

OFFICE OF POLICE AND CRIME COMMISSIONER

OFFICE OF CHIEF CONSTABLE

TITLE: Amendment to the Manual of Corporate Governance

DATE: 11th December 2019

TIMING: Routine

PURPOSE: To recommend approval

1.	<u>RECOMMENDATION</u>
1.1	That the Joint Audit Committee (JAC) considers and recommends approval of the proposed amendment to the Manual of Corporate Governance (MoCG) and provides any comments as appropriate
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	The Manual of Corporate Governance is the key document in the governance framework between the Police and Crime Commissioner (PCC) and the Chief Constable. It is the JAC's role to have oversight of governance matters, with their Terms of Reference setting out that they should provide comment on any changes that are made to existing relevant policies.
3.	<u>ISSUES FOR CONSIDERATION</u>
3.1	<p>A request has been received from Joint Legal Services (JLS) to increase the current delegation from the Chief Constable in relation to civil claims from a limit of £1,000 to £10,000. The paragraph requested for amendment is below:</p> <p>Page 71, Paragraph 8.1.2</p> <p><i>'To oversee the settlement of any action by the Head of Joint Legal Services for damage and loss to property or for personal injury up to a limit of £10,000 (provided that such claims do not involve any allegations of police misfeasance, malicious prosecution or wrongful arrest) and also to settle any associated claims for costs arising up to a limit of £10,000. If any allegations of police misfeasance, malicious prosecution or wrongful arrest are made, any settlement must be authorised by the Deputy Chief Constable in accordance with the preceding provisions'</i></p>
3.2	Due to the increased costs, even in loss of property claims, the previous limit of £1,000 meant that almost all cases are sent to the Deputy Chief Constable (DCC) for instruction. An increase in the limit to £10,000 would provide JLS with the delegated authority to settle any action as stipulated above without the need for contacting the DCC. This would not only increase the time in

	which these claims were resolved but would also bring Gwent in line with the limit in the South Wales Police MoCG.
3.3	Both the DCC and the Chief Executive of the Office of the Police and Crime Commissioner (OPCC) have been consulted and have agreed to the proposed amendment.
4.	<u>NEXT STEPS</u>
4.1	If the JAC are satisfied with the suggested change then approval of the amendment will be sought from the PCC and Chief Constable. Both the decision report and the amended MoCG, will be published to the OPCCs website.
4.2	A copy of the updated MoCG will be circulated to members and appropriate senior officers.
5.	<u>FINANCIAL CONSIDERATIONS</u>
5.1	There are no financial considerations as a result of this report.
6.	<u>PERSONNEL CONSIDERATIONS</u>
6.1	The increase in the limit will ensure that fewer claims are sent to the DCC for approval, freeing up time for the DCC and also allowing them to be resolved more quickly by JLS.
7.	<u>LEGAL IMPLICATIONS</u>
7.1	There are no legal implications arising as a result of this report.
8.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
8.1	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.
8.2	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>
9.1	No risks have been identified as a result of the proposed amendment to the MoCG.

10.	<u>PUBLIC INTEREST</u>
10.1	This document can be made available to the public.
11.	<u>CONTACT OFFICER</u>
11.1	Joanne Regan, Head of Assurance and Compliance.
12.	<u>ANNEXES</u>
12.1	None