

Devon and Cornwall Police and the Police & Crime Commissioner for Devon, Cornwall & the Isles of Scilly



Joint Annual Governance Statement 2019/2020

Approved January 2021



Scope of Responsibility

The Chief Constable and Police & Crime Commissioner are responsible for ensuring that all business is conducted in accordance with the law and proper standards, and that the public money allocated to it is safeguarded, properly accounted for, and used economically, efficiently and effectively. In discharging this overall responsibility they must put in place proper arrangements for the governance of their affairs, facilitating the effective exercise of their functions 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](#)

[Strategic Policing Requirement 2015](#)



To support the delivery of their legal responsibilities the Chief Constable and Police & Crime Commissioner have established a Corporate Governance Framework that includes the Code of Corporate Governance. The code is consistent of the CIPFA SOLACE [Framework for Delivering Good Governance Guidance Notes for Policing Bodies 2016](#).

This statement explains compliance to the code and the [Accounts and Audit \(England\) Regulations 2016](#) requirement that all relevant bodies prepare an Annual Governance Statement.

The Code of 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

A copy of the Code of Corporate Governance is available on the Police & Crime Commissioners website at www.devonandcornwall-pcc.gov.uk or can be obtained from the Head of Audit, Insurance and Risk, Dorset Police, Force Headquarters, Winfrith, Dorchester, Dorset DT2 8DZ.



The Purpose of the Corporate Governance Framework

The Corporate Governance Framework sets out the systems and processes, culture and values by which the Chief Constable and the Police & Crime 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 that is designed to manage risk to an acceptable level in accordance with the “risk appetite”. It cannot entirely eliminate the risk of failure to the achievement of strategic objectives but seeks to provide reasonable rather than absolute assurance of effectiveness. The system of internal control is based on an on-going process designed to identify, prioritise and manage the risks to the achievement of all aims and objectives.

In addition the Scheme of Corporate Governance and Scheme of Delegation details 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 Police & Crime Commissioner.

The Code of Corporate Governance has been in place and available for the year ended 31 March 2020 and up to the date of approval of the annual accounts.

The Chief Constable and the Police & Crime Commissioner are two separate legal entities. Whilst they have separate statutory responsibilities within their own organisations they also work together within the legal framework to ensure that Devon and Cornwall Police is working effectively and is held accountable for the standard of service delivered to the public. The framework sets out the strategic and operational controls designed to facilitate the delivery of the objectives set out in the Police & Crime Plan to local communities and legal requirements. The structures, processes, risk management and other internal control systems, such as codes of conduct, form part of the framework designed to manage the barriers to the achievement of strategic plan.

The Chief Constable and the Police & Crime Commissioner are responsible for putting in place proper arrangements for the governance of affairs and the stewardship of resources. This task is managed by their Strategic Management Teams. For the OPCC this comprises of their Section 151 Officer and the Chief Executive, who is also the Monitoring Officer. For the Force this comprises their Section 151 Officer and Chief Operating Officer who is the Deputy Chief Constable. These Executive Teams combine to form the Joint Leadership Board and Resources Board respectively as part of the formal shared governance arrangements. Governance arrangements are regularly reviewed by the Independent Audit Committee.

To achieve their objectives the Chief Constable and the Police & Crime Commissioner have designed systems and processes to regulate, monitor and control their activities. The Corporate Governance Framework sets out the controls in full.

Key Elements of the Governance Framework

The financial management arrangements for the Chief Constable and the Police & Crime Commissioner are compliant with the governance requirements set out in the [CIPFA Statement of the Role of the Chief Financial Officer in Local Government \(2015\)](#) as set out in the CIPFA SOLACE Delivering Good Governance in Local Government: Framework (2016 Edition).

The Chief Constable and the Police & Crime Commissioner have responsibility for conducting an annual review on the effectiveness of its Corporate Governance Framework including the system of internal control. This review is informed by:

- The annual internal audit programme and assurance opinion provided by the internal audit provider.
- The external audit opinion on financial management contained in the audit letter provided by the independent external audit provider.
- The Independent Audit Committee who review elements of the governance framework and the system of internal control to ensure compliance to the principles of good governance. The Committees annual report on the effectiveness of their arrangements provides a key source of assurance. The 2018/19 report concluded that current arrangements are robust.
- The work of the Audit, Insurance and Strategic Risk Management department who have responsibility for the development and maintenance of the governance environment.

