

HERTFORDSHIRE POLICE AUTHORITY

CODE OF CORPORATE GOVERNANCE

1 INTRODUCTION

- 1.1 Governance is about how police authorities ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open and accountable manner. It comprises 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.
- 1.2 This Code of Corporate Governance describes how the Hertfordshire Police Authority (the Authority) and Hertfordshire Constabulary (the Force) discharge their responsibilities in this respect.
- 1.3 Where the term "Hertfordshire Police " is used in this document it is in order to reflect both the Authority and the Constabulary.
- 1.4 The Authority has two key statutory responsibilities:-
- i) To secure an efficient and effective local police service.
 - ii) To hold to account the Chief Constable of Hertfordshire Police for the exercise of his/her functions and those of persons under his/her direction and control.
- 1.5 The Chief Constable has a statutory responsibility for the control, direction and delivery of operational policing services provided by the Force.
- 1.6 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 officers 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 officers to be effective.
 - vi) Engaging with local people and other stakeholders to ensure robust public accountability.
- 1.7 To achieve this, a local framework has been formulated to ensure that these principles are fully integrated in the conduct of Hertfordshire Police's business as well as establishing a means of demonstrating compliance.
- 1.8 Hertfordshire Police 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.
- 1.9 Throughout this code, the term "employees" refers to all police officers, police support staff, special constables, volunteers and other members of the wider policing family working for Hertfordshire Police.
- 1.10 This Code applies to all employees, contractors and/or agents providing a direct service to Hertfordshire Police.
- 1.11 The Code will be reviewed and updated as appropriate on an annual basis.

2. THE CODE OF CORPORATE GOVERNANCE

- 2.1 Accordingly, Hertfordshire Police 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 Hertfordshire Police is set out below:
- A The Authority aims to focus on its purpose and on outcomes for the community and creating and implementing a vision for the local area**

2.3 To achieve this, the Authority will:

- i) Develop and promote its purpose and vision.
- ii) Seek to ensure that the work that the Authority and Force undertake in partnership with others is underpinned by a common vision which is understood and agreed by all parties.
- iii) Scrutinise how the Constabulary is performing against its targets and relative to the performance of other Forces and publish an annual report on this performance.
- iv) 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.
- v) Undertake all of the above in a proportionate and unbureaucratic manner ensuring that administrative resources in both the Authority and the Force are not wasted.

B The Authority aims to ensure members and officers work together to achieve a common purpose with clearly defined functions and roles

2.4 To achieve this, the Authority will:

- i) Set out a clear statement of the respective roles and responsibilities of the Authority, its members and its officers and will regularly review the effectiveness and appropriateness of these roles.
- ii) Ensure that standing orders and a scheme of delegation is in place that will include a formal schedule of those matters specifically reserved for the full Authority (taking account of relevant legislation), delegated to the different Committees to discharge on behalf of the Authority and delegated to the Chief Executive, Chief Constable and Treasurer to the Authority, and ensure that it is reviewed and updated at least annually.
- iii) Develop protocols to ensure effective communication between members and officers in their respective roles.
- iv) Ensure that the organisation's vision, strategic plans, priorities and targets are developed in consultation with key stakeholders, and that they are clearly articulated and disseminated.

- v) Seek to ensure that when working in partnership, that members are clear about their roles and responsibilities both individually and collectively in relation to the partnership and to the Authority.
- vi) Seek to ensure that when working in partnership that there is clarity about the legal status of the partnership and the roles and responsibilities of both the organisations and employees involved.

C The Authority aims to promote its values and demonstrate the values of good governance through upholding high standards of conduct and behaviour

2.5 To achieve this, the Authority will:

- i) Ensure that the Authority leadership sets a tone for the organisation by creating a climate of openness, support and respect.
- ii) Ensure that standards of conduct and personal behaviour expected of members and employees, of work between members and employees between Hertfordshire Police, its partners and the community are defined and communicated through codes of conduct and protocols.
- iii) Put in place arrangements to ensure that members and employees of Hertfordshire Police 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.
- iv) 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.
- v) Maintain an effective standards committee.
- vi) In pursuing the objective(s) of a partnership, seek to agree a set of governance values against which actions can be judged.

