

**Report of the Acting Chief Executive to the Chair and Members  
of the Police Authority Executive  
28<sup>th</sup> September 2011**

**Executive and Presenting Officer: Mr Jeremy Holderness, Acting  
Chief Executive  
Status: For agreement**

**Title: Amendments to the Code of Corporate Governance**

**1.0 Purpose**

- 1.1 To seek the Executive's approval to make amendments to the Authority's Code of Corporate Governance to clarify decision making in relation to disciplinary procedures.

**2.0 Recommendations**

- 2.1 Members approve the amendments to the Code of Corporate Governance as set out in appendix 1.

**3.0 Background**

- 3.1 Recent events have forced a review of the current CPA Code of Corporate Governance, particularly the sections about decision making in relation to discipline and conduct matters. Fortunately this is something that is rarely used however it is important that when necessary everybody is clear about who can decide what and when. Currently the Code has little detail on such matters in relation to Police Authority Staff.
- 3.2 Changes are therefore proposed as shown in the 'track changes' document at appendix 1. The main elements of proposed changes are summarised below. The Police Authority Staff and Unison have been consulted on these proposed changes and have raised no objections.

**4.0 Summary**

- 4.1 The proposed changes will:

- Make clear that the Cleveland Police Disciplinary Policy and Procedures for Police Staff will apply (as is the case now) but that this will be subject to any changes necessary to make the procedures applicable and workable for Police Authority staff. This change is proposed as the Cleveland Police policy does not take account of the Police Authority structure (and independence), for example it talks about decisions/role of the Executive Officers and other 'police force specific' managers.
- Allow for a greater involvement of members, especially in more serious cases including allocating responsibilities as follows:
  - Delegation to the Chairman of the Professional Standards Panel:
    - Appointment of an investigator;
    - Deciding on the membership of a disciplinary panel (with members being able to sit on a panel if appropriate);
    - The application of (or any deviation from) the Cleveland Police Disciplinary Policy and Procedures for Police Staff;
    - General authority in relation to procedural matters concerning discipline issues.
  - Delegation to the Professional Standards Panel:
    - Decisions about suspending the Chief Executive, Treasurer or Monitoring Officer. (note decisions about the suspension of other staff will rest with the Chief Executive – as it is now).
    - In the case of a matter concerning the Chief Executive, Treasurer or Monitoring Officer, to receive an investigator's report and decide what to do about it.
  - Delegation to the Chief Executive (in consultation where possible and appropriate with the Authority Chairman and/or the Chairman of the Professional Standards Panel) various process matters concerning Chief Police Officer complaints and discipline. Currently these process decisions rest with the Professional Standards Panel (or its Sub-Committee) and it is considered both unnecessary and overly bureaucratic to call formal member meetings to deal with such routine process issues.

## **5.0 Implications**

### **5.1 Finance**

There are no financial implications arising from this report.

### **5.2 Diversity & Equal Opportunities**

There are no Diversity or Equal Opportunity issues arising from this report.

### **5.3 Human Rights Act**

There are no Human Rights Act implications arising from this report.

5.4 **Sustainability**

There are no Sustainability implications arising from this report.

5.5 **Risk**

Not to make changes of a nature outlined in this report would create potential risks to the Authority when making decisions about discipline and conduct matters.

**JEREMY HOLDERNESS**

Acting Chief Executive of the Police Authority

**Background Papers** (*available from Stuart Pudney, Cleveland Police Authority 01642 301446*)

- CPA Code of Corporate Governance
- Cleveland Police Disciplinary Policy and Procedures for Police Staff