THE ANNUAL GOVERNANCE STATEMENT

INDEPENDENT AUDIT COMMITTEE

(Challenge the draft AGS and supporting evidence)

THE CHIEF CONSTABLE and POLICE & CRIME COMMISSIONER

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

EXECUTIVE OFFICERS and SENIOR MANAGERS

(Supports robust governance arrangements)

THE TREASURER, CHIEF FINANCE OFFICER, and SECTION 151 OFFICER

(Supports effective financial management)

THE CHIEF EXECUTIVE & MONITORING OFFICER

(Supports legal & ethical assurance)

THE CODE OF CORPORATE GOVERNANCE

LEGITIMACY & CONSTITUTION

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

Independent Office
for Police Conduct

Professional
Standards Unit

Ethics Committee

Public Engagement
& Consultation

Complaints
Resolution

Whistleblowing &
Confidential
Reporting

College of Policing
Code of Ethics

Police & Crime Panel

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 Plan

Independent Audit
Committee

Scrutiny Panels

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 Letters
& Opinion

South West Police
Procurement &
Contract Monitoring

HR POLICIES

Terms & Conditions
Remuneration

Establishment
Controls

Recruitment &
Retention

Training &
Leadership

Sickness
Management

Personal Appraisals

Annual Equality
Impact
Assessment

Review of Effectiveness

The Chief Constable and Police & Crime 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 the HMICFRS which graded Devon & Cornwall Police as “good” and the Independent Audit Committee who review elements of the framework for effectiveness throughout the year.

The review of effectiveness for the year 2019/20 conducted by the Audit, Insurance and Strategic Risk department obtained substantial evidence of good governance against each of the seven CIPFA principles.

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 audit providers completed an annual programme of risk-based audits. The plan is flexible and can be changed to cover emergent risks as they arise. As part of this plan all key financial systems are audited against financial regulations with reports which include recommendations for improvement provided to the relevant manager and the Independent Audit Committee.

Based on the assurance work undertaken the Head of Internal Audit has predicted a “reasonable” opinion based on the adequacy of the control environment.

It should be noted, that all risks of failure cannot be eliminated and the assurance provided is therefore reasonable and not absolute.

The independent external auditor provider delivers an audit opinion based on their verification of the financial accounts and the delivery of value for money. The opinion is published within the [Joint Annual Audit Letter](#). External audit provided “unqualified” assurance on the value for money and financial management arrangements provided by Devon & Cornwall Police for the 2018/19 accounts. The opinion for the 2019/20 accounts is still awaited.

During 2019/20 the Independent Audit Committee process has challenged and monitored financial management, performance and policies on an on-going basis. The members have worked together and with others, developing and using their knowledge and expertise to the best effect. They have adopted an unbiased, evidence based approach that has been instrumental in achieving good results. This year all committee members received treasury management training to support them in their roles. Risk management arrangements are also a standing agenda item for the Committee, and a separate Risk & Assurance Board has met on a regular basis and during 2019/20 provided regular reports on risk, business continuity and ICT disaster recovery arrangements.

The Police and Crime Commissioner is a member of the Association of Police and Crime Commissioners (APCC) created to help Commissioners come together to influence change at a national level. The Commissioner has a national role in road safety and modern slavery as well as being the deputy lead for partnerships. The Commissioner is represented by other APCC Commissioners at national policing bodies. The Chief Constable is a member of the National Police Chiefs Council (NPCC) which brings forces together to coordinate operations, reform, improve and provide value for money. The Devon and Cornwall Chief Constable is the national policing lead for modern slavery and the national initiative for police cadets and volunteers.

The internal audit providers assessed the corporate governance arrangements in place across the regional Police Partners. This review assessed the sources of assurance contained within each organisations Annual Governance Statement. The review evidenced that the Devon & Cornwall statement is compliant to CIPFA standards against the seven principles of good governance in policing. The report also identified areas of good practice in comparison to the other public sector organisations reviewed.

Review of Effectiveness continued

The Police and Crime Panel supports and challenges the Police and Crime Commissioner (PCC). The panel has the power to request reports and call the PCC to attend its meetings.

