



**Sussex
Police & Crime
Commissioner**

Scheme of Consent

2012/2013

Office of the Police & Crime Commissioner

Scheme of Consent

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Notes

1. **Within this document we refer to significant financial implication. This refers to items of spending of £500,000 or more which have not been budgeted for.**
2. **This document also refers to sensitive issues. These are unusual or exceptional circumstances which have arisen as a result of a risk assessment based on the PESTELO (Political, Economic, Social, Technological, Environmental, Legal, Organisational) method.**
3. **In this document, reference is made to the professional officers of the Police and Crime Commissioner and the Chief Constable. These professional officers are as follows:**
 - Professional Officers of the Office of the Sussex Police & Crime Commissioner: Chief Executive and Chief Financial Officer
 - Professional Officers of Chief Constable: Director of Finance and Director of Human Resources

Introduction

Under the Police Reform and Social Responsibility Act 2011 Sussex Police Authority will be abolished and replaced with the Police & Crime Commissioner for Sussex.

The scheme of consent details the key roles of the Police and Crime Commissioner, and those functions which are designated to the Chief Executive, Chief Finance Officer, a Deputy Police and Crime Commissioner (if appointed) and police staff under the direction and control of the Chief Constable but employed by the Police and Crime Commissioner.

Powers are given to the Chief Constable by laws, orders, rules or regulations. Also, national conditions of employment give powers to the Police and Crime Commissioner or the Chief Constable or, as in the case of police regulations, by the Secretary of State for the Home Department.

The Chief Constable is responsible for maintaining the Queen's Peace, and has direction and control over the forces' officers and staff. The Chief Constable holds office under the Crown, but is appointed by the Police and Crime Commissioner.

The Chief Constable is accountable to the law for the exercise of police powers, and to the Police and Crime Commissioner for the delivery of efficient and effective policing, management of resources and expenditure by the police force. At all times the Chief Constable, their constables and staff, remain operationally independent in the service of the public.

Under Section 18(3)(c) and (6) of the Police Reform & Social Responsibility Act 2011, the Police and Crime Commissioner is prohibited from delegating functions to a police constable (i.e. any warranted police officer). There can therefore be no direct delegation of any function by the Police and Crime Commissioner to the Chief Constable.

Following the initial transfer period all police staff will, including those under the direction and control of the Chief Constable, be on contracts of employment with the Police and Crime Commissioner, the latter is able to delegate functions to police staff up to the time that they transfer their employment to the Chief Constable under the Stage 2 proposals contained within the Police Reform & Social Responsibility Act 2011. The formal consents, listed in section 6 of this document, are therefore those given to either the Chief Constable's Director of Finance (Chief Constable's Chief Finance Officer) or Director of HR, who are not police officers, thereby allowing the Chief Constable to carry out effective day to day operational management of Sussex Police.

Both the Police and Crime Commissioner and the Chief Constable are required under the Police Reform and Social Responsibility Act 2011 to appoint a person to be responsible for the proper administration of their respective financial affairs (the Chief Finance Officer). The Police and Crime Commissioner's Chief Finance Officer will be referred to as the Chief Financial Officer, whilst the Chief Constable's Chief Finance Officer will be referred to as the Director of Finance.

This scheme of consent provides a framework which makes sure the business is carried out efficiently, ensuring that decisions are not unnecessarily delayed. At the same time it helps ensure that the Police and Crime Commissioner is protected from risks associated with being the person who is held to account for all the decisions made.

The scheme of consent is to be reviewed annually at the start of the financial year. This scheme of consent document should be read with other documents such as the Statement of the Principles of working relationship between the Office of the Sussex Police & Crime Commissioner and the Chief Constable, standing orders and financial regulations.

Standing orders and financial regulations also specify powers given to the Chief Executive, the Chief Financial Officer, the Director of Finance and the Director of HR (the professional officers), either individually or jointly. This scheme of consent aims to clarify the roles of the professional officers. This scheme of consent also aims to clarify those powers which, for the benefit of good business practice, are given by the Police and Crime Commissioner to the members of the police staff who are under the direction and control of the Chief Constable. They set out any limitations on the designated powers, including requirements to report back and the extent to which powers designated to the professional officers can be delegated to others.

