Devon and Cornwall Police and the

Police and Crime Commissioner for Devon, Cornwall and the Isle of Scilly



Draft Joint Annual Governance Statement 2022-23



Approved 31st May 2023



Scope of Responsibility

The Chief Constable and Police & Crime Commissioner are responsible for ensuring all business is conducted in accordance with the law and proper standards, and the public money allocated to it is safeguarded, properly accounted for, and used economically, efficiently and effectively. In order to discharge this responsibility, they must put in place proper arrangements for governance, including arrangements for managing risk. Their legal duties and responsibilities are clearly defined within the following:

Police Reform and Social Responsibility Act 2011

Policing Protocol Order 2011

Financial Management Code of Practice for the Police and Fire & Rescue Services 2018

To support the delivery of their legal responsibilities, the Chief Constable and Police & Crime Commissioner established a Corporate Governance Framework that includes the summary <u>Code of Corporate Governance</u>. The Code is consistent with the Chartered Institute of Public Finance and Accountancy (CIPFA) and Society of Local Authority Chief Executives (SOLACE) <u>Framework for Delivering Good Governance Guidance Notes for Policing Bodies 2016</u>.

This statement explains how the Chief Constable and Police & Crime Commissioner have complied with the Code and meet the requirements of the Accounts and Audit Regulations 2015 which require them to publish an Annual Governance Statement (AGS).

The Code of Corporate Governance sets out the principles of good governance and describes the arrangements that the Chief Constable and Police & Crime Commissioner have put in place to meet each of these principles.

- A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B. Ensuring openness and comprehensive stakeholder engagement

- C. Defining outcomes in terms of sustainable economic, social, and environmental benefits
- D. Determining the interventions necessary to optimise the achievement of the intended outcomes
- E. Developing the entity's capacity, including the capability of its leadership and the individuals within it

- F. Managing risks and performance through robust internal control and strong public financial management
- G. Implementing good practices in transparency, reporting, and audit, to deliver effective accountability

The Purpose of the Corporate Governance Framework



The <u>Corporate Governance Framework</u> sets out the systems and processes, culture and values by which the Chief Constable and the Police & Crime Commissioner (Commissioner) manage their respective roles and responsibilities. This includes their leadership arrangements, methods of engagement and accountability to the communities they serve. This enables them to monitor the achievement of strategic objectives and to consider whether appropriate, cost-effective services have been delivered.

The Framework establishes a system of internal control designed to manage risk to an acceptable level in accordance with the "risk appetite". The system of internal control is an on-going process designed to identify, prioritise and manage risks. It cannot entirely eliminate risk and seeks to provide reasonable, rather than absolute, assurance of effectiveness.

Schemes of Corporate Governance and Delegation detail arrangements for decision making which uphold the principles of the Policing Protocol Order, designed to ensure an effective and constructive working relationship between the Chief Constable and the Commissioner. These can be found in the Code of Corporate Governance. The Code of Corporate Governance is applicable to the financial year ended 31 March 2023 and up to the date of approval of the annual accounts.

Key Elements

of the Governance Framework

The Chief Constable and the Commissioner have separate statutory responsibilities within their own organisations. They also work together to ensure that Devon and Cornwall Police is working effectively and is held accountable for the standard of service delivered to the public. The Chief Constable and the Commissioner are considered two separate legal entities.

The <u>Corporate Governance Framework</u> sets out the strategic and operational controls designed to facilitate the delivery of the <u>Police & Crime Plan</u>. The structures, processes, risk management and other internal control systems form part of that framework. The Police and Crime Plan sets out the Commissioners objectives and sets the plan for the force.

The Chief Constable and the Commissioner are responsible for putting in place proper arrangements for the governance of activities and the management of resources. This task is managed by their Strategic Management Teams. For the Office of the Police and Crime Commissioner (OPCC) this comprises of the Section 151 Officer (the Treasurer) and the Chief Executive, who is also the Monitoring Officer. For the Force this comprises their Section 151 Officer (Director of Finance and Resources) and the Deputy Chief Constable who is the Chief Operating Officer. Representatives from the Executive Teams are members of the Police and Crime Joint Executive and Resources Board, which form part of the formal shared governance arrangements. Governance arrangements are regularly reviewed by the Independent Audit Committee. The Corporate Governance Framework sets out the controls in full.