The panel will:

- review the police and crime plan and annual report
- scrutinise the PCC's proposed council tax precept for policing
- hold confirmation hearings for the PCC's proposed appointment of a Chief Constable and senior support staff
- scrutinise the actions and decisions of the Commissioner (but not the performance of the police force)
- consider complaints against the PCC of a non-criminal nature

During 2019/20 the Devon & Cornwall panel has:

- Received a regular update report on the activities of the Police and Crime Commissioner
- Reviewed and approved the proposed Precept, Budget and Medium Term Financial Strategy
- Reviewed the Policing Road Safety Strategy
- Reviewed regular performance reports on crime

In January 2019 the Commissioner published a scrutiny framework document that explains how the PCC uses 'scrutiny' to inform policy and hold the Chief Constable to account. Scrutiny is a process of reviewing information from a variety of sources to form an informed view of an issue. There are currently scrutiny panels that review findings from the independent custody visitors, review progress on customer service improvements (formerly the 101-service improvement panel) and review information and documentation from out of court disposals and the use of police powers. During 2019 independent training has been provided to the staff of the Office of the Commissioner and senior Police officers on good scrutiny practices and techniques. During 2019/20 scrutiny panels have undertaken include scrutiny of Spit guards and Out of Court Disposals.

Review of Effectiveness continued

The principle decision-making forum for operational policing is the Business Board which has been designed to provide consistency in the delivery of public services across the peninsula. Meetings are held bi-monthly and receive updates on risk management, progress on business change programmes, financial management, ICT arrangements. Once a quarter the Board is given over to the monitoring and review of Force performance.

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.

Key projects designed to deliver continuous improvement are managed through the PRISM Board. This Board drives change activity to ensure the delivery of predicted benefits and outcomes through a single, holistic overview of all transformation and change. This also takes into account the regional and national agenda. Financial reports on defined projects are reviewed alongside local, regional and national programme updates which include the assessment of risks and timelines.

The Joint Leadership Board (JLB) meets twice a month (once in a formal capacity and once on an informal basis) as the primary governance meeting which considers matters including the organisations financial position, performance and strategies, development and implementation. The Board includes the Commissioner and Chief Constable and representation from both the Force and OPCC Executives, and provides organisational leadership, sets the strategic direction, monitors the co-ordination required to achieve objectives and holds the Chief Constable to account. JLB are also responsible for financial planning and review the position statements that ensure executive oversight across the portfolio areas. The Force Executive Board meets twice a month to ensure all areas within Devon and Cornwall Police (operational and support) are co-ordinated to ensure their effective delivery, overall effectiveness and that the best interests of the Public and the Force are being served by holding each other to account. A similar board exists within the OPCC.

The Office of the Police and Crime Commissioner (OPCC) Management Board meets twice a month to ensure the effective delivery of the Police and Crime Plan. This includes a scrutiny function to demonstrate that the commissioner is holding the Chief Constable to account.

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

The Equality, Diversity and Human Rights Strategic Group monitors activity towards equality objectives, and delivery of public sector equality duty. The group aims to create a diverse and inclusive workforce that represents the communities it serves. During 2019/20 group members have worked closely with recruitment to achieve the promised increase in Police Officer numbers and will continue to support the national programme for the uplift of Police Officers.

Review of Effectiveness continued

The Chief Constable and the Commissioner are dedicated to ensuring that resources are utilised in the most effective and efficient manner. The Resources Board meets monthly to ensure oversight of the management and sustainability of resources including land, property, finance, projects and people. The Board receives regular reports on workforce supply, litigation, capital health checks and group financials. This has supported the achievement of the strategic objectives as recorded in the Annual Report. Some of which are recorded below:

- Safety considerations a Barnstaple Police Station;
- Delivery of a new Liskeard Police Station
- Operation Uplift – the national programme to increase police officers by 20,000;
- Delivery of the new Exeter Police Station;

Fast-paced contingency plans for the effective delivery of policing in light of the COVID-19 pandemic have been put in place. Operational units, organisational departments and the OPCC have tested business continuity plans designed to support emergency service response and these were immediately activated. A COVID-19 Gold, silver and Bronze Command structure was created that has provided advice and guidance to all staff and operational officers who have proved adaptable and willing to accept additional responsibilities. Agile and flexible working arrangement have also supported the continuous delivery of effective policing to communities.

Key Governance Principles

Each year the Chief Constable and Police & Crime Commissioner review governance arrangements against delivery of service.

The assessment of governance arrangements against the seven CIPFA principles of good governance conducted by the Audit, Insurance and Strategic Risk department considers the effectiveness of a range of evidence from strategies, policies and procedures to independent reviews, audits and inspections.

Behaving with Integrity, demonstrating strong commitment to ethical values and respecting the rule of law

The Professional Standards department monitors conduct and standards of behaviour, and investigate complaints. There is a robust complaints handling process with significant cases referred to the Independent Office of Police Conduct for independent review and an appeals process handled by the Office of the Police and Crime Commissioner. The Whistle Blowing Policy supports the confidential reporting processes and any conflicts of interest are formally managed. New complaints legislation came into Force in February 2020 which changes the way in which all complaints are dealt with and gave new powers for the Commissioner to become the review body in police complaints.

Compliance to laws, regulations, policies and procedures are evidenced by the relatively low level of liability claims and legal challenge against the Force. The joint Legal Services department provides support and advice on legal matters. New complaints legislation came into Force in February 2020.

The OPCC Chief Executive has responsibilities as the Monitoring Officer for ensuring that the Force and OPCC remain compliant to laws and regulations. They are also responsible for advising the Commissioner on policy, strategy and on the commissioning and delivery of contracted services.

There is a statutory duty for the Force and OPCC to consult openly with the public and local stakeholders to reduce crime. There are ten Community Safety Partnerships across Devon, Cornwall and the Isles of Scilly. The probation service, community rehabilitation companies, local authorities, fire and rescue service and CCGs all attend. Likewise there are Youth Offending Teams established in all four upper tier areas with partnership. The Police and Crime Commissioner is the current Chair of the Local Criminal Justice Board which includes statutory partners across criminal justice services as well as community and voluntary sector representatives. The OPCC commissions victim care services are part of the statutory responsibility. This arrangements includes a network of fifty community and voluntary sector providers which are actively engaged with the OPCC.

The Police are the current Chair of the Local Resilience Forum for Devon, Cornwall and the Isles of Scilly where all category 1 and category 2 responders under the Civil Contingencies Act are represented.

The Force Chief Finance Officer (CFO) and the OPCC Treasurer hold statutory responsibility for ensuring proper financial arrangements are in place. The Force CFO works closely with the OPCC Treasurer and Chief Executive to ensure compliance to the governance requirements set out in the CIPFA Statement on "[The Role of the CFO of the OPCC and the CFO of the Chief Constable](#)".

Ensuring openness and comprehensive stakeholder engagement

The Force and OPCC maintain websites that provide full details of how to direct contact according to need. The websites support openness and transparency relating to all Force and OPCC activities. This includes links to the multi-agency partnerships created to improve service delivery to the public. The OPCC has retained its CoPaCC Award for Transparency against the new national criteria.

Public consultation surveys are undertaken to assess victim satisfaction and public confidence. This information forms part of the capacity and demand analysis commissioned by the Police and Crime Commissioner. The PCC conducts extensive public engagement throughout the year. This is 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.

Ensuring openness and comprehensive stakeholder engagement continued

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

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

The Office of the Police and Crime Commissioner commissions services from partners and specialist providers. Progress on outcomes are published in the Commissioners statutory Annual Report.

Corporate Governance arrangements set out the decision making framework. Details of strategic decisions made are published on the Office of the Police and Crime Commissioners website.

The Commissioning Intentions Plan details the delivery of the specialist services commissioned by the Office of the Police and Crime Commissioner. The plan is designed to prevent crime through early intervention and to support victims and vulnerable people.

The Commissioners Police and Crime Plan is the organisations strategic plan that sets clear objectives for improved service delivery to the public. Achievement against outcomes are publicly available on the Office of the Police and Crime Commissioner website.

Force performance is evaluated by the independent HMICFRS as part of their annual inspection programme. The PEEL inspection issued 7th February 2020 graded Devon and Cornwall Police as “Good” providing value for money within the three key principles of efficiency, effectiveness and legitimacy. The report noted that since the last inspection improvements have been made in data recording. The inspectorate use this data to evaluate the best use of resources and Force effectiveness.