The powers given to the professional officers by the Police and Crime Commissioner should be exercised in line with the law, standing orders and financial regulations, and also policies, procedures, plans, strategies and budgets

This scheme of consent does not identify all the statutory duties which are contained in specific laws and regulations.

1. Key Roles of the Police and Crime Commissioner and the Chief Constable

1.1 As set out in the Policing protocol Order 2011, the key roles of the Police and Crime Commissioner are to:

- set the strategic direction and objectives of the force through the Police and Crime Plan which must have regard to the Strategic Policing Requirement set by the Home Secretary;
- scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan;
- hold the Chief Constable to account for the performance of the force's officers and staff;
- decide the budget, allocating assets and funds to the Chief Constable; and set the precept for the force area;
- appoint the Chief Constable
- remove the Chief Constable subject to following the process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996(a);
- maintain an efficient and effective police force for the police area;
- enter into collaboration agreements with other Police and Crime Commissioners, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where this relates to the functions of the police force, then it must be with the agreement of the Chief Constable);
- provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action;
- hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable;
- publish information specified by the Secretary of State and information that the Police and Crime Commissioner considers necessary to enable the people who live in the force area to assess the performance of the Police and Crime Commissioner and Chief Constable;
- comply with all reasonable formal requests from the Panel to attend their meetings;
- prepare and issue an annual report to the Panel on the Police and Crime Commissioner's delivery against the objectives set within the Plan;
- monitor all complaints made against officers and staff, whilst having responsibility for complaints against the Chief Constable.

- 1.2 Additional key roles of the Police and Crime Commissioner include:
- make crime and disorder reduction grants
 - approve the annual statement of accounts
 - meet the requirement of the Freedom of Information Act 2000 relating to publication schemes
 - keep to all human rights and equality laws and ensure the CC and those under his/her control exercise these duties
 - maintain an effective independent custody visiting scheme for monitoring facilities for people being held in custody
- 1.3 The Police and Crime Commissioner is the legal contracting body who owns all the assets and liabilities, with the responsibility for the financial administration of his/her office and the force, including all borrowing limits.
- 1.4 The Police and Crime Commissioner will receive all funding, including the government grant, precept, and other sources of income related to policing and crime reduction. All funding for the Force must come via the Police and Crime Commissioner. How this money is allocated is for the Police and Crime Commissioner to decide in consultation with the Chief Constable, subject to any grant terms or conditions.
- 1.5 The Police and Crime Commissioner will be held to account by the Police and Crime Panel, who will scrutinise his/her decisions. The Panel has a check and balance role on the Police and Crime Commissioner, rather than on the Chief Constable.
- 1.6 The Police and Crime Commissioner may appoint a deputy to exercise his/her functions, with the exception of those which can not be delegated. This scheme sets out those functions which could be delegated if such an appointment was made. The scheme also sets out those functions where delegated authority has been given to officers, in accordance with paragraph 20 of the Act.
- 1.7 As set out in the Statutory Instruments Policing Protocol 2011 the Chief Constable is responsible to the public and accountable to the Police and Crime Commissioner for:
- Leading the force in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts with impartiality;
 - Appointing the force's officers and staff (after consultation with the Police and Crime Commissioner, in the case of officers above the rank of chief Superintendent and police staff equivalents);
 - Supporting the Police and Crime Commissioner in the delivery of the strategy and objectives set out in a Police and Crime Plan;
 - Assisting the Police and Crime Commissioner in planning the force's budget having regard to the Strategic Policing Requirement;

