

**Report of the Chief Executive
To the Chair and Members of the
Audit and Internal Control Panel.
Date: 25th March 2010**

Executive Officer: Chief Executive Joe McCarthy
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Status: For Decision

**Cleveland Police Authority –
Revised Code of Corporate Governance**

1. Purpose of the report

- 1.1 The role of this Panel is to review proposed changes to the Code of Corporate Governance, and to make recommendations thereon to the Police Authority Executive.

2. Recommendations

That Members

- 2.1 Review the revised Code of Corporate Governance (Appendix A) and make appropriate recommendations for consideration by the full Police Authority Executive meeting in June 2010.

3. Reasons

- 3.1 The new style Code of Corporate Governance was accepted by the Police Authority at its meeting in December 2007, becoming effective from 1st January 2008. It was agreed that there would be an annual review of the Code, which would be brought to Members for approval. Since the last update in June 2009 there have been important changes to the working document and therefore it is an opportune time to bring these to the attention of Members and seek approval for their inclusion within the Code.

The main changes to the Code, other than minor amendments to wording, are as follows:-

- 3.2 Appendix E Terms of Reference for Panels has been amended following the agreement to changes in the Panel structure at the Policy and Resources Panel in November 2009:-
 - a. The new Policy and Resources Panel's terms of reference now incorporate those from the previous Human Resources and Diversity Panel.
 - b. Reference to the defunct Strategic Procurement and Major Projects Panel has been removed. Responsibilities have reverted to the Police Authority Executive.
 - c. Minor change to the Standards Committee terms of reference to reflect the Standards Committee Regulations 2008 – dealing with complaints against Members.
- 3.3 Appendix D Schemes of Delegation has had added the delegated authorities for the disposal of assets emanating from the Asset Management Strategy 2010, which was approved by the Policy and Resources Panel in January 2010.
- 3.4 Appendix A Members Code of Conduct; a new sub-section has been inserted which reads:

A Member must treat Authority and Force information as confidential where appropriate, especially when material is marked as "under the line" or "confidential" or "private" ; or when it is of a sensitive or personal nature and is not for public disclosure. Such information, whether electronic or hard copy, must be managed and disposed of in line with the principles of the Data Protection Act. Members are responsible for the safe and secure disposal of confidential waste.
- 3.5 Reference has been made where appropriate in the revised Code to the following legislation and regulation:-
 - a. The Police and Crime Act 2009 with particular reference to the following:-
 - Changes to the Police Act 1996 (c.16, Section 6 (2)) – matters which police authorities must have regard to in discharging their functions. Reference to taking account of the views of people in the authority's area about policing in that area, including a duty on HMIC to check on compliance.
 - Changes to Police Act 1996 (Section 23) allowing for police force and police authority collaboration agreements.
 - b. Police Authority (Community Engagement and Membership) Regulations 2010 with particular reference to the following:-

- Police authorities must obtain the views of a wide range of diverse people, including businesses, about matters concerning the policing of their area.
- Provisions for elected Mayors to sit on police authorities.
- Provisions that Members appointed must represent the interests of a wide range of people and promote diversity.
- Provisions regarding the election of the Chair, including his/her removal.
- Provisions to change the make up of the independents' selection panel.

c. Police Authority (Particular Functions) Regulations 2010 in respect of provisions to strengthen the police authority's duty to monitor complaints against the Force, with interventions where necessary to ensure a satisfactory response.

d. Police Authority (Policing Plan) Regulations 2010 whereby the authority must publish a Value for Money Statement within the Policing Plan each year.

e. Reference to policy outlined in the Policing White Paper 2009.

3.6 Reference throughout the Code, as appropriate, to the Police Authority Business Plan, the joint Public Confidence Survey and the Joint Risk Management Group.

3.7 [The above changes to the Code have been highlighted in blue text in the document \(Appendix A -disc\)](#)

4 Implications

Finance

4.1 The Code contains the Financial and Contract Standing Orders.

Diversity and Equal Opportunities

4.2 There are no direct diversity and equal opportunities implications arising out of this report.

Sustainability

4.3 The Code will be reviewed annually and updated, as required, to take account of legislation and changes to policy and procedures.

Risk Assessment

4.4 By revising and updating the Code of Corporate Governance, the Police Authority will help ensure that it continues to meet its

legal obligations and further its objective of maintaining good governance of its affairs.

5 Conclusions

- 5.1 The Code of Corporate Governance has been updated in a timely manner in accordance with agree procedures.

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Appendix A

Members – Appendix A can be found on the attached disc.

Alternatively this can be viewed on our website at www.clevelandpa.org.uk