The financial management arrangements for the Chief Constable and the Commissioner are compliant with the governance requirements set out in the <u>CIPFA Statement of the Role of the Chief Financial Officer in Local Government (2015)</u> as set out in the CIPFA SOLACE Delivering Good Governance in Local Government: Framework (2016 Edition). The Chief Finance Officer (CFO) of the OPCC and the CFO of the Chief Constable carry out their duties with due regard to the principles set out in the CIPFA Role of CFO's in Policing (March 2021).

The Chief Constable and the Commissioner have responsibility for conducting an annual review on the effectiveness of its Corporate Governance Framework, including the system of internal control.

Governance Structure

The force holds governance meetings to set the overall direction and priorities for the force, and to discuss delivery plans. The PCC holds meetings to ensure that the force are effectively held to account. Separate arrangements are in place for key joint working arrangements and various external governance meeting.

PCC and CC Executives

•Resources Board

Force Executive

- Change, delivery and improvement boards
- Functional and managerial boards

OPCC Executive

- •Scruitiny boards
 •Functional and
- managerial boards
 •Partnership working

Joint Working

- Force and OPCC alliance executives
- •Regional governance boards
- •Regional operational boards

External Governance Bodies

- •Includes:
- Police and crime panel
- •Independent Audit Committee

INDEPENDENT AUDIT COMMITTEE

Consider and advise on the draft AGS and supporting evidence

THE CHIEF CONSTABLE and COMMISSIONER

Challenge the draft AGS and supporting evidence. Sign the final AGS.

EXECUTIVE OFFICERS and SENIOR MANAGERS

(Support robust governance arrangements)

THE TREASURER and CHIEF FINANCE OFFICER - SECTION 151 OFFICERS

(Support effective financial management)

THE CHIEF EXECUTIVE & MONITORING OFFICER

(Support legal & ethical assurance)

THECODE OF CORPORATE GOVERNANCE

LEGITIMACY & CONSTITUTION

Codes of Conduct Scheme of Delegation Complaints & Misconduct Anti -Fraud & Corruption

Home Office

HMICFRS

Independent Office for Police Conduct

Professional Standards Unit

Public Engagement & Consultation

Ethics Committee

Complaints Resolution

Whistleblowing & Confidential Reporting

College of Policing Code of Ethics

College of Policing Authorised Professional Practice

STRATEGIC PLANNING

Business Analysis,
Development & Planning
Performance
Risk Management
Business Continuity
Partnership Working
Equality & Diversity
Policy & Procedure

Annual Report

Force Management Statement

Performance Reports

Police & Crime Panel

Independent Audit Committee

Scrutiny Panel

Internal Audit Programme & Opinion

Risk & Assurance Framework

FINANCIAL MANAGEMENT FRAMEWORK

Budget Setting & Monitoring

Financial Regulations & Practice

Treasury & Investment Strategy

Medium Term Financial Strategy

Statement of Accounts

External Audit Annual Letters & Opinion

Southwest Police Procurement & Contract Monitoring

Capital Strategy

Reserves Strategy

HR POLICIES

Terms & Conditions
Remuneration

Establishment Controls

Recruitment & Retention

Training & Leadership

Sickness Management

Personal Appraisals

Annual Equality
ImpactAssessment

Operating Model

Training Accreditation

Review of Effectiveness

As covered under the "Key Elements of the Governance Framework", the Chief Constable and Commissioner have responsibility for conducting an annual review of the effectiveness of the governance framework.

The review is informed by:-

- the work of the Audit, Insurance and Strategic Risk department
- the annual internal audit opinion
- comments made by the independent external auditor provider
- the opinion of His Majesty's Inspectorate of Constabulary, Fire and Rescue Service (HMICFRS).
- the Independent Audit Committee which reviews elements of the framework for effectiveness throughout the year. They also review the system of internal audit.