- Providing the Police and Crime Commissioner with access to information, officers and staff as required
- Having regard to the Strategic Policing Requirement when exercising their policing activity in respect of their force's national and international policing responsibilities
- Notifying and briefing the Police and Crime Commissioner of any matter or investigation which the Police and Crime Commissioner may need to provide public assurance in company with the Chief Constable;
- Being the operational voice of policing in the force area and regularly explaining to the public the operational actions of officers and staff under their command;
- Entering into collaboration agreements between other Chief Constables, other policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of their respective Policing Bodies. Where collaboration would provide the best outcome for another police force or group of forces, then a chief officer or policing body should pursue it - even if they do not expect their own force to benefit directly itself. This is designed to ensure that collaboration takes place wherever it is in the wider public's best interest.
- Remaining politically independent of the Office of Police and Crime Commissioner;
- Managing all complaints against the force, its officers and staff, including those of ACPO rank, and ensuring that the Police and Crime Commissioner is kept abreast of developments of those complaints in a regular and timely fashion;
- Exercising the power of direction and control in such a way as is reasonable to enable their Police and Crime Commissioner to have access to all necessary information and staff within the force; and
- Having day-to-day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the Police and Crime Commissioner.

2 General principles of consent

- 2.1 The Police and Crime Commissioner may ask that a specific matter is referred to him/her for a decision and not dealt with under powers of consent.
- 2.2 The scheme does not attempt to list all matters which form part of everyday management responsibilities of the Police and Crime Commissioner and the Chief Constable.
- 2.3 Giving consent to police staff under this scheme does not prevent an individual from referring a matter to the Police and Crime Commissioner for a decision if the staff member thinks this is appropriate (for example, because of sensitive issues or any matter which may have a significant financial implication).

- 2.4 When a professional officer is considering a matter that is outside his/her area of professional expertise and responsibility, they should consult with the appropriate individuals who have the relevant professional expertise before authorising action.
- 2.5 All decisions professional officers make under powers delegated to them by the Police and Crime Commissioner must be properly documented and available for inspection at any time by the Police and Crime Commissioner and/or the Chief Constable as appropriate.
- 2.6 In this document, reference is made to the professional officers, the Chief Executive, the Chief Financial Officer, Director of Finance and Director of HR and, includes officers authorised by them to act on their behalf.
- 2.7 The professional officers are responsible for making sure that the members of staff they supervise know about the provisions and obligations of this scheme of consent.
- 2.8 The person appointed as the Chief Executive (who will also be the Monitoring Officer) and the Chief Financial Officer (section 127 officer) have statutory powers and duties relating to their positions, and therefore do not rely on matters being delegated to them to carry these out.
- 2.9 The scheme of consent provides police staff with the legal power to carry out duties of the Police and Crime Commissioner. In carrying out these duties the officer must comply with all other statutory and regulatory requirements and relevant professional guidance including:
- The Police and Social Responsibility Act 2011 and other relevant legislation issued under this Act.
 - Financial Regulations
 - Home Office Financial Management Code of Practice
 - CIPFA Statement on the role of the Chief Finance Officer in public service organisations
 - Contract Regulations
 - The Police and Crime Commissioner's governance framework
 - The Police and Crime Commissioner's and Chief Constable's employment policies and procedures.
 - Employment Rights Act 1996
 - Equality Act 2010
 - The Data Protection Act 1998 and the Freedom of Information Act 2000
 - Local Government Finance Act 1988
 - Accounts and Audit Regulations 2011
 - Health and safety at work legislation and codes.

2.10 When carrying out any duties, the Police and Crime Commissioner and staff must have regard to the following:

- The views of the people in Sussex
- Any report or recommendation made by the Police and Crime Panel on the annual report for the previous financial year.
- The Police and Crime Plan and any guidance issued by the Secretary of State.

(This list is a summary and is not exhaustive)

2.11 The Police and Crime Commissioner may appoint any member of the police staff to carry out any function, with the exception of those listed below:

- Issuing the Police and Crime Plan
- Determining objectives in the Police and Crime Plan
- Decision on budget requirements
- Making recommendations to the Home Secretary in relation to the appointment of the Chief Constable
- Making representations in relation to the appointment of Chief Officer posts
- Being consulted in relation to the appointment or removal of Chief Officer posts
- Suspension of the Chief Constable, or asking him or her to resign or retire
- Attendance at the Police and Crime Panel for specified duties

2.12 The Police and Crime Commissioner may give additional consent under section 18 of the Police and Social Responsibility Act 2011. This scheme is a record of the formal consents that are in effect at the time of its publication. The Police and Crime Commissioner's governance framework, including the scheme of consent will be reviewed annually. With the exception, of those matters listed in paragraph 2.11, the scheme allows any person, with appropriate authority, to delegate that power further.

