematic reviews and ensure recommendations are implemented.
12. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and human rights legislation.
13. To consider any matters referred to the Committee by the Police Authority or any other Committee of the Authority for either determination or recommendation and to refer any matter to any other Committee as appropriate.

## **RESOURCES COMMITTEE**

### **Purpose**

To oversee the implementation of the most efficient and effective use of resources to deliver value for money and facilitate the outcomes articulated in the strategic policing plan within a robust corporate governance framework.

### **Terms of Reference**

1. To ensure the Force and Authority have adequate and effective policies and fair practices in place for the recruitment, allocation, management, engagement, development and recognition of human resources that inspires the trust and confidence of all staff.
2. To oversee and monitor the implementation of the budget, Value for Money strategy, workforce plans and other resource plans in accordance with the strategic policing plan.
3. Where duties / responsibilities rest in law (including police regulations) with the Police Authority to approve any police service policies and practices (e.g. learning and development, redundancy, health and safety, equality and diversity, special priority payment scheme, etc.) that affect officers and staff of Humberside Police where powers have not been delegated to officers.
4. To ensure the Force and Authority have adequate and effective policies and practices in place for the allocation and management of financial (revenue and capital) resources and assets and to monitor progress against them.
5. To monitor Force performance in its use of resources through effective Scorecard monitoring and recommend appropriate and timely action where necessary.
6. To review and approve the annual statement of accounts ensuring appropriate accounting policies have been followed and consider the external auditor's report on issues arising from the audit of the accounts.
7. To ensure the appropriateness of the corporate governance framework (financial regulations and contract standing orders, scheme of delegation, code of conduct) in operation including specifically the production and approval of the Annual Governance Statement.
8. To monitor the effective development and operation of risk management in the Authority and Force.
9. To oversee arrangements for internal audit (including Internal Audit annual report and opinion) and to consider and approve reports on progress against a 'risk based' audit plan. Additionally, to consider reports on recommendations not implemented within a reasonable timescale and seek assurance over the Authority's corporate governance arrangements.

10. To oversee arrangements for external audit and to approve reports on progress against the audit plan and consider appropriate action.
11. To consider the External Auditor's annual audit letter.
12. To consider reports dealing with the management and performance of the providers of internal audit services and comment on the scope and depth of external audit work to ensure both represent value for money.
13. To consider relevant HMIC assessment / inspection requirements and thematic reviews and ensure recommendations are implemented.
14. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and Human Rights legislation.
15. To consider any matters referred to the Committee by the Police Authority or any other Committee of the Authority for either determination or recommendation and to refer any matter to any other Committee as appropriate.

## **1.3 POLICING COMMITTEE**

### **Purpose:**

To consider the products of the Authority's engagement and partnership activities to understand the views and expectations of the public, partners and other stakeholders; utilise this information to target scrutiny of force performance to drive continuous improvement of policing services covering local operational policing and regional protective services; communicate key policing information to as wide an audience as resources allow.

### **Terms of Reference:**

1. To ensure that both the Authority and Force have appropriate mechanisms in place to enable public accessibility to policing services including the ability to influence policing services at all levels through effective consultation arrangements.
2. To ensure that local policing activity is being delivered efficiently and effectively and is capable of responding with agility to the needs of all communities including diverse and vulnerable groups.
3. To ensure that both the Authority and Force has efficient and effective arrangements in place to keep the public informed about policing matters, including an annual policing report.
4. To oversee and scrutinise Force performance against national, regional and local frameworks at force and sub-force level as considered appropriate and make recommendations for continuous improvement.
5. To ensure that the Authority and Force are actively participating and contributing to existing partnership arrangements; pro-actively seeking further new opportunities with all sectors with a view to securing more efficient and effective policing services for local people.
6. To receive and scrutinise operational policing matters as appropriate having regard to local priorities and the effective delivery of neighbourhood policing.
7. To scrutinise the performance of issues normally considered as 'protective services' (e.g. terrorism, serious and organised crime, critical incidents, major crime etc.) and to ensure that there is adequate capacity and capability to deliver these services efficiently and effectively across Humberside.
8. To consider relevant HMIC assessment / inspection requirements and thematic reviews and ensure recommendations are implemented.
9. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and Human Rights legislation.

10. To consider any matters referred to the Committee by the Police Authority or any other Committee of the Authority for either determination or recommendation and to refer any matter to any other Committee as appropriate.

## **1.4 STANDARDS COMMITTEE**

### **Purpose**

Through the promotion and encouragement of the highest standards of member conduct and behaviour and the mainstreaming of wider aspects of ethical governance, contribute to improved performance of the Authority.