The review of effectiveness for the year 2022-23, conducted by the Audit, Insurance and Strategic Risk department, obtained substantial evidence of good governance against each of the seven CIPFA principles recorded on page 2.

The internal audit providers' definition of "substantial" assurance is as follows:

The areas reviewed were found to be adequately controlled. Internal controls are in place and operating effectively, and risks against the achievement of objectives are well managed.

The internal auditors completed the annual programme of audits throughout the year. The plan was risk-based and could be changed to cover emergent risks. This included all key financial systems with recommendations for improvement provided to the relevant manager and the Independent Audit Committee.

Based on the assurance work undertaken, the internal audit annual report on internal audit activity provides rolling assurance opinion.

The external auditor delivers an audit opinion based on their verification of the financial accounts.

During the year External Audit gave an "unqualified" opinion on the Group, Police & Crime Commissioner and Chief Constable's financial statements 2020-21. The <u>external audit annual report 2020-21</u> provided commentary on the arrangements for securing value for money. No significant weaknesses were found in the arrangements for financial sustainability and improving economy, efficiency and effectiveness.

The audit of the financial statements 2021-22 is complete but is awaiting the audit certificate.

Review

of

Effectiveness

continued

The Ethics Committee, chaired by the Director of Legal, Reputation and Risk meets monthly and is designed to provide advice and support to leaders and decision makers on ethical and moral issues.

The <u>Independent Audit Committee</u> scrutinised and challenged financial management and policy decisions throughout the year. The Committee also considered the effectiveness of risk management arrangements.

The Committee Chair reviewed issues through regular meetings with the Executive and Chief Officers. Committee members worked together, to develop and use their knowledge and expertise, and that of others to the best effect. They have a non-political, evidence-based approach that has been proven to achieve good results. To support their roles, all Committee Members regularly reviewed and considered their training requirements.

Meeting virtually enabled the Committee to provide continuous independent scrutiny and advice. Assurance and recommendations have been provided on the adequacy of the governance and risk management frameworks, the internal control environment and financial reports.

The Commissioner is a Vice Chair of the <u>Association of Police and Crime Commissioners</u> (APCC) and a Director of the APCC Board. The APCC was created to help Commissioners come together to influence change at a national level. The Commissioner is currently the Chair of the National Modern Slavery and Organised Immigration Crime Strategic Assurance Board and a member of the National Rural Crime Network Executive Board. Regionally the Commissioner is Chair of the Local Criminal Justice board, the South West Reducing Reoffending Board and also the South West Collaboration Board. Locally the Commissioner is the Chair of Vision Zero South West.

The Chief Constable is a member of the <u>National Police Chiefs Council</u> (NPCC) which brings UK police leaders together to set direction in policing and drive progress for the public.

Review
of
Effectiveness
continued

Police and Crime Panel

The D&C <u>Police and Crime Panel</u> scrutinises and challenges the Commissioner on the achievement of the objectives set out in the <u>Police and Crime Plan</u>. The panel has the power to request reports and call the Commissioner to attend its meetings.

During 2022-23 the Devon & Cornwall panel has considered:

- · reports on the activities of the Commissioner
- the Budget and Medium Term Financial Strategy
- the proposed increase in Precept
- performance reports
- the appointment of the new Chief Constable
- · progress on the Police Officer uplift programme

Scrutiny Framework

The Commissioner operates a <u>scrutiny framework</u> that informs policy and holds the Chief Constable to account.