2.13 The Police and Crime Commissioner must not restrict the operational independence of the Force or that of the Chief Constable who leads it.

2.14 To enable the Police and Crime Commissioner to exercise the functions of their office effectively they will need access to information, officers and staff within the Force. This access must not be unreasonably withheld or obstructed by the Chief Constable, or restrict the Chief Constable's direction and control of the Force.

2.15 The Police and Crime Commissioner has a wider responsibility than those solely relating to the Force, namely:

- The delivery of community safety and crime reduction

- The ability to bring together community safety partnerships in Sussex
- The ability to make crime and disorder reduction grants for the Sussex area
- The enhancement of the delivery of criminal justice in Sussex
- A duty to ensure that all collaboration agreements with other local policing bodies and forces deliver better value for money and enhance the effectiveness of policing capabilities and resilience. The Home Office Circular: 014-2011 states that:
 - The Chief Constable and Police and Crime Commissioner have a duty to keep collaborative arrangements under review.
 - The Police and Crime Commissioner will be required jointly to hold their chief constables to account for the way functions are discharged under a collaboration agreement.
 - The Police and Crime Commissioner has a duty to consider collaborations where it is in the interests of efficiency and effectiveness of their own or other police forces.
 - The Police and Crime Commissioner has a duty to collaborate in the wider public interest even if their own force would not benefit directly.

3. Functions designated to the Deputy Police and Crime Commissioner (if appointed)

Introduction

- 3.1 The Police and Crime Commissioner may appoint a deputy to exercise his/her functions (except those which can not be delegated, these are listed in paragraph 2.11). The Deputy Police and Crime Commissioner can give consent to the Chief Executive to carry out any functions in his/her absence (defined as leave or illness).
- 3.2 The scheme lists some of those functions and decisions which may be delegated to the Deputy Police and Crime Commissioner.

4 Functions designated to the Chief Executive, Office of the Sussex Police & Crime Commissioner

Introduction

The Chief Executive is the head of the Police and Crime Commissioner's staff, and is also the Monitoring Officer for the Police and Crime Commissioner.

The formal consents, listed below, are those given to the Chief Executive, which are in effect at the time of the publication of the scheme.

General Consents to the Chief Executive:

- 4.1 To act as 'monitoring officer' under section 5(1) of the Local Government and Housing Act 1989.
- 4.2 Prepare the police and crime plan in consultation with the Sussex public and Chief Constable for submission to the Police and Crime Commissioner.
- 4.3 Produce an annual report.
- 4.4 Provide information to the Police and Crime Panel, as reasonably required to enable the Panel to carry out its functions.
- 4.5 To sign all contracts on behalf of the Police and Crime Commissioner (and Deputy Police and Crime Commissioner if appointed) in accordance with any decisions either has made.
- 4.6 To consider whether, in consultation with the Chief Financial Officer, to provide indemnity to the Police and Crime Commissioner (and Deputy Police and Crime Commissioner if appointed) in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004 and to deal with or make provision to deal with other matters arising from any proceedings relating to them.
- 4.7 To consider and approve, in consultation with the Chief Financial Officer, provision of indemnity and/or insurance to individual staff of the Police and Crime Commissioner in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004.
- 4.8 To issue certificates staff have asked for to make them exempt from political restrictions under the correct legal provisions.

Financial Consents to the Chief Executive:

- 4.9 To approve expenses in exceptional cases in the provision of police advice and assistance to international agencies as set out in the Financial Regulations or the case is of a sensitive nature involving travel to a politically sensitive country.
- 4.10 To manage the budget of the Office of the Sussex Police & Crime Commissioner, along with the Chief Financial Officer, in line with the Financial Regulations.