D The Authority aims to take informed and transparent decisions which are subject to effective scrutiny and managing risk

2.6 To achieve this, the Authority will:

- i) Develop and maintain effective arrangements to challenge and scrutinise Force performance and compliance with other requirements.
- ii) Ensure that significant decisions affecting the roles and responsibilities of the Authority and the performance of its functions are taken with full involvement by members of the Authority through their participation in meetings of the Authority, its Committees or Working Groups and through their lead member roles that require specialist knowledge or focus.
- iii) Ensure transparent and effective mechanisms for documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based are in place.
- iv) Ensure that so far as possible meetings of the Authority and its Committees are open and accessible to the public.
- v) Maintain an effective audit committee.
- vi) Ensure that effective, transparent and accessible arrangements are in place for dealing with complaints.
- vii) Ensure that those making decisions are provided with information that necessary for them to take balanced and informed decisions about matters under consideration.
- viii) Ensure that risk management is embedded into Hertfordshire Police, with members and managers at all levels recognising that risk management is part of their job.
- ix) Ensure that arrangements are in place for whistle blowing to which employees and all those contracting with Hertfordshire Police have access.
- x) Ensure that processes are in place to ensure the legality of transactions and that all decisions taken are intra vires and lawful.

E The Authority aims to develop the capacity and capability of members and officers to be effective in their roles

2.7 To achieve this, the Authority will:

- i) Provide induction programmes for members after election with those with specific responsibilities receiving a tailored induction.
- ii) Assess the skills required by members and employees and make a commitment to develop those skills to enable roles to be carried out effectively.
- iii) 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.
- iv) Ensure that there are effective arrangements designed to encourage individuals from all sections of the community to engage with, contribute to and participate in the work of the Authority

F The Authority aims to engage with local people and other stakeholders to ensure robust public accountability

2.8 To achieve this, the Authority will:

- i) Make clear to all employees, the community and stakeholders, what they are accountable for and to whom.
- ii) Hold full Authority and Committee meetings in public unless there are good reasons for confidentiality.
- iii) Seek to 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.
- iv) Have local consultation arrangements in every district and borough council area, with some run jointly with other local authorities in order to make best use of resources and pool knowledge.
- v) Appoint local Police Authority Lead Members to make sure local concerns and issues are heard by the Authority.
- vi) Publish annual plans giving information on its strategy,

plans and financial statements.

3 ARRANGEMENTS FOR REVIEW OF GOVERNANCE

- 3.1 Hertfordshire Police has put in place the following arrangements to review the effectiveness of the Code of Corporate Governance.

The Police Authority

- 3.2 The Police Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. It also has a duty to make arrangements for continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness, and for ensuring a sound system of internal control is in place, including arrangements for the management of risk.
- 3.3 The Police Authority responsibility for good governance will be discharged through the Audit Committee which itself reports to full Authority.

The Force

- 3.4 The Chief Constable is responsible for the direction and control of the Force. In discharging his functions the Chief Constable will have regard to the Policing Plan agree by the Authority. In addition the Chief Constable is responsible for ensuring the Force's business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.
- 3.5 The Chief Constable is also responsible for putting in place proper arrangements for governance of the Force and facilitating the exercise of its role, which includes that arrangements are in place for the management of risk.
- 3.6 Day to day management and control of these responsibilities is actioned through delegation to relevant Chief Officer leads and Programme Board structures

The Audit Committee

- 3.7 The terms of reference of Audit Committee, which all have a relevance to Corporate Governance, are set out below:
- i) To undertake an annual review of the Authority's system of internal audit.

- ii) To review and endorse the plans of internal and external audit.
- iii) To review progress in delivering the work of internal and external audit.
- iv) To review matters arising from the work of internal and external audit, including the external auditor's Annual Audit Letter.
- v) To consider and approve the Police Authority Governance Statement, the Statement of Accounts and the Statement on Internal Control.
- vi) To review the Authority's risk management processes, and
- vii) To report to the full Police Authority following each meeting.