The Commissioner for Devon, Cornwall and the Isles of Scilly conducts scrutiny in three broad ways. Some of this is carried out directly, whilst some is delegated to the Chief Executive, office staff, volunteers, or specially convened panels

- 1. Informal Scrutiny and Oversight (through regular meetings with the Chief Constable and force leadership)
- 2. Quality Assurance Scrutiny (checking that police processes and procedures are being carried out properly and appropriately)
- 3. Thematic Scrutiny Enquiries (which may be delivered through a Scrutiny Enquiry Panel)

Business Board

A principle decision-making forum for operational policing is the Business Board. Meetings have been held every two months and received updates on risk management, progress on business change programmes, financial management and ICT arrangements. Once a quarter the Board is given over to the monitoring and review of Force performance.

Force Management Statement

Senior managers have completed Force Management Statements across the organisation, that assess and predict future demand. This supports strategic financial planning for long term, sustainable resourcing.

Review of Effectiveness continued

Police and Crime Joint Executive

The Policing and Crime Joint Executive (PCJE) guided the Commissioner and Chief Constable in the formulation of corporate strategies, plans, objectives and priorities. Its core focus is on delivery of the Police and Crime Plan, key strategic decisions, and performance assurance. The Board was attended by representatives from both the Force and OPCC Executives.

Resources Board

The Chief Constable and the Commissioner are dedicated to ensuring that resources are utilised in the most effective and efficient manner. The Resources Board met monthly to monitor the management of resources including land, property, finance, projects and people. The Board received regular reports on workforce supply, litigation, estates, capital health checks and group financials.

The Resources Board has supported the achievement of the strategic objectives as recorded in the Annual Report.

Force Executive Board

The Force Executive Board met twice a month to ensure all areas within Devon and Cornwall Police (operational and support) were co-ordinated to provide an effective service to the Public.

OPCC Leadership Board

The OPCC Leadership Board is the primary governance board for the OPCC. The OPCC executive met regularly to make strategic decisions, monitor the achievement of the police and crime plan objectives, monitor expenditure, sign off policies and manage risks.

Working Together Board

The Working Together Board is the forum for making key strategic decisions between Devon & Cornwall and Dorset Police. This is a quarterly meeting of the two Chief Constables, two Commissioners and their Executive Officers. Shared business areas are kept under regular review to ensure that the outputs being delivered meet today's needs.

Joint Executive Board

The Joint Executive Board provides organisational governance and leadership, sets strategic direction and ensures co-ordination, when required across both Force areas.

Review of Effectiveness continued

Business Change

Key projects designed to deliver continuous improvement have been managed through the Business Change Board ('PRISM')

This Board drives change activity to ensure benefits and outcomes are delivered across the organisation. Financial reports on individual projects are monitored alongside progress updates from local, regional and national programmes to identify risks and access delivery timescale.

HMICFRS

<u>His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)</u> works in the public's interest to independently assess and report on the effectiveness and efficiency of police forces and fire & rescue services.

The inspectorate's 2021-22 Police Effectiveness Efficiency and Legitimacy (PEEL) report on the force was published in February 2023. It graded the force's performance across nine areas of policing. The report found the force was 'inadequate' in three areas, 'requires improvement' in two areas, 'adequate' in two areas and 'good' in two areas.

As a result, the force has entered the Engage phase of HMICFRS monitoring. This includes the development of an improvement plan for the areas identified as inadequate. The force, as with others in the Engage phase, has received support from external organisations including the College of Policing and other forces. Details can be found on the HMICFRS website.

The Equality, Diversity and Human Rights Strategic Group monitored the delivery of equality objectives, including the delivery of public sector equality duty. The Force maintains its focus on addressing equality issues with the details of current initiatives recorded in the force Gender Pay Gap Report.

A Coroner's inquest into the deaths of five people killed in Keyham considered processes and leadership in Devon and Cornwall Firearms Licensing. Activities are in place to identify any governance issues arising from the coroner's findings.

Targets for the recruitment of additional officers were set by the Home Office for each individual force. Significant financial support is dependent on achieving those targets. Devon and Cornwall Police have achieved their March 2023 target and have oversight processes in place for monitoring on-going targets in 2023/24.

Key Governance Principles

Behaving with Integrity, demonstrating strong commitment to ethical values and respecting the rule of law Complaints about D&C police, its officers and staff are managed by the force. A whistle blowing policy and confidential reporting arrangements are well established which supports the complaints process.