- 4.11 To commit expenditure within the approved budget of the Office of the Police & Crime Commissioner to meet the policies and objectives agreed with the Police and Crime Commissioner and reflected in the Policing Plan.
- 4.12 To manage grants awarded by the Police and Crime Commissioner or Deputy Police and Crime Commissioner if appointed.
- 4.13 To authorise payments, without having to get approval and regardless of whether or not provision has been made in the revenue budget in relation to:
- payments we have to make by law
 - payments ordered by the court
 - payments due under any agreement entered into by the Police and Crime Commissioner.
- 4.14 To fix fees for copies of documents and extracts of documents members of the public ask for under the Local Government (Access to Information) Act 1985, the Freedom of Information Act 2000, or the Data Protection Act 1998.

Human Resources Consents to the Chief Executive:

- 4.15 To appoint and dismiss, in consultation with the Police and Crime Commissioner, all staff employed by the Police and Crime Commissioner who are not under the direction and control of the Chief Constable, in line with the Police and Crime Commissioner's and Chief Constable's employment policies and procedures.
- 4.16 To make recommendations to the Police and Crime Commissioner with regard to staff terms and conditions of service, in consultation with the Chief Financial Officer and the Director of HR.
- 4.17 To undertake the management of staffing resources for all staff employed by the Police and Crime Commissioner (and not under the direction or control of the Chief Constable) in line with agreed policies and procedures.
- 4.18 To make arrangements to institute, defend, withdrawal or settle any claims or legal proceedings on the Commissioners behalf, in consultation with the Legal Adviser (and Chief Finance Officer if there is significant financial implications).
- 4.19 In consultation with the Legal Adviser, to settle appeals against decisions of the Scheme Administrator of the Local Government Pension Scheme, in line with the Occupational Pension Schemes (Internal Dispute Resolution Procedures) Regulations 2008

Other Consents to the Chief Executive:

- 4.20 To affix the common seal of the Police and Crime Commissioner:
- To all contracts, agreements or transactions in respect of which there is no consideration
 - To contracts, agreements or transactions:
 - that relate to the provision of goods and services by the Police and Crime Commissioner to another body as set out in the Financial Regulations
 - which grant or convey an interest in land
 - which represent grants of £150,000 or above
 - where it is determined by the Police and Crime Commissioner (or Deputy Police and Crime Commissioner if appointed) there is a particular need for the seal to be attached
- 4.21 To authorise people to make, defend, withdraw or settle any claims or legal proceedings on the Police and Crime Commissioner's behalf, taking legal advice and consulting with the Chief Financial Officer if there is significant financial implication.
- 4.22 To consider, with the Police and Crime Commissioner, any referred complaints made against the Chief Constable..
- 4.23 To respond to consultations on proposals affecting the Police and Crime Commissioner, if necessary, after first taking the views of the Police and Crime Commissioner, the Chief Financial Officer or the Chief Constable, as appropriate.
- 4.24 To obtain legal or other expert advice and to appoint legal professionals whenever this is considered to be in the Police and Crime Commissioner's best interests and for his/her benefit.
- 4.25 To make arrangements to institute, defend or participate in any legal proceedings in any case where such action is necessary.
- 4.26 To make sure, in consultation with the Chief Constable, appropriate arrangements are made to gather the community's views on the policing of Sussex and preventing crime.

5 Functions delegated to the Chief Financial Officer of the Police and Crime Commissioner for Sussex

Introduction

The Chief Financial Officer is the financial adviser to the Police and Crime Commissioner as required under the Police Reform and Social Responsibility Act 2011 and has statutory responsibility to manage his/her financial affairs as set out in sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2011.

The Chief Financial Officer must ensure that the financial affairs of the Police and Crime Commissioner, and the Force are properly administered having regard to their probity, legality and appropriate standards

The Deputy Chief Financial Officer is authorised to undertake the functions of the Chief Financial Officer in his/her absence.

Consents to the Chief Financial Officer

The formal consents, listed below, are those given to the Chief Financial Officer, which are in effect at the time of the publication of this scheme:

- 5.1 To approve the arrangements for securing and preparing the Police and Crime Commissioner's accounts, and seek assurances that there are appropriate arrangements in place for the preparation of the Force's accounts.
- 5.2 To approve the arrangements for the treasury management function, including the day to day management, the production of the treasury management strategy and supporting policies and procedures.
- 5.3 To be responsible for all banking arrangements, together with creating, closing or authorising all bank accounts.
- 5.4 To be responsible for investing and borrowing money, as necessary, in line with the treasury management strategy.
- 5.5 To act as 'Money Laundering Reporting Officer' under the Proceeds of Crime Act 2002 and Money Laundering Regulations 2003.
- 5.6 To be the authorised signatory for all payments including cheques.
- 5.7 To prepare and annually review draft financial and contract regulations, in consultation with the force, for approval by the Police and Crime Commissioner, or Deputy Police and Crime Commissioner, if appointed.
- 5.8 To prepare and annually review draft expenses and benefits framework for Force Chief Officers for approval by the Police and Crime Commissioner.

5.9 To approve when all other goods (except Force goods under £10,000 when the Director of Finance will approve) are surplus to requirements or obsolete and arrange for disposal in line with financial regulations.

5.10 To authorise the write off of bad debt. The write off of bad debt and waiver of income can be authorised by either the Police and Crime Commissioner's Chief Financial Officer or the Chief Constable's Director of Finance for amounts up to the level shown below. Amounts for write-off above this value must be referred to the Police and Crime Commissioner for approval, supported by a written report explaining the reasons for the write-off.

Up to £10,000	Director of Finance and/or Chief Financial Officer
£10,000 to £50,000	Director of Finance in consultation with the Chief Executive or the Chief Financial Officer
Over £50,000	Police and Crime Commissioner

5.11 Provide for an adequate and effective internal audit service.

5.12 To report to the Police and Crime Commissioner and the external auditor any unlawful or potentially unlawful spending by his/her, or the force's officers.

6. Functions delegated to staff under the direction and control of the Chief Constable; Director of Finance (as Chief Finance Officer to the Chief Constable), and the Director of HR

Introduction

The Police and Crime Commissioner, is able to delegate functions to police staff up to the time that they transfer their employment to the Chief Constable under the Stage 2 proposals contained within the Police Reform & Social Responsibility Act 2011. The formal consents, listed below, are therefore those given to the Director of Finance and the Director of HR, who are police staff.

Financial

6.1 The Chief Constable will appoint a Chief Financial Officer (financial advisor) as required under the Police Reform and Social responsibility Act 2011. In Sussex this will be the post of Director of Finance.

6.2 The Chief Constable has the day-to-day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the Police and Crime Commissioner. The Director of Finance, as financial adviser, to the

Chief Constable will, under his direction and control, ensure that the financial affairs of Sussex Police are properly administered having regard to probity, legality, and appropriate standards.

- 6.3 The Director of Finance will exercise formal consents in consultation with the Chief Constable and in accordance with financial regulations and his/her statutory responsibilities. The formal consents, listed below, are those given to the Director of Finance, which are in effect at the time of the publication of this scheme.

Financial Consents to the Director of Finance:

- 6.4 To undertake the day to day management of the budget received by the Chief Constable from the Police and Crime Commissioner for Sussex.
- 6.5 To assist the Police and Crime Commissioner in planning budgets.
- 6.6 To approve business cases for revenue and capital expenditure up to £0.5m as set out in the Financial Regulations, with the exception of expenditure proposals of an exceptional nature.
- 6.7 To commit expenditure within the approved budget to meet policies and objectives agreed with the Police and Crime Commissioner and reflected in the Police and Crime Plan and Operational Delivery Plan.
- 6.8 To meet the Chief Constable's Operational Delivery Plan, transfer or move budgets between budget headings up to £0.5m, on a permanent or temporary basis as set out in the Financial Regulations notifying and agreeing with the Police and Crime Commissioner through the agreed financial and budget reporting processes.
- 6.9 To approve sponsorship arrangements in line with the Financial Regulations.
- 6.10 To approve bids for grant funding in line with the Financial Regulations.
- 6.11 To approve, all agreements for the provision of services to other organisations with a value below £1.0m. (This does not apply to the provision of mutual aid by the Chief Constable to another force under section 24 of the Police Act 1996, or the provision of advice or assistance to international organisations under the Police Act 1996, which are operational matters. However these are subject to consultation with the Police and Crime Commissioner).
- 6.12 To approve the provision of policing services to external bodies where the contract is less than £1.0m, in line with the Force Income Generation and Charging policy and ACPO guidance on charging for police services.

- 6.13 To undertake the day to day management of the insurance function in line with the strategy approved by the Police and Crime Commissioner on an annual basis.
- 6.14 To approve non exceptional cases in the provision of police advice and assistance to international agencies.
- 6.15 To approve the write off of bad debt. The write off of bad debt and waiver of income can be authorised by either the Police and Crime Commissioner's Chief Financial Officer or the Chief Constable's Director of Finance in respect of amounts up to the level shown below. Amounts for write-off above this value must be referred to the Police and Crime Commissioner for approval, supported by a written report explaining the reasons for the write-off.

Up to £10,000	Director of Finance and/or Chief Financial Officer
£10,000 to £50,000	Director of Finance in consultation with the Chief Executive or the Chief Financial Officer
Over £50,000	Police and Crime Commissioner

Procurement Consents to the Director of Finance;

- 6.16 To undertake the day to day management of the procurement function in accordance with the financial regulations and contract standing orders.
- 6.17 To approve the award of all contracts less than £1.0m in line with Financial Regulations and contract Standing Orders, subject to any call in procedure for contract awards agreed between Police and Crime Commissioner and Director of Finance. The Police and Crime Commissioner must be notified in writing of the outcome of the tender process for all contracts awards in excess of £1.0m.
- 6.18 To approve all unforeseen variations and extensions for contracts with the exception of those:
- called in through the agreed call in procedure
 - with an original value of £5.0m or above which the Police and Crime Commissioner has to approve.
- 6.19 To approve all contract awards classified as exemptions in the Financial Regulations of less than £100,000.
- 6.20 To approve all requests to go out to tender for contracts as set out in the Financial Regulations.

- 6.21 To approve the early termination of all contracts below £5.0m in value with the exception of those felt to be of an exceptional nature which must be referred to the Police and Crime Commissioner for approval.

Property Consents to the Director of Finance:

- 6.22 To undertake the day to day management of the property function in accordance with the financial regulations and contract standing orders.
- 6.23 To acquire freeholds below £1.0m and leaseholds with a contract rental value below £1.0m over the lifetime of the lease, in line with Financial Regulations and in consultation with the Chief Financial Officer.
- 6.24 To approve all requests to grant a lease with a total contract value below £1.0m over the lifetime of the lease, in line with Financial Regulations and in consultation with the Chief Financial Officer.
- 6.25 To dispose of all properties with an estimated value below £1.0m included on the annual schedule submitted to the Police and Crime Commissioner at the beginning of each financial year or otherwise agreed by the Police and Crime Commissioner, in line with Financial Regulations.
- 6.26 To dispose of all properties with an estimated value of £1.0m or above, which have previously been approved by the Police and Crime Commissioner, in consultation with the Chief Financial Officer, in line with Financial Regulations. The Police and Crime Commissioner must be notified of all disposals over £10m in writing.
- 6.27 To keep a register of all property and major assets owned by the Police and Crime Commissioner or leased by him/her showing a current valued at £50,000 or above in respect of property, £10,000 in respect of equipment and all vehicles.

Other Consents to the Director of Finance:

- 6.28 To determine, under the direction and control of the Chief Constable when all other goods are surplus to requirements or obsolete and arrange for their disposal in line with financial regulations.
- 6.29 To sign all contracts on behalf of the Chief Constable where they are funded within the approved Revenue Budget or Capital Programme, irrespective of value, once they have been properly approved, except those which are required to be executed under the common seal of the Police and Crime Commissioner. In these cases the Chief Executive is authorised to sign and affix the seal.

- 6.30 To, to buy or lease the vehicles, machinery, equipment and services needed and to make arrangements for them to be used, disposed of, returned and replaced as appropriate
- 6.31 Under the direction and control of the Chief Constable, to exercise the powers and duties of the Police (Property) Regulations 1997 by:
- authorising, where appropriate, requests to donate unclaimed lost property to charity; and
 - approve the keeping of unclaimed lost property if it can be put to good use for police purposes.

