

OFFICE OF POLICE AND CRIME COMMISSIONER
OFFICE OF CHIEF CONSTABLE

TITLE: Manual of Corporate Governance Annual Review incorporating the Annual Review of the Joint Audit Committee Terms of Reference

DATE: 1st March 2021

TIMING: Annual

PURPOSE: Recommend Approval

1.	<u>RECOMMENDATION</u>
1.1	<p>That the Joint Audit Committee (JAC):</p> <ul style="list-style-type: none">• Considers and recommends approval of the proposed amendments to the Manual of Corporate Governance (MoCG) and provides any comments as appropriate (appendix 1); and• Notes that no substantial changes have been made to the ToR since the detailed review was discussed and approved in 2019.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	<p>The annual review of the MoCG was first considered at the Strategic Planning Group in December 2020, with attendees asked to review relevant sections of the document and feed any proposed changes back to the Office of the Police and Crime Commissioner (OPCC).</p> <p>A meeting then took place between the OPCC, Gwent Police and Joint Legal Services (JLS) in February 2021 to discuss the proposed changes.</p> <p>These changes have been agreed and are included for consideration by JAC members.</p>
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	<p>Amendments to Manual of Corporate Governance</p> <p>A number of changes have been identified as a result of the annual review process. A detailed list of these can be found at appendix 1.</p>
3.2	<p>Annual Review of JAC Operating Principles and ToR</p> <p>This report also covers the requirement for the JAC to annually review their Operating Principles and ToR.</p> <p>A detailed review of the JAC ToR based on the Chartered Institute of Public Finance and Accountancy (CIPFA) Audit Committees: Practical Guidance for Local Authorities and Police (2018 Edition), was discussed at the September 2019 meeting. A final version of the ToR was subsequently approved at the December 2019 meeting.</p>

	The only change proposed to the JAC ToR is an update to a job title of an attendee inline with the rest of the document.
4.	<u>NEXT STEPS</u>
4.1	If the JAC is satisfied with the suggested changes, a recommendation to approve the MoCG will be made to the PCC and Chief Constable at the Strategy and Performance Board (SPB) to be held on 3 rd March 2021. Due to the proximity of the meetings only the proposed changes included at appendix 1 have been included in the SPB report. An oral update on any additional changes requested, or concerns raised by the JAC will be provided by officers at the SPB.
4.2	Once approval of the document has been agreed, the MoCG will be updated and a copies circulated to JAC members and appropriate senior officers. The document will also be published on the OPCC website.
4.3	The MoCG is currently being translated into Welsh; any changes will also be sent to the Welsh Language Translator in order that the document can be updated.
5.	<u>FINANCIAL CONSIDERATIONS</u> There are no financial considerations as a result of this report.
6.	<u>PERSONNEL CONSIDERATIONS</u> There are no personnel considerations as a result of this report.
7.	<u>LEGAL IMPLICATIONS</u> The JLS department has been involved in the review of the MoCG, ensuring that any legal implications that have arisen have been resolved during the review process.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u> This report has been considered against the general duty to promote equality, as stipulated under the Strategic Equality Plan and has been assessed not to discriminate against any particular group. Consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998 in preparing this report.
9.	<u>RISK</u> Any risks identified during the review of the MoCG will be negated by the approval of the amended document.
10.	<u>PUBLIC INTEREST</u> This document can be made available to the public.

11.	<u>CONTACT OFFICER</u> Joanne Regan, Head of Assurance and Compliance.
12.	<u>ANNEXES</u> Appendix 1 – Details of proposed changes to the MoCG.

Appendix 1

Review of the Manual of Corporate Governance

Below are the key changes that are proposed in relation to the annual review of the MoCG:

Page Number	Proposed Change
Various	Change in job title from Head of Strategy, Performance and Change to Head of Continuous Improvement
17	Removal of requirement for a complaints protocol to be put in place between the OPCC and Force. Changes in complaints legislation clearly set out the procedures that need to be followed (all complaints must go to Gwent Police for consideration/logging). There is a procedure now in place for the OPCC which follows the principles of the police complaints legislation as closely as possible to provide guidance on complaints against a member of staff of the OPCC.
21, para 1.1.4	Expanding the strategies the Commissioner has responsibility to approve to include: Reserves, Estates, Procurement, Fleet and ICT. Clarification on the areas for approval under the 'Governance policies' bullet point will also be included (will reference Statement and Code of Corporate Governance and Scheme of Delegation).
22, 31, 32	Complaints Reviews – amend relevant paragraphs to reference that low level complaint reviews are now the responsibility of the PCC with only the more serious reviews being undertaken by the Independent Office for Police Conduct.
34	Amend to confirm that there will be a joint AGS produced rather than an individual one published by both the PCC and the Chief Constable.
65-66	Delegations to the Chief Executive to include being the Appropriate Authority for all decisions made in relation to complaints reviews.
36	PCC HMICFRS Inspection Responses – remove reference to the DCC and added in that the Chief Constable and Head of Continuous Improvement are sighted on the response.
50	Update to Chief Officer Team Terms of Reference post force governance review.
121	Part 3e – Standing Orders Relating to Contracts ➤ Paragraph 14 – change to 'and the CFO (PCC) are';

	<ul style="list-style-type: none"> ➤ Paragraph 16 – ‘or the CFO (PCC)’ at the end of the first sentence; ➤ Paragraph 26 – refer to both ‘Chief Executive’ and ‘CFO (PCC)’; ➤ Paragraph 32 - change ‘Chief Executive or a person authorised by him or her’ to ‘Chief Executive or CFO (PCC) or a person authorised by them’; ➤ Paragraph 79 - refer to both Chief Executive and CFO (PCC) at the end of the paragraph; ➤ Paragraph 107 – change ‘or the Chief Executive (Level 4)’ to ‘or the Chief Executive or CFO (PCC) (Level 4)’; and ➤ Paragraph 108 – add ‘and the CFO (PCC)’ at the end of the paragraph.
141	Amend level 3 threshold from £250,000 to £500,000 negating the need to differentiate above and below the current EU threshold. Linked to above, change virement limits from £250,000 to £500,000.
142	Single Tender Action template to be removed, wording to be added in to reflect this change. Also increase threshold limit from £250,000 to £500,000.
147-152	All report templates to be removed and amendment of wording to reflect this change in the document.