

Part 1 – Summary and Explanation

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1. **Summary and Explanation**

1.1 **The scheme of governance of the Police and Crime Commissioner.**

1.1.1 The Police and Crime Commissioner for Devon and Cornwall and the Chief Constable for Devon and Cornwall have a scheme of governance, which sets out how the Police and Crime Commissioner and the Chief Constable operate, how decisions are made and the procedures, which are followed to ensure that these are efficient, transparent and accountable to local people. The scheme of governance also sets out how the Police and Crime Commissioner for Devon and Cornwall will work with the Chief Constable for Devon and Cornwall. This scheme of governance has been discussed by the Joint Management Board and agreed with the Chief Constable for Devon and Cornwall.

2. **What is in the scheme of governance?**

2.1 The scheme of governance includes the details of responsibility for functions of the Police and Crime Commissioner and the Chief Constable. The scheme of governance contains the rules of procedure under which the Police and Crime Commissioner and the Chief Constable operate and the policies which apply to them. The scheme of governance also includes details of the allowances scheme.

2.2 Section 2(3) of the Police Reform and Social Responsibility Act 2011 provides that the Police Force and the civilian staff of the Police Force are under the direction and control of the Chief Constable of the Force. In practice, there are two ways in which the Chief Constable may exercise direction and control. One is through the employment relationship with those members of staff who are employed by the Chief Constable and through direction and control of police officers. The other is through provisions in the scheme of governance which enable the Chief Constable to have an input into decisions for which the Police and Crime Commissioner is responsible and which make provision for the Police and Crime Commissioner to issue formal consents to the Chief Constable.

3. **How the Police and Crime Commissioner and the Chief Constable operate**

3.1 The Police and Crime Commissioner has responsibility for holding the Chief Constable to account for the exercise of the Chief Constable's functions and those given through consent and the exercise of functions of persons under the direction and control of the Chief Constable.

3.2 The Chief Constable has direction and control over officers and directly employs police staff of the Constabulary.

4. **How Decisions are Made**

4.1 Decisions are made in accordance with the scheme of delegation and consent in Part 3 and the principles of decision making in the scheme of governance.

5. **Scrutiny**

5.1 The Police and Crime Commissioner is subject to scrutiny by the Police and Crime Panel for Devon and Cornwall.

5.2 **The staff of the Police and Crime Commissioner**

5.2.1 The Police and Crime Commissioner has people working for him to give advice, implement decisions and manage the day-to-day delivery of the services and functions of the Police and Crime Commissioner. Some employees have a specific statutory duty to ensure that the Police and Crime Commissioner acts within the law and uses resources appropriately.

6. **Rights of members of the public**

6.1 Members of the public have a number of rights in their dealings with the Police and Crime Commissioner. Some of these are legal rights, whilst others depend on the Police and Crime Commissioner's own processes. Local Advice Centres can advise on individuals' legal rights.

6.2 Members of the public have the right to:

6.2.1 vote at elections for the Police and Crime Commissioner if they are registered;

6.2.2 contact the Police and Crime Commissioner about matters of concern to them relating to police and crime;

6.2.3 obtain a copy of the scheme of governance;

6.2.4 Complain to the Police and Crime Commissioner about the standard of service, action or lack of action in matters relating to police and crime. Details of the complaints procedure can be obtained from OPCC@devonandcornwall.pnn.police.uk;

6.2.5 Complain to the Ombudsman if they think the Police and Crime Commissioner has not followed its procedures properly. However, they

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should only do this after using the Police and Crime Commissioner's own complaints process;

- 6.2.6 Complain to the Police and Crime Panel if they have evidence which they think shows that the Police and Crime Commissioner has not followed the Police and Crime Commissioner's code of conduct;
 - 6.2.7 Complain through the police complaints procedure; and
 - 6.2.8 Inspect the Police and Crime Commissioner's accounts and make their views known to the external auditor.
- 6.3 The Police and Crime Commissioner welcomes participation by its citizens in his work. For further information on your rights as a member of the public, please contact The Police and Crime Commissioner. Telephone 01392 225555 at Endeavour House, Pynes Hill, Exeter EX2 5WH or visit the Police and Crime Commissioner's website www.devonandcornwall-pcc-gov.uk