

# CODE OF CORPORATE GOVERNANCE FOR HUMBERSIDE POLICE AUTHORITY



**HUMBERSIDE**  
POLICE AUTHORITY

## Introduction

- 1.1 Corporate Governance is the system, processes, culture and values by which organisations are directed and controlled, and through which they account to, engage with and lead their communities. Essentially it is about how the Police Authority ensures that it is doing the right things, in the right way, for the right people, in a timely, inclusive, transparent and accountable manner.
- 1.2 This Code of Corporate Governance describes how Humberside Police Authority (the Authority) and Humberside Police (the Force) discharges its responsibilities in this respect, and in the case of the Police Authority its two key statutory responsibilities:-
  - i. To secure an efficient and effective local police service;
  - ii. To hold to account the Chief Constable of Humberside Police for the exercise of his functions and those of persons under his direction and control.

The Chief Officer has a statutory responsibility for the control, direction and delivery of operational policing services.

- 1.3 The CIPFA/SOLACE Framework 'Delivering Good Governance in Local Government' sets out six core principles on which effective governance should be built:
  - i. Focusing on the purpose of the authority and on outcomes for the community and creating and implementing a vision for the local area.
  - ii. Members and staff working together to achieve a common purpose with clearly defined functions and roles.
  - iii. Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour.
  - iv. Taking informed and transparent decisions which are subject to effective scrutiny and managing risk.
  - v. Developing the capacity and capability of members and staff to be effective
  - vi. Engaging with local people and other stakeholders to ensure robust public accountability
- 1.4 To achieve this, a framework has been formulated to ensure that these principles are fully integrated in the conduct of the authority's business as well as establishing a means of demonstrating compliance.
- 1.5 Humberside Police Authority can also demonstrate that the systems and processes in place are:
  - i. Monitored for their effectiveness in practice
  - ii. Subject to annual review to ensure they remain up to date

1.6 Throughout this Code, the term staff refers to all Police Authority staff, police officers, police support staff, special constables, volunteers and other members of the wider policing family.

1.7 The Code will be reviewed and updated as appropriate on an annual basis.

## **The Code of Corporate Governance**

2.1 Accordingly, the Authority has developed a Code of Corporate Governance which incorporates the core good governance principles, develops these in a local context, and sets out the arrangements for reviewing their effectiveness.

2.2 The way in which each of the core principles of good governance is put into practice by the authority is set out below:-

### **Core Principle of Good Governance**

#### **Focusing on the purpose of the Authority and on outcomes for the community and creating and implementing a vision for the local area.**

*The function of governance is to ensure that authorities fulfil their purpose and achieve their intended outcomes for citizens and service users and operate in an efficient, effective, economic and ethical manner. This concept should guide all governance activity.*

3.1 To achieve this the Authority will:

- Develop and promote the Authority's purpose and vision in line with the Chief Constable's vision
- Review on a regular basis the Authority's vision for the local area and its implications for the Authority's governance arrangements
- Seek to ensure (in conjunction with the four unitary authorities) that partnerships are underpinned by a common vision of their work that is understood and agreed by all partners
- Publish reports (such as local policing summaries) at least annually to communicate the Authority's and Forces activities and achievements, its financial position and performance
- Decide how the quality of service for users is to be measured and make sure that the information needed to review service quality effectively and regularly is available
- Put in place effective arrangements to identify and deal with failure in service delivery
- Decide how value for money is to be achieved (and measured) and ensure that the authority or partnership has the information needed to review value for money and performance effectively
- Consider the environmental impact of policies, plans and decisions

## **Core Principle of Good Governance**

### **Members and staff working together to achieve a common purpose with clearly defined functions and roles**

*The Police Authority as the governing body acts as guardians of the public interest and is responsible for ensuring an efficient and effective police force for the area and holds the Chief Constable to account for the exercise of his / her functions and those of persons under his / her direction and control. The Chief Constable has a statutory responsibility for the direction, control and delivery of operational policing services.*