Since February 2020 the Commissioner has reviewed complaints where the complainant was dissatisfied with the outcome. Information on how to complain is readily available on the D&C OPCC website, with the <u>Annual Police Complaints and Conduct Performance Statement</u> published by the OPCC in December 2022.

The <u>Independent Office for Police Conduct</u> (IOPC) is the independent government agency responsible for the independent investigation of the most sensitive and serious allegations involving the police

The Force Chief Finance Officer (CFO) and the OPCC Treasurer have worked together to support the Chief Executive to manage the budget of the Commissioner. The responsibilities and principles are set out in the Code of Corporate Governance Financial Regulations and the CIPFA Statement on the Role of the Chief Finance Officer.

<u>Financial information</u> has been reported on commissioning, budget management and delivery against financial strategies.

The OPCC Chief Executive as the Monitoring Officer has also ensured that the Force and OPCC remained compliant to laws and regulations.

Compliance to laws, regulations, policies and procedures has been evidenced by the relatively low level of liability claims and legal challenges against the Force. The Legal Services department has provided support and advice on all legal matters as required.

Ensuring openness and comprehensive stakeholder engagement

The Force and OPCC websites have been regularly updated and maintained to provide a range of strategic information including key corporate documents and operational advice.

The <u>Commissioning Intentions Plan 2022-23</u> detailed the range of commissioning undertaken to support the delivery of the Commissioner's statutory duties and the priorities of the police and crime plan. The Commissioner is the Chair of the Local Criminal Justice Board, whose membership includes statutory partners across criminal justice services, as well as community and voluntary sector representatives.

The OPCC awarded grants and was actively engaged with a network of over fifty community and voluntary sector providers under the community grant scheme 2022-23.

The Local Resilience Forum for Devon, Cornwall and the Isles of Scilly (DCIOS LRF) provided help and advice on community risk throughout the pandemic. Support on Covid arrangements and the provision of PPE was provided to the emergency services.

Public consultation surveys took place to assess community views, victim satisfaction and public confidence. This information forms part of the capacity and demand analysis commissioned by the Commissioner.

The Commissioner has conducted extensive public engagement throughout the year. This was achieved through a network of Community Engagement Workers across Devon and Cornwall, online surveys, attendance at public meetings and scheduled "Meet the Police and Crime Commissioner" events.

The <u>HMICFRS PEEL</u> (police effectiveness, efficiency and legitimacy) assessments provide assurance on how the force has performed in several important areas. The inspectorate report on recommendations designed to improve service delivery.

the interventions necessary to optimise the achievement of intended outcomes

Defining
outcomes in
terms of
sustainable
economic,
social and
environmental
benefits

The Commissioner's Police and Crime Plan 2021-25 has set the objectives that form the strategic plan. The progress on objectives and improvements to service delivery were published on the Commissioner website.

The Corporate
Governance
framework sets
out the
decision-making
framework and
is available on
the OPCC
website.

The annual Force
Strategic Assessments
evaluated overall Force
capacity and capability
through demand and
performance analysis.
This supported the
development of
sustainable plans that
delivered the objectives
set out in the Police &
Crime Plan.

The Commissioner's <u>Annual Report 2021-22</u> reported on the many achievements made throughout the year, including the return of tourism to the region and the delivery of effective policing.

Force Management Statements are completed annually by senior officers to assess future demand and predict required resources.

Strategic plans for the training of leadership and senior officers are then developed, supported by sound financial planning and decision making.

The roles of leadership and management have clearly defined responsibilities, with the national College of Policing established to improve standards through published Authorised Professional Practices. The college has regularly provided guidance, training and development opportunities. This has supported the delivery of improved skills, matched to the organisation's structures.

Internal recruitment and training plans are in place and have been created to ensure the right leadership skills are available at all times.

Annual appraisals were undertaken at all levels of the organisation, Personal targets have been developed and training opportunities identified.

