SCHEME OF GOVERNANCE
FOR THE CHIEF CONSTABLES AND POLICE AND CRIME COMMISSIONERS FOR BEDFORDSHIRE, CAMBRIDGESHIRE AND HERTFORDSHIRE

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SECTION 1: SCHEME OF GOVERNANCE

1.1 Introduction

1.1.1 This scheme of governance sets out the high-level governance processes and procedures for the respective Police and Crime Commissioners and Chief Constables of Bedfordshire, Cambridgeshire and Hertfordshire. The individual corporations sole may make their own processes and procedures that are not inconsistent with this scheme.

1.1.2 The Police Reform and Social Responsibility Act 2011 (PRSRA) established the police governance regime and created two corporation sole. These are the Police and Crime Commissioner (PCC) with several statutory roles, principally "*to secure the maintenance of the Police Force for that area, and secure that the Police Force is efficient and effective*", and the Chief Constable who is responsible for direction and control of the police force, operational policing and staff of the force.

1.1.3 The PCC and the Chief Constable of each policing area have agreed this scheme to ensure that there is good and effective governance in each of their own areas of responsibility and also in relation to the holding to account of the Chief Constable by the PCC for the exercise of the functions of Chief Constable. The Policing Protocol sets out the boundaries of the areas of responsibility for each corporation sole.

1.1.4 This document provides a single source for the description of the:

- Roles and responsibilities of the PCC, their officers and staff and the delegated authorities placed upon them[1].
- Roles and responsibilities of the Chief Constable together with the PCC's consent of functions that can be delegated to the Chief Constable[2].
- How the PCC and the Chief Constable will work together.

[1] The Scheme of Delegation
[2] The Scheme of Consent

- The roles and responsibilities of all parties in respect of financial management[3].
- Rules relating to procurement[4]. These are known as the Contract Standing Orders.
- The respective roles with regard to complaints.

1.2 Legal Context

1.2.1 The PCCs and the Chief Constables (and those acting under their direction and control) must always comply with the law.

1.2.2 The PCCs and the Chief Constables (and those acting under their direction and control) must have regard to statutory guidance e.g. The Financial Management Code of Practice for the Police Service of England and Wales ("FMCP") and other guidance issued by professional bodies.

1.2.3 The arrangements contained in this Scheme of Governance are between the PCCs and Chief Constables as Corporations Sole for each of the three force areas, namely Bedfordshire, Cambridgeshire and Hertfordshire. For the avoidance of doubt nothing contained in this Scheme of Governance permits any delegation of functions by the corporations sole for one policing area to those of another policing area. This must be done by agreement made pursuant to Section 23 of the Police Act 1996 and unless specifically stated in the agreement, each Chief Constable and PCC remains responsible for the functions in their respective areas.

1.3 Definitions

1.3.1 "Operational Independence"

Police Officers are officers of the Crown and hold public office. They exercise an original jurisdiction in keeping the King's Peace, which derives from the Office of Constable and the swearing of the Constable's Oath. They are *"answerable to the law and to the law alone*".

[3] The Financial Regulations.
[4] Contract Standing Orders.

The policing protocol addresses operational independence on a number of occasions (paras 9, 12, 13, 18, 21, 22, 30, 31, 32, 33, 34, 35, 36, 37).*"…it is the will of Parliament and the Government that the office of Constable shall not be open to improper political interference…."* (para 12).*"…the Commissioner must not fetter the operational independence of the police force and the Chief Constable who leads it…"* (para 18)

1.3.2 "Direction & Control"

Police officers and staff are under the direction and control of their respective Chief Constable. Direction and control is about how the police service is delivered. It includes operational policing policies, organisational decisions and general policy standards. In exercising direction and control, the Chief Constable will have regard to the Police and Crime Plan issued by the PCC. Direction and control includes:

- The ability to issue a warrant to an attested officer with which that officer may exercise their police powers;
- Decisions in relation to the appointment and dismissal of officers and staff;
- Decisions concerning the configuration and organisation of policing resources (or) decisions whether to deploy police officers and staff;
- Total discretion to investigate or require an investigation into crimes and individuals as he/she thinks fit;
- Decisions taken with the purpose of balancing competing operational needs;
- Operational decisions to re-allocate resources to meet immediate demand; and
- The allocation of officers' specific duties and responsibilities within the force area.