#### 4.1 To achieve this the Police Authority will:

- Set out a clear statement of the respective roles and responsibilities of the Authority and its Members individually and the Authority's approach towards putting this into practice
- Determine a scheme of delegation including a formal schedule of those matters specifically reserved for collective decision of the Authority, taking account of relevant legislation and ensure that it is monitored and updated when required
- Appoint a Chief Executive who shall be responsible and accountable to the Authority for the operational management of the Police Authority
- Appoint a Chief Constable who shall be responsible for the operational management of the Force
- Appoint a Director of Performance and Resources (the Section 151 officer) who shall be responsible to the Authority for ensuring that appropriate advice is given on all financial matters, for keeping proper financial records and accounts, and for maintaining an effective system of internal financial control
- Appoint a Monitoring Officer who shall be responsible to the Authority for ensuring that agreed procedures are followed and that all applicable statutes and regulations are complied with
- Develop protocols to ensure that the Chairman and Chief Executive understand their respective roles early in the relationship and that a shared understanding of roles and objectives is maintained
- Develop protocols to ensure effective communication between members and staff in their respective roles
- Set out the terms and conditions for remuneration of members (allowances scheme) and staff and an effective structure for managing the process, including (if appropriate) an effective remuneration panel
- Ensure that effective mechanisms exist to monitor service delivery
- Ensure that the Authority's vision, strategic plans, priorities and targets are developed through robust mechanisms, and in consultation with the local

community and other key stakeholders, and that they are clearly articulated and disseminated

- Seek to ensure that when working in partnership, Members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the Authority
- Seek to ensure that when working in partnership that there is clarity about the legal status of the partnership and that representatives, or organisations, both understand and make clear to all other partners the extent of their authority to bind their organisation to partner decisions

## **Core Principle of Good Governance**

### **Promoting values for the authority and demonstrating the values of good governance through upholding high standards of conduct and behaviour**

*Good governance flows from a shared ethos or culture, as well as from systems, processes and structures. It cannot be reduced to a set of rules, or achieved fully by compliance to a set of requirements. This spirit or ethos of good governance can be expressed as values and demonstrated in behaviour.*

#### 5.1 To achieve this the Police Authority will:

- Ensure that the police leadership sets a tone for the organisation by creating a climate of openness, support and respect
- Ensure that standards of conduct and personal behaviour expected of Members and staff, of work between Members and staff and between the Authority, its partners and the community are defined and communicated through codes of conduct and protocols
- Put in place arrangements to ensure that Members and staff are not influenced by prejudice, bias or conflicts of interest in dealing with different stakeholders and put in place appropriate processes to ensure that they continue to operate in practice
- Develop and maintain shared values including leadership values for both the organisation and staff reflecting public expectations, and communicate these with Members, staff, the community and partners
- Put in place arrangements to ensure that systems and processes are designed in conformity with appropriate ethical standards, and monitor their continuing effectiveness in practice
- Develop and maintain an effective standards committee
- Use the vision, mission statement and values to act as a guide for decision making and as a basis for developing positive and trusting relationships within Humberside Police Authority and Humberside Police

- In pursuing the vision of working in partnership, seek to agree a set of values against which decision making and actions can be judged

## **Core Principle of Good Governance**

### **Taking informed and transparent decisions which are subject to effective scrutiny and managing risk**

*Decision making within a good governance framework is complex and challenging. It must further the organisations' purpose and strategic direction and be robust in the medium to longer terms. To make such decisions, members and senior staff must be well informed.*

*Members and senior staff making decisions need the support of appropriate systems, to help to ensure that decisions are implemented and that resources are used legally and efficiently.*

*Risk management is important to the successful delivery of public services. An effective risk management system identifies and assesses risks, decides on appropriate responses and then provides assurance that the chosen responses are effective.*

#### 6.1 To achieve this the Police Authority will:

- Develop and maintain effective arrangements to challenge and scrutinise Force performance and compliance with other requirements
- Develop and maintain open and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based
- Put in place arrangements to safeguard members and staff against conflicts of interest and put in place appropriate processes to ensure that they continue to operate in practice
- Develop and maintain an effective Finance Committee
- Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints
- Ensure that those making decisions are provided with information that is fit for the purpose – relevant, timely and gives clear explanations of technical issues and their implications
- Ensure that professional advice on matters that have legal or financial implications is available and recorded in advance of decision making and used appropriately
- Ensure that risk management is embedded into Humberside Police Authority and Humberside Police, with Members and Managers at all levels recognising that risk management is part of their job
- Ensure that effective arrangements for whistle blowing are in place to which staff and all those contracting with the Authority / Force have access

