

DECISION NUMBER: PCCG-2014-088

OFFICE OF POLICE & CRIME COMMISSIONER

LEAD CHIEF OFFICER Chief Executive

TITLE: Proposed Amendment to the Manual of Corporate Governance

DATE: 8th December 2014

TIMING: Routine

PURPOSE: For Approval

1. RECOMMENDATION

That the Commissioner approves the agreed amendment made to the Manual of Corporate Governance (MoCG).

2. INTRODUCTION & BACKGROUND

The MoCG was agreed in April 2014 and ratified by the Joint Audit Committee on 17th April 2014. The JAC considered the proposed amendment at their meeting on the 3rd December 2014 and agreed to recommend approval to the Commissioner.

3. ISSUES FOR CONSIDERATION

Since the adoption of the MoCG as a result of experiences elsewhere in the country where the Police and Crime Commissioner (PCC) is no longer in post, we need to ensure that the Deputy Police and Crime Commissioner (DPCC) can undertake the role of the PCC in appropriate circumstances.

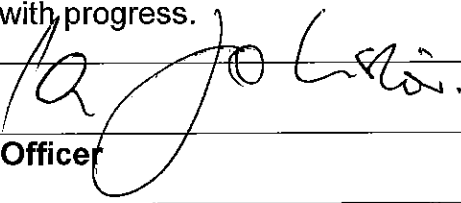
4. NEXT STEPS

I would propose that the MoCG is amended to include that following:

The Police Reform and Social Responsibility Act 2011 provides for a PCC to appoint a Deputy Police and Crime Commissioner. Where a Deputy Commissioner has been appointed and in the permanent absence of the Commissioner the Deputy Commissioner may exercise any function of the Commissioner other than those functions listed in section 18 (7) (a) (issuing a police and crime plan), 18 (7) (e) (appointing the chief constable, suspending the chief constable or calling upon the chief constable to retire or resign) and 18 (7) (f) (calculating a budget requirement). When exercising functions under this paragraph the Deputy Commissioner will consult with statutory officers as appropriate.

5. FINANCIAL CONSIDERATIONS

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 police Reform and Social Responsibility Act 2012 allows the PCC to delegate certain functions to the DPCC or other members of staff in the OPCC.
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> There is a risk if the PCC should be absent from the post for an extended or permanent period that there is no formal authorisation for the DPCC to discharge the PCC duties either until the Police and Crime Panel appoint a temporary PCC.
10.	<u>PUBLIC INTEREST</u> This document can be made available to the public.
11.	<u>CONTACT OFFICER</u> Shelley Bosson, Chief Executive.
12.	<u>ANNEXES</u> None
Ian Johnston QPM, Police and Crime Commissioner for Gwent	
I have monitored the Independent Custody Scheme minutes as per my statutory responsibility under the Police Reform and Social Responsibility Act 2011 and am satisfied with progress.	
Signed	 Date 15.12.14
Contact Officer	
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Background papers	Manual of Corporate Governance