1.3.3 "Statutory Officers"

These are the officers which the law states have to be appointed by the PCC and by the Chief Constable respectively. The PCC must appoint *"a person to be the head of the Commissioner's staff"*. (Chief Executive in the Act,

although in common with the other statutory officers, individual officers may have different titles) and *"a person to be responsible for the proper administration of the Commissioner's financial affairs*" (PCC's Chief Financial Officer). The Chief Constable must appoint a qualified person to be responsible for the proper administration of the force's financial affairs (Chief Constable's Chief Finance Officer).

1.3.4 "Collaboration Agreements"

These are collaboration agreements entered into by the Chief Constables and/or the PCCs under Section 23 of the Police Act 1996. These agreements are between different policing bodies and operate instead of contracts or delegations between them. The Secretary of State may order or require a specific function to be exercised in accordance with Police Collaboration Provisions.

1.4 General Principles of Consent and Delegation

1.4.1 The PCC may delegate any function other than those specifically mentioned in legislation (for example issuing a police and crime plan) to the Deputy PCC or any other person (usually an officer of the PCC's staff) not prohibited by legislation (for example a constable or another PCC). However, if a function is delegated that does not mean the delegate has to exercise that function and the PCC can require any decision to be referred to the PCC even if it has been delegated. The PCC can arrange delegations, except for:

- the issuing of a Police and Crime Plan,
- appointing the Chief Constable,
- suspending the Chief Constable,
- calling upon the Chief Constable to retire or resign,
- calculating a budget requirement under section 43 of the Local Government Finance Act 1992.

1.4.2 Delegation to officers under this scheme does not prevent an officer from referring the matter to the PCC for a decision if the officer thinks this is

appropriate (for example, because of sensitive issues or any matter which may have a significant financial implication).

1.4.3 When a statutory officer is considering a matter that is within another statutory officer's area of responsibility, they should consult the other statutory officer before authorising the action.

1.4.4 All decisions statutory officers make under powers given to them by the PCCs must be recorded and be available for inspection and published if applicable.

1.4.5 Delegation of a function to the statutory officers does not require that individual to carry out the function personally unless the terms of the delegation specify. The statutory officer may delegate to any other member of staff or person they consider suitably qualified and experienced to carry it out.

1.4.6 The Chief Executives and the Chief Finance Officers have statutory powers and duties relating to their positions and therefore do not rely on matters being delegated to them to carry these out.

1.4.7 The PCC must not restrict the operational independence of the police force or the Chief Constable who leads it.

1.5 Urgent Matters

1.5.1 If any matter which would normally be referred to the PCC (or Deputy Police and Crime Commissioner (DPCC)) for a decision arises and cannot be delayed, the matter may be decided by the appropriate statutory officer. Urgent decisions taken must be reported to the PCC with 2 working days or in any event as soon as practicable.

SECTION 2: ROLE OF POLICE AND CRIME COMMISSIONER

2.1 Introduction

2.1.1 The functions of a PCC are summarised in S1(5) PRSRA and fall into three categories. These are;

- General functions conferred by S1 PRSRA
- Functions relating to Community Safety and Crime Prevention (which are set out in Chapter 3 PRSRA) and
- *"other functions conferred by this act and other enactments".*

2.2 Functions Conferred by S1 PRSRA

2.2.1 The PCC must secure the maintenance of the police force and secure that the force is efficient and effective.

2.2.2 The PCCs must hold their respective Chief Constables to account for the exercise of the Chief Constable's functions and the functions of persons under his/her direction and control. Certain functions of the Chief Constable are specified in the Act specifically for holding to account as well as this general duty.