### **Terms of Reference**

1. To promote and maintain high standards of conduct by members or co-opted members of the Authority.
2. To advise the Authority on the adoption or revision of its code of conduct and a scheme for member's allowances and expenses.
3. To monitor the operation of the Authority's code of conduct.
4. To assist members of the Authority in observing the code of conduct, including arrangements for training on matters relating to the code of conduct.
5. To arrange (where necessary through a Sub-Committee) for the initial assessment and review of complaints made about members under the code of conduct and also conduct any hearings required following investigation of complaints.
6. To keep informed of the national guidance issued by the Standards Board for England and advise the Authority accordingly.
7. In accordance with statutory requirements, to monitor and advise the Authority on compliance with the requirements for registration of interests and registers of gifts and hospitality.
8. To consider and determine requests to grant a member a dispensation relating to interests set out in the code of conduct.
9. To consider and where appropriate approve applications for exemption from an Officer's post being regarded as a politically restricted post.
10. To carry out the recruitment and selection of Independent Members to the Standards Committee
11. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, and the general duty of the Race Relations (Amendment) Act and the requirements of any other equalities legislation.
12. To conduct Member appraisals in accordance with the Members Appraisal Scheme.
13. To deal with such other functions as the Authority considers appropriate.

## **1.5 APPOINTMENTS PANEL**

### **Terms of Reference**

1. To arrange for the appointment of the Authority's Chief Officers (ACPO) subject to regulations and the involvement of the Home Secretary.
2. To arrange for the appointment of the Authority's Chief Executive and the Deputy Chief Executive and Treasurer and for the designation of its monitoring officer.
3. Subject to national agreements, to determine locally agreed matters of remuneration and terms and conditions for ACPO officers and the Chief Executive and Deputy Chief Executive and Treasurer and Monitoring Officer.
4. To appoint Independent Members of the Authority (Independent Members of the Panel eligible for re-selection would not form part of the Panel for this process).
5. To appoint Independent Members of Misconduct Panels to comply with Police (Conduct) Regulations 2008.
6. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and Human Rights legislation, including implementation of the equalities schemes of both the Authority and the Force.
7. To make recommendations to the Authority as appropriate in relation to the above matters.

## **1.6 APPEALS COMMITTEE**

### **Terms of Reference**

1. To determine appeals from members of police staff against dismissal, final written warnings, final written warnings with disciplinary transfer, final written warnings with relegation by the Chief Constable.
2. To determine appeals by members of police staff in grading issues against the Chief Constable.
3. To determine appeals by police officers against the Chief Constable's decision that their business interest is not compatible with their remaining a member of the Force.
4. To constitute and hear Stage 4 appeals in accordance with the Collective Disputes procedure for Humberside Police staff.

5. To determine appeals against the Chief Executive from members of the support staff employed to assist the Authority in relation to discipline, grievance, capability and grading.
6. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and Human Rights legislation, including implementation of the equalities schemes of both the Authority and the Force.

## **1.7 SELECTION PANEL FOR THE APPOINTMENT OF INDEPENDENT MEMBERS**

### **Terms of Reference**

1. To select candidates to form the “short list” of potential Independent Members of the Police Authority for submission to the Police Authority Appointments Panel.
2. To have due regard, in exercising its responsibilities to equal opportunities generally and the requirements of all equalities, anti-discrimination and Human Rights legislation, including implementation of the equalities schemes of both the Authority and the Force.

## **1.8 TRANSITIONAL COSTS SUB-GROUP**

### **Terms of Reference**

1. Ratify the decisions on voluntary redundancies, flexible retirement and early retirement of Police Staff agreed by the Assistant Chief Officer (HR) on behalf of the Chief Officer Group. Decision criteria will be applied for all applications and any single decision will not set a precedent for another.
2. Ratify the decisions on voluntary redundancies, flexible retirement and early retirement of Secretariat Staff agreed by the Chief Executive. Decision criteria will be applied for all applications and any single decision will not set a precedent for another.
3. Release funding, from reserves of up to a limit of £3.4m, to the Force for this purpose (from the total capped figure of £3.9m set aside to support the implementation of the cost saving programme which also included £0.5m for supernumerary, redeployment and salary and travel protection costs).
4. Release funding from the £500k earmarked reserve for Business and Workforce Modernisation.
5. To be advised of the implementation of the Force's redundancy policy including the number of compulsory redundancies made and all of the associated costs.

**Humberside Police Authority  
Approved 22 March 2011**