

**WEST MIDLANDS POLICE AND
CRIME COMMISSIONER**

**NON-CONFIDENTIAL
NOTICE OF DECISION**

029 /2019

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Title: **Corporate Governance Framework**

EXECUTIVE SUMMARY

The purpose of this paper is to record the decision to approve the Corporate Governance Framework to govern the working arrangements between the Police and Crime Commissioner and the Chief Constable of the West Midlands. These have been prepared in accordance with the requirements of the Home Office Code of Practice on Financial Management, which is made by the Secretary of State under section 17 of the Police Reform and Social Responsibility Act 2011 (the Act) and section 39A of the Police Act 1996

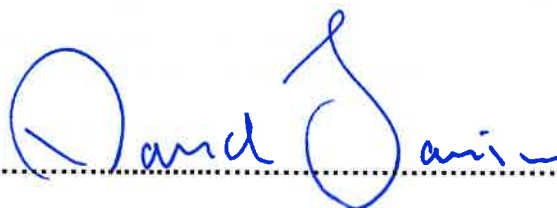
DECISION

I approve the Corporate Governance Framework attached to this decision, together with the accompanying corporate governance documentation.

West Midlands Police and Crime Commissioner

I confirm that I do not have any disclosable pecuniary interests in this decision and take the decision in compliance with the Code of Conduct for the Office of the Police and Crime Commissioner West Midlands.

Signature.....



Date.....

16.10.19

Background Information

1. The Police Reform and Social Responsibility Act 2011 (the Act) created both the Commissioner and Chief Constable as corporations sole with the ability to perform a number of functions, including the employment of staff. The PCC is a corporation sole and the legal contracting body which owns all assets and liabilities. While the Commissioner has ownership of all of the estate it is intended that day to day management of estate and assets is undertaken by the Chief Constable to meet operational needs of both the Force and the Office for the Police and Crime Commissioner, West Midlands. The PCC has responsibility for the financial administration of the PCC and West Midlands Police ("WMP") including all borrowing decisions.
2. The Framework is intended to set out all significant decisions which are consented/delegated to senior police staff and which are of a statutory, financial or managerial nature. The Framework does not define how those decisions should be taken nor does it attempt to list all of the matters which are incidental to the exercise of those. The Corporate Governance Framework is intended to:
 - Avoid unnecessary divisions within the workforce to ensure that the two corporations sole work together in an efficient and effective way.
 - Minimise the additional bureaucracy, cost and disruption to staff required to implement the governance arrangements.
 - Ensure appropriate safeguards to protect the corporate requirements and positions of the two corporations sole.
3. The Corporate Governance Framework was previously approved and adopted by the Commissioner and the Chief Constable in 2016, and the Framework agreed as part of this decision is based upon that agreed on that date.
4. The Joint Audit Committee of the Police and Crime Commissioner and Chief Constable reviewed the Framework and the Committee's comments have been incorporated into the Framework

Financial Implications

5. The Corporate Governance Framework and its supporting governance documentation is intended to ensure that the Commissioner and Chief Constable exercised their statutory roles and functions in accordance with statutory requirements and CIPFA guidance.

Legal Implications

6. The Home Secretary has indicated that she expects Commissioners to operate with a governance framework. A Police and Crime Commissioner may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner.

Public Access to Information

7. Information contained in this decision is subject to the Freedom of Information Act 2000 and other legislation. This decision will be made available on the Commissioner's website.