- Recognise the limits of lawful activity placed on them by, for example, the ultra vires doctrine
- Recognise the limits of lawful action and observe both the specific requirements of legislation and the general responsibilities placed on police authorities by law
- Observe all specific legislative requirements placed upon them, as well as the requirements of general law, and in particular to integrate the key principles of good administrative law – rationality, legality and natural justice into procedures and decision making processes

## **Core Principle of Good Governance**

### **Developing the capacity and capability of members and staff to be effective in their roles**

*Effective governance relies on public confidence in authority members, whether elected or appointed, and in staff. Good governance strengthens credibility and confidence in public services, including the police service.*

*Authorities need people with the right skills to direct and control them effectively. Governance roles and responsibilities are challenging and demanding, and authority members need the right skills for their roles. In addition governance is strengthened by the participation of people with different types of knowledge and experience.*

7.1 To achieve this the Police Authority will:

- Provide induction programmes tailored to individual needs and opportunities for members and staff to update their knowledge on an ongoing basis
- Ensure that statutory officers have the skills, resources and support necessary to perform effectively in their roles and that these roles are properly understood throughout the authority
- Assess the skills required by members and staff and make a commitment to develop those skills to enable roles to be carried out effectively
- Develop skills on a continuing basis to improve performance, including the ability to scrutinise and challenge and to recognise when outside expert advice is needed
- Ensure that effective arrangements are in place for reviewing the performance of the Authority as a whole and individual members and agreeing an action plan which might, for example, aim to address any training and development needs
- Ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the authority.

## **Core Principle of Good Governance**

### **Engaging with local people and other stakeholders to ensure robust public accountability**

*Police Authorities are accountable to local people in a number of ways. Elected members provide democratic legitimacy in that they have a clear leadership role in building safer, stronger and sustainable communities. However the Authority (and therefore all members) must account to local communities for all decisions taken and the rationale behind those decisions.*

*The Police Authority has a statutory responsibility to engage with the public on policing issues. In discharging this responsibility it is ensuring that the Force is held to account and, in addition, by demonstrating this 'guardianship' role the authority reflects its own accountability to the public.*

*The Police Authority is also subject to external review through the external audit of its financial statements. It is required to publish its financial statements and encouraged to publish an annual report. The budget is effectively subject to significant influence and overview by government, which has powers to intervene. Both members and staff are subject to codes of conduct.*

#### **8.1 To achieve this the Authority will:**

- Make clear to all staff, the community and stakeholders, what they are accountable for and to whom, and assess the effectiveness of the relationships and any changes required
- Produce an annual report / policing summary on the activity of the Authority and Force
- Ensure that channels of communication are in place with all sections of the community and other stakeholders, and put in place monitoring arrangements and ensure that they operate effectively
- Hold meetings in public unless there are good reasons for confidentiality
- Ensure arrangements are in place to enable the authority to engage with all sections of the community effectively. These arrangements should recognise that different sections of the community have different priorities and establish explicit processes for dealing with these competing demands
- Establish a clear policy on the types of issues they will meaningfully consult or engage with the public and service users about including a feedback mechanism for those consultees to demonstrate what has changed as a result
- On an annual basis publish policing and performance plans giving information on the Authority's vision, strategy, plans and financial statements as well as information about its outcomes, achievements and the satisfaction of service users in the previous period

- Ensure that the Authority and Force as a whole are open and accessible to the community, service users and staff and ensure that it has made a commitment to openness and transparency in all its dealings, including partnerships, subject only to the need to preserve confidentiality in those specific circumstances where it is proper and appropriate to do so
- Develop and maintain a clear policy on how staff and their representatives are consulted and involved in decision making

## **Arrangements for the Review of Governance**

9.1 The Authority has put in place the following arrangements to review the effectiveness of the Code of Corporate Governance:

### **The Police Authority**

9.2 Primary oversight of the implementation of the Police Authority Code of Corporate Governance and carrying out a review of its effectiveness will rest with the Police Authority's Finance Committee. The Finance Committee will recommend the approval of the Annual Governance Statement (AGS) to the full Police Authority at its June meeting that approves the annual Statement of Accounts. The AGS – which will include an action plan to rectify any significant areas of weakness in corporate governance, will be signed by the Chair, Chief Constable and Chief Executive.