Developing the entity's capacity including the capability of its leadership and the individuals within it Managing risk and performance through robust internal control and strong public financial management

Devon & Cornwall Police complete the mandatory Cabinet Office National Fraud Initiative. All irregularities are investigated and reported to the Cabinet Office who set the initiative and are considered by the Independent Audit Committee. No incidents of fraud or corruption were detected from the matches created from the data submission in 2020-21. The matches identified for the 2022-23 initiative have been provided by the Cabinet Office and will be investigated over the financial year.

Strategic risks have been managed through an effective risk management framework with regular assurance reports to the respective executives and to the Joint Leadership Board.

The counter fraud and corruption policy and procedure are in place and arrangements have been monitored throughout the year. Assurance has been regularly reported to the executive and Independent Audit Committee with no significant breaches during 2022-23.

Internal audit delivered independent, objective scrutiny that provided assurance on the controls in place that prevent error, fraud or corruption. This service was provided in line with the requirements of the <u>CIPFA statement on the Role of the Head of Internal Audit</u>. The Chief Constable and Commissioner provided adequate resources and open access to any information required by the auditors.

Implementing
good
practices in
transparency,
reporting and
audit to deliver
effective
accountability

External audit provided independent scrutiny of the financial arrangements and accounts. Which allows them to form an opinion on the financial statements and a commentary on the arrangements for Value for Money.

The <u>Independent Audit Committee</u> is a key component of corporate governance. Its purpose is to provide independent assurance on the adequacy of internal controls, risk management and financial arrangements throughout the year.

The Conclusion and Significant Governance Issues

This statement is intended to provide reasonable assurance on governance arrangements. It is stressed that no system of control can provide absolute assurance against material misstatement or loss.

No significant governance issues have been identified during this year's review. For completeness, the minor issues identified are recorded and will be addressed to ensure continuous improvement.

MINOR ISSUES 2021-22

PRINCIPLE	ISSUE	ACTION
Implementing good practices in transparency, reporting and audit to deliver effective accountability	The draft external audit Annual Report 2020/21 (issued in March 2022) found governance arrangements to be effective but highlighted a significant weakness in finance team capacity during the 2021/22 year.	Complete: As agreed by External Audit
	Corporation soles and the public are not able to challenge the finances of the organisations in a timely way due to delays with local audit delivery by Grant Thornton.	Complete: Accounts were published and available for public challenge in line with regulations.
Determining the interventions necessary to optimise the achievement of intended outcomes	Delays to the HMICFRS PEEL inspections due to the pandemic have reduced assurance on the effectiveness, efficiency and legitimacy of the force.	Complete: The findings of the delayed HMICFRS PEEL inspection were published in February 2023.
Defining outcomes in terms of sustainable economic, social and environmental benefits.	Delays to the implementation of some actions from the CIPFA Financial Management Model review.	Complete: Actions considered complete as part of the resilience review.

MINOR ISSUES IDENTIFIED 2022-23

PRINCIPLE	ISSUE	ACTION
Implementing good practices in transparency, reporting and audit to deliver effective accountability	A lack of assurance provided by non-audited accounts due to delays with local audit delivery by Grant Thornton.	Robust internal audit and financial reporting to the Corporation soles has been put in place to mitigate this risk. The publication and explanation of non-audited accounts to the public remains in statutory limits.
Determining the interventions necessary to optimise the achievement of intended outcomes	Findings from the HMICFRS PEEL inspections placed the force in the Engaged programme.	Continued participation in the Engage programme to address areas of concern.

Opinion and signature

The Corporate Governance Framework adopted by the Chief Constable and the Police & Crime Commissioner demonstrates all the elements required to support effective governance.

The annual assessment of governance arrangements during 2022-23 has provided an overall assurance opinion of substantial.

Will Kerr OBE KPM

Dated:

Police & Crime Commissioner

Alison Hernandez

Dated:

Director of Finance & Resources

Sandra Goscomb

Dated:

OPCC Chief Executive

Frances Hughes

Dated: