



**Cheshire  
Police & Crime  
Commissioner**



**Cheshire  
Constabulary**

## **Joint Management Board Terms of Reference**

### **Purpose**

To enable the Commissioner and Chief Constable to exercise their respective statutory functions and make decisions relating to strategic direction, policy issues, medium/long term planning and any matters which have significant resource or reputational issues, strategic implications or relate to a significant organisational restructure.

### **Scope of responsibilities**

- A** The Police & Crime Commissioner and the Chief Constable will jointly consider the following matters and in accordance with their respective powers make decisions where relevant (and in the case of the Chief Constable consider and endorse or otherwise for final decision by the Commissioner).
- 1) Consideration and approval of organisational strategies and policies which underpin the delivery of the Police and Crime Plan and Medium Term Financial Strategy, and any changes to those policies. Such strategies and policies will include but are not limited to:
    - a) People Strategy (to include early retirement, redundancy, ill health and Health and Safety policies and other policies as appropriate);
    - b) Estates Strategy;
    - c) Procurement Strategy;
    - d) Information Technology Strategy;
    - e) Fleet Strategy;
    - f) Asset Management Strategy;
    - g) Value For Money Strategy;
    - h) Reserve Strategy; and
    - i) Fees and Charges Handbook
  - 2) Securing collaboration between forces and others for the provision of policing and associated services where this is in the interests of efficiency and effectiveness of policing generally and discharge the functions of the Commissioner and the Chief Constable in relation to collaboration agreements.
  - 3) Considering policy, procedural and financial matters with specific reference to budget strategy and planning.
  - 4) Developing, agreeing and implementing a joint risk management framework.

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- 5) Approving the annual governance statements, and the draft and final statement of accounts.
- 6) Considering, as appropriate, any issues in relation to health and safety matters.
- 7) Where appropriate, considering and responding as appropriate to Government or other consultations on any relevant matter.

**B** In addition of section A above, the Police and Crime Commissioner will make decisions at the Board in relation to the following matters:

### **Service delivery**

- 1) Approving a Police and Crime Plan, setting out the strategic direction and local priorities for the provision of policing services.
- 2) Approving an annual report on the exercise of the Commissioner's functions and the progress made in meeting objectives set out in the Police & Crime Plan.
- 3) Developing, agreeing and where necessary reviewing a commissioning strategy and framework.

### **Finance and procurement**

- 4) Holding the police fund and maintaining accounts.
- 5) Approving the medium term financial strategy.
- 6) Agreeing the annual police budget, capital programme, precept and council tax.
- 7) Agreeing the annual treasury management strategy and determining the midyear and annual treasury management report.
- 8) Approving the commissioning or de-commissioning of services in relation to victims or crime and disorder in line with the Commissioner's commissioning strategy and framework. (Should any circumstances arise whereby the Constabulary is seeking to be the provider of a service commissioned by the Commissioner, the Commissioner will take decisions on the matter in the absence of Constabulary representatives).
- 9) Receiving financial assistance from any council within the police area either unconditionally or, subject to conditions.
- 10) Accepting any proposal involving the provision of sponsorship, gifts and loans to the Constabulary by a third party which may have reputational implications or involve costs / future year's commitments above £5,000 for the Commissioner or Constabulary.
- 11) Determining any matters in relation to the Commissioner's property portfolio including the provision of services and acquisition or disposal of property and other assets.

### **Corporate governance**

- 12) Developing, agreeing and implementing a Scheme of Corporate Governance including a Code of Corporate Governance, Rules relating to Business and Proceedings of the Commissioner, Scheme of Consent / Delegation, Financial Regulations, Rules relating to Contracts and the Memorandum of Understanding

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### People issues

- 13) Developing, agreeing and publishing an equality action plan, having due regard to the need to:
- promote diversity within the Office of the Police and Crime Commissioner;
  - eliminate unlawful discrimination;
  - promote equal opportunity;
  - promote good relations between persons of different diverse groups; and
  - monitor and communicate the use of stop and search powers.

### Communication, consultation and partnerships

- 14) Agreeing the Commissioner's strategy for communication and consultation to ensure that they remain effective in obtaining the views of the diverse range of local people and victims of crime on policing.

- 15) Considering and taking all decisions in relation to any matter which is conducive to the Commissioner's duties for co-operative working with partners as set out in the Police Reform and Social Responsibility Act 2011 and any other enactment.

### Representation and advice

- 16) Approving the provision of advice and assistance to an international organisation, institution or a police body outside the UK, subject to the consent of the Home Secretary.

### Ministerial direction, inspections and audit

- 17) Considering and determining the manner of compliance with any codes of practice issued by the Home Secretary relating to the discharge of the Commissioner's functions.

- 18) Considering and determining the manner of compliance with any direction made by the Home Secretary following an adverse report by HMICFRS, as to the budget requirement, or any other matter.

- 19) Considering and commenting on any published HMICFRS report on the Constabulary and ensuring that all appropriate action in response to any recommendations is taken by the Commissioner and the Constabulary.

- 20) Receiving and considering reports from the Independent Police Complaints Commission.

### Miscellaneous

- 21) Agreeing the Independent Custody Visiting, the Police Dog Welfare and Call Auditor schemes, including arrangements for appointing volunteers and reimbursing costs.

- 22) Considering and taking all decisions in relation to any matter which is conducive or incidental to the functions of the Commissioner.

### C The Chief Constable will make decisions at the Board in relation to the following matters:

- 1) Agreement to the Constabulary organisational structure and operating model for submission to the Commissioner for agreement (either at the same or subsequent meeting of the Joint Management Board).
- 2) Consideration of Constabulary decisions, policies and procedures which have significant strategic organisational, reputational issues or resource risk attached to them.
- 3) Consideration of items for which chief officers of the Constabulary are responsible as part of their portfolio that either require escalating or reporting back to Joint Management Board.

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**D** Matters which in the opinion of the Chief Finance Officer of the Commissioner, or the Chief Finance Office of the Chief Constable have, or are likely to have, significant resource, organisational or reputational implications.

**E** Matters which in the opinion of the Chief Executive, or the Head of Legal Services, need to be brought to the attention of the Board.

### Boundaries of responsibility

The Joint Management Board will not have responsibility for operational policing matters and the day-to-day management of the Constabulary.

### Membership

The Joint Management Board will provide the opportunity for the Commissioner and the Chief Constable to take decisions in each other's presence and with their relevant professional advisers (and the Deputy Commissioner) in attendance. The Commissioner and the Chief Constable will form the membership of the Board.

Sole authority for decision making lies with the Commissioner and the Chief Constable. Both corporations sole reserve the right to take decisions separately when relevant to fulfilling their separate legal roles.

The Deputy Commissioner, Chief Executive, Chief Finance Officer, Deputy Chief Constable, Assistant Chief Constable, Assistant Chief Officer and Head of Legal Services will act as advisers. The "Statutory Officers" (i.e. the Chief Executive as Monitoring Officer and the Section 151 officers of both the Commissioner and the Chief Constable) shall have the right to attend all Board meetings. Other professional advisers may be invited to attend as required.

### Quorum

If the Commissioner is not available the Chief Executive will represent the Commissioner, but shall not take any decisions which are reserved to the Commissioner under the Police Reform and Social Responsibility Act 2011. If the Chief Constable is not available, he will be represented by the Deputy Chief Constable.

The meeting will not operate as a committee with voting rights. The Commissioner and Chief Constable will consider the papers and the advice of attendees before making a decision on relevant issues.

### Frequency

The Joint Management Board will meet monthly. By necessity, there will be a requirement to have some sections of the Joint Management Board meetings open and others closed to the press and public.