### **The Force**

9.3 The Deputy Chief Constable is responsible for corporate governance issues affecting the Force, ensuring that appropriate reviews, both pro-actively and reactively, are carried out into key areas and highlighted including

- Professional standards and performance
- Management of information, including data quality, force security and data protection
- Strategic co-ordination and planning, including risk management and strategic assessments

### **The Finance Committee**

9.4 The Committee's terms of reference include the following key requirements in respect of corporate governance:

- To oversee the Authority's arrangements for corporate governance including contract procedures and financial regulations and to recommend any necessary actions to comply with best practice.
- To oversee the production of the Authority's statement of internal control and to recommend its adoption to the Authority.

- To consider compliance with the Authority's own and other published standards and controls
- To ensure the effectiveness of control systems in operation including risk management

### **The Joint Corporate Governance Forum**

9.5 This is essentially a working group which comprises senior staff from the Authority and Force and is responsible for:

- Drafting and overseeing the local code of corporate governance and related documents such as scheme of delegation and financial regulations and contract standing orders.
- Monitoring the practical application of the above to ensure the smooth running of business and timely decision making and to recommend changes to the Finance Committee.
- Preparing the joint Annual Governance Statement
- Recommending an action plan to the Finance Committee to rectify any significant areas of weakness with corporate governance arrangements.
- Monitoring the implementation of agreed action plans and any internal audit plans before they come before the Finance Committee.

### **The Standards Committee**

9.6 The Standards Committee's terms of reference include the following:

- To promote and maintain high standards of conduct by members of the Authority.
- To monitor the operation of the Authority's code of conduct.
- To assist members in observing the code of conduct, including arrangements for training on matters relating to the code of conduct.

9.7 The Police Authority's Monitoring Officer, who advises the Standards Committee, is a member of the Joint Corporate Governance Forum and this provides a link which enables due weight to be given around standards, conduct, member / officer relationships and wider issues of corporate governance.

9.8 The Standards Committee currently has a membership of five, three of whom are independent of the Authority (i.e. members of the public expressly appointed for this purpose). These three independent members have a standing invitation to attend meetings of the Authority or its Committees and they receive agenda papers for all meetings. The Standards Committee Chairman is one of the three independent members.

## **Internal Audit**

- 9.8 The primary role of internal audit is to give an assurance to the Director of performance and Resources and in turn members of the police authority through the Finance Committee, on the effectiveness of the controls and systems in place to manage risks.
- 9.9 To this end the Director of Performance and Resources delivers detailed internal audit reports to the Force Audit Board with summary reports to the Authority's Finance Committee. More extensive reports in connection with the various recommendations from the internal audit reports are also scrutinised by the Finance Committee together with an update on the progress against the recommendations.
- 9.10 The review of corporate governance arrangements and risk management arrangements periodically feature in the annual audit plan although these issues may also arise through other audits carried out by Internal Audit. Significant governance failures will be reported to the Director of Performance and Resources.

## **External Audit**

- 9.11 The Audit Commission make regular challenges to the Police Authority Secretariat in respect of governance issues. Initially these tended to focus around the financial measures in place but more recently have featured issues of ethics and conduct.
- 9.12 The Audit Commission audits the Authority's financial statements and in the last two years has worked to a framework known as the Police Use of resources Evaluation (PURE) which combines the financial safeguards together with the ethical conduct issues to make an overall assessment. This comprises a set of criteria known as Key Lines of Enquiry (KLOE) which are designed to assess how well organisations are managing and using their resources to deliver value for money and better and sustainable outcomes for local people.
- 9.13 The Audit Commission will also audit the Annual Governance Statement and performance management arrangements, as well as undertaking a number of thematic based reviews. Audit Commission plans and reports, including the Annual Audit Letter, are considered by Finance Committee at appropriate times in the annual cycle of meetings.

## **Her Majesty's Inspectorate of Constabulary (HMIC)**

- 9.14 The role of HMIC is to promote the efficiency and effectiveness of policing in England, Wales and Northern Ireland through inspections of police forces and functions (through thematic inspections) to ensure agreed standards are achieved and maintained and good practice is spread and performance is improved. The HMIC also provides policing advice and support to the tripartite partners and plays an important role in the development of future police leaders.
- 9.15 HMIC reports are sent to the Chief Constable and Police Authority for consideration and appropriate action. These reports are then monitored for compliance through the Authority's Performance Committee.
- 9.16 HMIC are expected to play a key role in the future inspection of police authorities, probably with effect from 2009.