Determining the interventions necessary to optimise the achievement of intended outcomes

Developing the entity's capacity including the capability of its leadership and the individuals within it

Assessments are completed to predict future demand and required resources. Strategic plans for the training of leadership and senior officers are developed which are supported by sound financial planning and decision making.

The roles of leadership and management have clearly defined responsibilities. Future requirements for skills are matched to the organisations structures. Training and recruitment plans are developed to get the right management skills in the right place at the right time. Appraisals are undertaken annually at all level of both organisations. Part of this review is the inclusion of personal targets and development opportunities.

Strategic risks are managed through an effective risk management framework designed to provide assurance reports to the respective executives and to the Joint Leadership Board.

Managing risk and performance through robust internal control and strong public financial management

Arrangements for fraud and corruption are monitored and assurance reports are provided to the executive.

Devon & Cornwall Police complete the mandatory National Fraud Initiative set by the Home Office. All irregularities are investigated and reported to the Independent Audit Committee. No incidents of fraud or corruption were detected from the matches created from the last data submission in 2018/19.

The Devon & Cornwall OPCA has developed a scrutiny framework designed to inform policy and improve delivery. The Police & Crime Panel scrutinise the Commissioners decisions and the achievement of the Police & Crime Plan. Their duties include the scrutiny of the proposed council tax precept, any non-criminal complaints against the Commissioner and the appointment of the Chief Constable. In turn the Commissioner evidences robust financial management and the provision of value for money.

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

The independent internal audit providers give objective scrutiny and assurance on the controls in place that prevent error, fraud or corruption. This service is provided in line with the requirements of the CIPFA statement on the Role of the Head of Internal Audit. The Chief Constable and Commissioner must provide adequate resources and open access to any information required by the auditors.

The Independent Audit Committee is a key component of corporate governance. Their purpose is to review the Corporate Governance Framework and provide independent assurance on the adequacy of internal controls and financial management.

The independent external audit providers are responsible for the scrutiny of financial arrangements that allows them to form an opinion on the provision of "value for money". The auditors then verify the accounts prior to their publication.

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

ACTIONS 2018-19

PRINCIPLE	ACTION	PROGRESS
Defining outcomes in terms of sustainable economic, social and environmental benefits.	The decision not to proceed with the proposed merger between Devon & Cornwall and Dorset Police has required a review of governance and reporting arrangements that support effective planning and decision making. The proposed governance structure is being considered and implemented as agreed but has not yet had time to embed or be reviewed for effectiveness.	Complete: The Chief Constable and Police & Crime Commissioners of Devon & Cornwall and Dorset Police pledged a commitment to continued working together. A "Working Together Board" has been set up. Governance arrangements continue to embed and have been assessed as effective during this review.
Developing the entity's capacity including the capability of its leadership and the individuals within it.	Over the eight years of austerity the reduction in central funding and precept has forced a reduction in Force capacity. Robust financial planning and transformational change programmes like the Strategic Alliance with Dorset Police and the PRISM programme have increased efficiencies and improved the capability of the Force. There have been significant investments in talent, leadership and wellness to enhance both capacity and capability. The Force continues to review its financial position while planning for an effective Force in the future.	Complete: The increase in precept and the governments mandate to significantly increase officer numbers have enabled plans to be implemented that will increase both capacity and capability.

MINOR ACTIONS IDENTIFIED 2019-20

PRINCIPLE	ACTION	PROGRESS
Defining outcomes in terms of sustainable economic, social and environmental benefits.	Delays to the review of the Code of Corporate Governance.	The Executive and Independent Audit Committee will agree the reviewed terms of the Corporate Governance Framework, including the Schemes of Delegation and Consent.
Implementing good practices in transparency, reporting and audit to deliver effective accountability	That shared decision-making meets the needs of both Forces.	The review of governance for shared functions.

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 2019/2020 has provided an overall assurance opinion of substantial.

**Chief Constable
Shaun Sawyer**

Dated: 27 January 2021

**Police & Crime Commissioner
Alison Hernandez**

Dated: 27 January 2021

**Director of Finance & Resources
Sandra Goscomb**

Dated: 27 January 2021

**OPCC Chief Executive
Frances Hughes**

Dated: 27 January 2021