2.3 Functions Relating to Community Safety and Crime Prevention

2.3.1 The PCC must issue a Police & Crime Plan within the financial year in which each ordinary election is held and must comply with this duty as soon as practicable after the PCC takes office. The PCC may at any time issue a Police and Crime Plan and may vary a Police and Crime Plan. Before issuing or varying a Police & Crime Plan, the PCC must have regard to the Strategic Policing Requirement and must comply with the procedural requirements and publication requirements in the Act. This includes consultation with the Chief Constable in the preparation of any draft plan or variation and the duty to have regard to the recommendations made by the Police & Crime Panel.

2.3.2 The Secretary of State may give guidance as to the matters to be dealt with in the plan and the PCC must have regard to any such guidance in drafting the

plan. The PCC must “have regard to” the plan in exercising his/her functions. The Chief Constable must have regard to the plan in exercising his or her functions.

2.3.3 The PCC may make a grant payment to any person, to secure or contribute to securing crime and disorder reduction.

‘9. Crime and disorder reduction grants
(1)The elected local policing body for a police area may make a crime and disorder reduction grant to any person.
(2)A crime and disorder reduction grant is a grant which, in the opinion of the elected local policing body, will secure, or contribute to securing, crime and disorder reduction in the body’s area.
(3)The elected local policing body may make a crime and disorder reduction grant subject to any conditions (including conditions as to repayment) which the body thinks appropriate.’

2.3.4 The PCC must publish information specified by the Secretary of State and must publish information necessary to allow the public in the area to assess the performance of the PCC and Chief Constable.

- *The Elected Local Policing Bodies (Specified Information) Order 2011*

2.3.5 The PCC has a duty to “have regard to” the relevant priorities of each “responsible authority”.

2.3.6 The PCC must cooperate with “responsible authorities” (i.e., those in S5 Crime & Disorder Act 1998, essentially the Community Safety Partnership members) and has a duty to ensure an efficient and effective Criminal Justice System.

2.3.7 The PCC and criminal justice bodies as defined in the Act, must make arrangements for the exercise of functions to provide an efficient and effective

criminal justice system for the police area. The composition of “criminal justice bodies” is different to “responsible authorities”.

2.3.8 The PCC has a duty to keep collaborated functions under review to ensure effectiveness and efficiency.

2.3.9 The PCC must publish an annual report on the exercise of their functions and the progress which has been made in the financial year in meeting the Police & Crime Objectives in the plan.

2.4 Duty to Provide Information to the Police and Crime Panel

2.4.1 The PCC must provide the panel with any information it may reasonably require in order to carry out its functions. However, this is subject to the views of the Chief Constable. Information need not be required if in the Chief Constable’s view, it would be against the interests of national security, may jeopardise the safety of any person or would prejudice the prevention or detection of crime, the apprehension or prosecution of offenders or the administration of justice.

2.4.2 The PCC has a duty to make arrangements to obtain the views of people including victims of crime, in the police area about policing of the area and their cooperation with the police in preventing crime in that area.

2.4.3 Before a plan is issued, the PCC must seek the views of people and victims in the police area.

- The Act provides the procedure to be followed by the PCC to issue a precept.

2.5 Other Functions Conferred by the Act and other Enactments

2.5.1 The PCC has other statutory duties.

- A PCC may do anything which is calculated to facilitate or is conducive or incidental to the exercise of the functions of Commissioner, this includes entry into contracts and other agreements (whether legally binding or not) acquiring and/or disposing or property (including land) and borrowing money. This power is subject to the other provisions of the Act and any other enactment about the powers of PCC's.

- The PCC's CFO has certain statutory duties which cannot be delegated, namely, reporting any potentially unlawful decisions by the PCC on expenditure and preparing each year, in accordance with proper practices in relation to reporting accounts, statement of the PCC's accounts, including group accounts.

- The PCC has functions in the police complaints regime set out in the Police Reform Act 2002 and these are set out in greater detail in Section three.

SECTION 3: THE PCC's OFFICE AND DELEGATED AUTHORITIES

3.1 Roles and Responsibilities

The Chief Executive Officer

3.1.1 The PCC appoints a Chief Executive Officer (CEO), who will also be the Monitoring Officer. The CEO is responsible for the leadership and general administration of the Office of the Police & Crime Commissioner (OPCC). The CEO has statutory powers and duties relating to their position and therefore they do not rely on matters being delegated to them for the authority to carry out such duties.

3.1.2 The CEO may appoint a Deputy CEO (DCEO) and delegate some of their functions and responsibilities to them and their staff as appropriate.

3.1.3 The CEO cannot delegate the statutory responsibility of Monitoring Officer.

3.1.4 The CEO is responsible for advising upon policy and strategy and provides support with strategy and resource planning, partnership working, commissioning and service delivery, engagement and information management and scrutiny, evaluation and performance.

3.1.5 The CEO is responsible for preparing for the PCC's approval and keeping under review any delegations or consents required to be issued, revoked or varied, together with the preparation of an amendment to the Governance Arrangements and the Financial Regulations including Contract Standing Orders.

3.1.6 The CEO is responsible for ensuring that all decisions taken by the PCC are made and recorded in a form to be agreed by the CEO and the PCC and to maintain and publish appropriate records and minutes of such decisions.

3.1.7 The CEO is designated the Monitoring Officer for the PCC and has the duties and powers set out in the Local Government and Housing Act 1989 to ensure that all functions of the PCC are carried out in a manner so as to avoid illegality or maladministration.

The PCC's Chief Finance Officer

3.1.8 The PCC appoints a Chief Finance Officer. The PCC's Chief Finance Officer (PCCCFO) is the financial advisor to the PCC. They have responsibility for proper financial administration and a personal fiduciary responsibility to the local council taxpayer.

3.1.9 The PCCCFO's duties are set out in legislation, regulations, Financial Management Code of Practice and the Chartered Institute of Public Finance and Accountability (CIPFA) guidance and codes of practice.

3.1.10 The PCCCFO's statutory responsibilities are set out in Paragraph 6 of Schedule 1 to the Police Reform and Social Responsibility Act 2011, Section 114 Local Government Finance Act 1988 (formal powers to safeguard lawfulness and propriety in expenditure); and The Accounts and Audit Regulations 2011.

3.1.11 The PCCCFO shall also be responsible for:

- ensuring that the financial affairs of the PCC are properly administered, and that Financial Regulations are observed and kept up to date;
- ensuring regularity, propriety and Value for Money (VFM) in the use of public funds;
- ensuring that the funding required to finance agreed programmes is available from Central Government, council tax precept, other contributions and recharges;
- Reporting to the Commissioner, the Police and Crime Panel and to the external auditor: any unlawful, or potentially unlawful, expenditure by the Commissioner or officers of the Commissioner when it appears that any

expenditure is likely to exceed the resources available to it to meet that expenditure;

- advising the Commissioner on the robustness of the estimates and the adequacy of financial reserves;
- preparing the annual statement of accounts, in conjunction with the Chief Constables Chief Finance Officer (CCCFO);
- ensuring the provision of an effective internal audit service, in conjunction with the CCCFO;
- securing the treasury management function, including loans and investments;
- advising, in consultation with the Chief Executive on the safeguarding of assets, including risk management and insurance;
- arranging for the determination and issue of the precept
- liaising with the external auditor; and
- advising the Commissioner on the application of value for money principles by the Constabulary to support the Commissioner in holding the Chief Constable to account for efficient and effective financial management.

3.1.12 The PCCCFO, in consultation with the CEO, CCCFO and/or Chief Constable as appropriate, has powers to institute any proceedings or take any action necessary to safeguard the finances of the OPCC and the Constabulary.

The Chief Constable's Chief Finance Officer

3.1.13 The Chief Constable is required to appoint a Chief Finance Officer (CCCFO). The CCCFO must be a member of a prescribed body such as CCAB.

3.1.14 The CCCFOs have responsibility for proper financial administration and a personal fiduciary responsibility to the local council taxpayer.

3.1.15 The CCCFOs duties are set out in legislation, regulations, Financial Management Code of Practice and CIPFA guidance and codes of practice.

3.1.16 The CCCFO's responsibilities are set out in Paragraph 4 of Schedule 2 and paragraph 1 of Schedule 4 to the Police Reform and Social Responsibility Act 2011; Section 114 Local Government Finance Act 1988 (formal powers to safeguard lawfulness and propriety in expenditure) and The Accounts and Audit Regulations 2011.

3.1.17 The CCCFOs have the following responsibilities delegated by the Chief Constables:

- Ensuring that the financial affairs of the Force are properly administrated, and the Financial Instructions are observed and kept up to date; Reporting to the Chief Constable, the PCC, the PCC's CFO and to the external auditor:
- any unlawful, or potentially unlawful, expenditure by the Chief Constable or officers of the Chief Constable and when it appears that any expenditure of the Chief Constable is likely to exceed the resources available to meet that expenditure.

Information Sharing between Chief Finance Officers

3.1.18 As set out in Section 36 of the Police Reform and Social Responsibility Act 2011, a Chief Constable must give the relevant Commissioner such information on policing matters that the body may require.

As a result the Chief Finance Officer of the Commissioner must have full access to all relevant financial information. The CFOs of both the Commissioner and the Chief Constable will work together to ensure that wherever possible, any duplication of work and data collection by the finance functions of the two corporations sole is minimised. `It is expected that the principles of goodwill, professionalism, openness and trust will underpin the relationship and that all parties will do their utmost to make the relationship work.

3.2 DELEGATIONS

Deputy Police and Crime Commissioner

3.2.1 The PCC may appoint a Deputy Police & Crime Commissioner (DPCC) to exercise their functions, with the exception of functions listed in the Act. The DPCC can in turn arrange for a function delegated to them to be further delegated subject to the conditions set out in the Act.

Complaints

3.2.2 PCCs have an important role in the police complaints system as set out in the Police Reform Act 2002. The extent of the role depends on the options made by the PCC, and these can change from time to time.

Complaints about the Chief Constable

3.2.3 The PCC will delegate these to their CEO to handle. If the complaint involves potentially criminal conduct they will be referred to the Independent Office for Police Conduct (IOPC). If they do not involve the conduct of the Chief Constable personally, because for example the handling of a matter complained about was appropriately delegated to others in the force, they will be referred to the Professional Standards Department (PSD) to handle.

Review of the Outcome of Complaints

3.2.4 The right of review of the outcome of a complaint, recorded under Schedule 3 to the Police Reform Act 2002, is a function delegated to the PCCs CEO. They may refer it to an independent reviewer appointed for the consideration of reviews.

Initial Handling of Complaints

3.2.5 Where the PCC opts to perform this function, the handling of complaints is delegated to the CEO who will ensure a trained team is available to carry out this function.

(Hertfordshire and Bedfordshire have adopted Model 2 Complaints)

Complaints about the CEO

3.2.6 Complaints in relation to the conduct of the CEO are handled in accordance with agreed local procedures. For transparency these procedures are published.

Complaints about the PCC

3.2.7 Complaints about the PCC will be referred to the Police and Crime Panel or Independent Office of Police Conduct (IOPC) if serious, for handling in accordance with the PRSRA 2011.

3.2.8 The PCC will not personally take any part in the complaints processes above other than those in 3.2.3 if not delegated to CEO. Further details of the different complaints processes can be found on the PCC's and Forces' websites.

Pension Forfeiture

3.2.9 The PCC may delegate the duty of Pension Supervising Authority (PSA) to the CEO for Stage 1 of the pension forfeiture process (Regulation K5 of the 1987 Regulations, regulation 55 of the 2006 Regulations and Chapter 5 of Part 13 to the 2015 Regulations).

SECTION 4: CHIEF CONSTABLE AND CONSENTS

4.1 The Role & Responsibilities of the Chief Constable

4.1.1 This section relates to the functions of the Chief Constable and the consents, where appropriate, given to him/her by the PCC for exercising by officers and staff under his/her direction and control. More detailed commentary of finance is contained within the Financial Regulations, see Appendix 1.

4.1.2 Under the PRSRA the Chief Constable is a Corporation Sole. The Chief Constable is responsible for maintaining the King's Peace. They are accountable to the law for the exercise of policing powers. They have direction and control over the force's officers and staff. They must exercise this power in such a way as is reasonable to assist the PCC to discharge their functions. In exercising their functions, the Chief Constable must secure that good value for money is obtained.

4.1.3 The Chief Constable is an officer of the Crown, holding a public office. Their policing powers are set out in statute and common law. However, the power to appoint, suspend or call upon the Chief Constable to resign or retire is vested in the PCC. The Chief Constable must resign or retire if called upon to do so by the PCC, who must give a written explanation of the reasons why they are proposing the call. There is however, a scrutiny process which must be followed and a failure to follow this process set out in the 2011 Act and regulations or to have regard to advice provided in the process will make action unlawful. This power is subject to any regulations which may be made by the Secretary of State under S50 Police Act 1996.

4.1.4 The Chief Constable must have regard to the Police & Crime Plan issued by the PCC and undertake a number of functions.

4.1.5 The Chief Constable must make arrangements for obtaining the views within each neighbourhood in the Police Area about crime and disorder. It is for the Chief Constable to determine what is a "neighbourhood". They must provide

information about policing in the neighbourhood including how they aim to deal with crime and disorder. They must arrange regular neighbourhood meetings.

4.1.6 The Chief Constable must give such information to the PCC as they require. The PCC may arrange for that information to be published or require the Chief Constable to publish it. The PCC determines the manner in which the information is published. This is, of course, subject to confidentiality considerations.

4.1.7 The Secretary of State may require the Chief Constable to provide information in connection with the policing of the police area or the discharge of national or international functions of his/her force. This may include statistical data. The Secretary of State may require the Chief Constable to publish information in a manner in which the Secretary of State considers appropriate.

4.1.8 The Chief Constable must provide to the inspectors of constabulary, information, documents and *"all such evidence and other things specified"* as appear to an Inspector to be required for the purpose of an inspection, described in a notification given to him/her by an Inspector.

4.1.9 The Chief Constable is also required to allow the inspectors of constabulary access to premises and to documents for the purpose of an inspection.

4.1.10 The Chief Constable has the same duties of cooperation as the PCC.

4.1.11 The Chief Constable has a positive duty to collaborate and to keep collaboration agreements under review.

4.1.12 The Chief Constable must have regard to the Policing Protocol in exercising their functions.

4.1.13 The Chief Constable in exercising his/her functions must have regard to the Strategic Policing Requirement which sets out the Secretary of State's view of

national threats and appropriate national policing and capabilities to counter those threats.

4.1.14 The Chief Constable must provide the PCC with such information as they reasonably require in order to comply with the Specified Information Order.[i]

4.1.15 The Chief Constable must ensure that good value for money is obtained, this includes ensuring that persons under his/her direction and control obtain good value for money.

4.1.16 The Chief Constable must discharge their functions having regard to the need to safeguard and promote the welfare of children.

4.1.17 The Chief Constable must make arrangements for the purpose of assessing and managing the risks posed by relevant sexual and violent offenders and other persons who may cause serious harm to the public.

4.1.18 The Chief Constable has the obligation to determine applications for Firearms & Shotgun Certificates.

4.1.19 The Chief Constable is a “responsible authority” for licensing purposes.

4.1.20 A general equality duty under the Equality Act 2010 and the specific duties provided by The Equality Act 2010 (Specific Duties) Regulations 2011.

4.1.21 The Chief Constable is the Police Pensions Authority for officers and staff under direction and control.

4.2 Consents to the Chief Constable

Introduction

4.2.1 The consents agreed by the PCC are to have effect from 1 April 2022. They may be varied by the PCC in consultation with the Chief Constable at any time. Any variations to the scheme will be published as soon as practicable.

Finance

4.2.2 The PCC holds the Police Fund and agrees the Chief Constable's revenue budget determining the resource envelope in which the Chief Constable operates. For each financial year the PCC will consent to the Chief Constable a revenue budget. This revenue budget:

- sets the level of resources against which expenditure will be incurred at the request of the Chief Constable in meeting his/her responsibilities as set out above and any other areas agreed with the PCC.
- does not represent a freedom to generate income other than on behalf of the PCC.
- does not represent a transfer of financing, in that all expense incurred by the Chief Constable will be paid from the PCC's bank accounts.
- does not represent a right to carry forward unspent budget other than that which is agreed by the PCC as set out in B2C of the Financial Regulations.
- does not represent permission for the Chief Constable to hold any year end cash backed balances.

4.2.3 The Chief Constable is responsible for the day-to-day financial management of the Constabulary within the framework of the agreed revenue budget consent, levels of authorisation, rules of virement and reporting arrangements agreed by the PCC and set out in the Financial Regulations.

4.2.4 In operating day to day financial management, the Chief Constable shall comply with the approved policies and framework of accountability.

4.2.5 The PCC will approve an annual capital programme in-line with the Financial Regulations. All capital expenditure incurred during the year must be in line with the approved capital programme. The PCC shall retain ownership of all non-current assets (property, plant and equipment etc with a life of more than one year). All contracts for the purchase of non-current assets shall be in the name of the PCC. The PCC shall fund all capital purchases and all such expenditure will be met from the PCC's bank accounts. The PCC consents to the Chief Constable permission for the day-to-day financial management of the capital programme within the authorised limits set-out within the Financial Regulations.

4.2.6 The PCC consents to the Chief Constable free and unfettered access to, and full operational use of all operational assets, as to enable him/her to meet the responsibilities set out above and any others agreed with the PCC. (See section C5 of the Financial Regulations). All income from the disposal of non-current assets will be due to the PCC.

4.2.7 The Chief Constable shall appoint a Chief Finance Officer (CCCFO) to lead the Constabulary on financial management and be responsible for the proper administration of the Chief Constable's financial affairs in accordance with his/her responsibilities.

4.2.8 The Chief Constable shall prepare Financial Instructions (the Chief Constable's Scheme of Delegation) to supplement these Financial Regulations and provide detailed advice on the operation of the specific financial processes delegated to them.

4.2.9 They shall ensure that all employees are made aware of the existence of these Regulations and are given access to them.

4.2.10 Where appropriate, training shall be provided to ensure that the Regulations can be complied with.

Legal

4.2.11 The Chief Constable will exercise responsibility for all civil legal actions against the force subject to appropriate legal and financial advice. He will report any trends and risk management steps that he is taking to reduce or minimise liabilities. The Chief Constable will inform and consult the PCC (via the CEO) in any exceptional case including:

- a high profile claimant;
- a case which could incur serious criticism of the force or of an officer of member of staff;
- a case which may establish new law having an impact on other forces/employers;
- a case in which a Chief Officer is involved as a witness.

Contracts and Procurement

4.2.12 The PCC consents permission to the Chief Constable for the daily management and operation of all contracts within the limits set-out in the Financial Regulations. All contracts will be in the name of the PCC. This consent includes permission to undertake all such steps necessary to prepare contracts up to the approval stage, sign the contract when it is within the agreed limits, pass to the PCC for approval when limits are exceeded and to utilise the contract once entered into.

SECTION 5: WORKING TOGETHER AGREEMENT

5.1 General

5.1.1 The PCC and Chief Constable have agreed to work together in co-operation to ensure the effective and efficient delivery of policing services. Notwithstanding their separate legal identities as Corporations Sole it is acknowledged that they have such interdependence as to require the sharing of significant areas of business support. Indeed Section 2 (5) of the Police Reform and Social Responsibility Act 2011 provides that, *"A Chief Constable must exercise the power of direction and control in such a way as is reasonable to assist the relevant PCC to exercise the Commissioner's functions."*

5.1.2 The sharing of business support functions, for example Data Protection Officer, Finance and Payroll, Human Resources, ICT, Performance, Consultation and Legal is not regarded as the provision of services by one to the other but rather a co-operative arrangement for the effective delivery of business support essential to the operation of both Corporations Sole. At all times, each corporation sole will operate to the general principle of reasonableness. The provision of business support by the Chief Constable to the PCC is to be funded from the budget provided by the PCC to the Chief Constable rather than under any separate arrangement. There is no intention on either part to create enforceable private law rights or liabilities in relation to the provision of such business support.

[i] *Local Amendment by Cambs OPCC