The Standards Committee

3.8 The terms of reference of the Standards Committee, which all have a relevance to Corporate Governance are set out below:

- i) To promote and maintain high standards of conduct by members of the Authority.
- ii) To assist members to of the Authority to observe the Code of Conduct.
- iii) To advise the Authority on adoption or revision of the Code of Conduct.
- iv) To consider the operation of the Code of Conduct.
- v) To advise, train or arrange to train members on matters relating to the Code of Conduct.
- vi) To grant dispensation to members from requirements relating to interests set out in the Code of Conduct as appropriate.
- vii) To deal with any report from a case tribunal or interim case tribunal and any report from the Monitoring officer on any matter which has been referred to him/her by an Ethical Standards Officer as appropriate, and to determine any complaints referred to the Monitoring Officer by the Standards Board for England for Local Authorities.
- viii) To deal with other such functions as the Authority

considers appropriate.

- viv) To report to the full Police Authority following each meeting.

The Scrutiny Committee

3.9 The terms of reference of the Scrutiny Committee, which all have relevance to Corporate Governance include the following:

- i) To scrutinise Constabulary performance against the three year Policing Plan. This scrutiny will cover all sections of the plan including those related to HR.
- ii) To establish and quality assure topic groups to investigate any particular issues that merit more detailed scrutiny
- iii) To monitor the Constabulary's implementation of various reports containing recommendations e.g. HMIC.
- iv) To report to the full Police Authority following each meeting.

The Community Engagement Committee

3.10 The terms of reference of the Community Engagement Committee, which all have relevance to Corporate Governance include the following:

- i) To ensure the Authority fulfils its statutory responsibilities in relation to consultation
- ii) To devise the structure, content and implementation of engagement plans with the general public.
- iii) To manage all statutory requirements with regard to complaints about the police as well as overseeing all matters related to public satisfaction with the police service
- iv) To ensure that the Authority participates effectively in partnership working with community stakeholders concerned with community safety, including Local Strategic partnerships
- v) To agree "county wide" priorities for CDRP Police Authority Leads (PALs) promoting the aims and objectives of the current policing plan. To provide briefings for PALs throughout the year as appropriate to support this objective.
- vi) To ensure adequate arrangements for recruitment, training,

support for Independent Custody Visitors and to monitor the output of their work

- vii) To consider reports on Stop and Search issues and other associated data.
- viii) To consider any issues arising from the Police Authority's own equality schemes
- ix) To consider reports relating to professional standards, civil cases, the Independent Police Complaints Commission, Police Misconduct Panels and any other relevant reports.
- x) To consider any complaints procedures including the Police Authority's own initial handling and recording of inappropriate conduct and direction and control complaints.
- xi) Where appropriate, to conduct such activities jointly with those of the Constabulary and other stakeholders.
- xii) To report to the full Police Authority following each meeting.

Internal Audit

3.11 The primary role of internal audit is to give an assurance to the Authority, through the Audit Committee, on the effectiveness of the controls in place to manage risks. To this end the Chief Internal Auditor delivers an annual opinion on the effectiveness of the controls reviewed by Internal Audit during the year. This annual opinion is one of the key sources of evidence in support of the Annual Governance Statement.

3.12 Control weaknesses identified are reported to the Audit Committee by way of a progress report on the delivery of the Internal Audit Plan during the year.

External Audit

3.13 The Audit Commission audits the Authority's financial statements, Annual Governance Statement and performance management arrangements as well as undertaking a number of thematic based reviews and carrying out the Police Use of Resources Evaluation (PURE). Audit Commission plans and reports, including the Annual Audit Letter, are considered by the Audit Committee at appropriate times during the year.

Her Majesty's Inspectorate of Constabulary (HMIC)

- 3.14 A key role of HMIC is to promote the efficiency and effectiveness of policing in England, Wales and Northern Ireland through inspection of police organisations and functions to ensure agreed standards are achieved and maintained, good practice is spread and performance improved. HMIC reports are sent to the Chief Constable and Police Authority for consideration and appropriate action.