Human Resources

- 6.32 The Chief Constable will appoint a Director of HR to be responsible for instructing and managing people employed by the Police and Crime Commissioner within Sussex Police, in line with section 15(2) of the Police Act 1996.
- 6.33 The Chief Constable has the day-to-day responsibility for managing all police officers and staff. The Director of HR, as HR adviser to the Chief Constable will, under his direction and control, ensure that the staffing affairs of Sussex Police are properly administered having regard to probity, legality, and appropriate standards.
- 6.34 The formal delegations, listed below, are those given to the Director of HR by the Police and Crime Commissioner, which are in effect at the time of the publication of this scheme. The Director of HR will exercise these delegations in consultation with the Chief Constable and in accordance with all relevant legislation.

Human Resource Consents to the Director of HR:

- 6.35 Manage, as far as is allowed by government directives, and under the direction and control of the Chief Constable, the numbers, locations, ranks and grading of police staff and police officers within the overall workforce budget approved by the Police and Crime Commissioner except for posts at chief-officer level which the Police and Crime Commissioner should be consulted on.
- 6.36 To appoint all Sussex Police staff, except for posts of Deputy Chief Constable, Assistant Chief Constable(s), Director of Finance and Director of Human Resources, which the Police and Crime Commissioner should be consulted on.
- 6.37 To authorise, in line with police staff conditions of service and Police Regulations, the suspension or dismissal of any officer or member of police staff not appointed to the Office of the Police and Crime Commissioner.

- 6.38 To be responsible for the payroll and pensions functions within Sussex Police.
- 6.39 To approve policy staff flexible retirement, requests in line with policy and the interests of the efficiency of the service.
- 6.40 To approve the appointment or secondment of police officers for central services or overseas duty.
- 6.41 To bring national agreements on salaries, wages and conditions into effect on the clear understanding that any issues which are sensitive or have major financial implications will be reported to the Police and Crime Commissioner.
- 6.42 To negotiate with, and reach agreements with, recognised trade unions and staff associations on any matters that can be decided locally. All agreements reached must be reported back to the Police and Crime Commissioner and any issue which are sensitive or have major financial implications will be referred to the Commissioner for a decision.
- 6.43 To approve payments under any bonus or performance-related payment schemes approved by the Police and Crime Commissioner, honoraria payments made for taking on extra duties and responsibilities, or similar special payments. However, all payments relating to the Chief Constable's Review/Bonus Scheme can only be approved by the Police and Crime Commissioner.
- 6.44 To grant essential or casual car-user allowances.
- 6.45 To issue certificates staff have asked for to make them exempt from political restrictions under the legal provisions of the Local Government and Housing Act
- 6.46 To approve the retirement of police officers and police staff up to and including the rank of Chief Superintendent on the grounds of ill health, and the payment of ordinary and ill-health pensions and other payments, as appropriate, following advice from the Force Medical Examiner or a medical practitioner. However, the Police and Crime Commissioner must be consulted on the retirement of the Deputy Chief Constable and Assistant Chief Constables. All ill-health retirements must be reported to the Police and Crime Commissioner.
- 6.47 To provide financial assistance to police officers (and, if considered appropriate, police community support officers, members of the special constabulary and police staff) in legal proceedings taken by or against them, as long as they act in good faith and exercise reasonable judgement in performing their police duties. This action must be taken

in line with Home Office advice and after consulting the Chief Executive (who will take legal advice if necessary).

Legal Consents to the Director of HR:

6.48 The Director of HR will approve the financial settlement of all claims or requests for compensation felt to be non significant unless:-

- there is a significant financial implication
- they involve a high profile claimant including Association of Chief Police Officer (ACPO) rank police officers
- there is particular public interest in the case
- there is a real risk that the Police and Crime Commissioner or Sussex Police will be exposed to serious public criticism or serious weaknesses in the organisation or policies and procedures will be revealed.
- it is not the nature of a test case

when the Police and Crime Commissioner will be consulted.

6.49 The Director of HR will oversee the settlement of employment tribunal cases and grievances of staff under the direction and control of the Chief Constable with the exception of those cases felt to be exceptional because:-

- there is a significant financial implication
- they involve a high profile claimant
- there is a particular public interest in the case there is a real risk that the Police and Crime Commissioner or Sussex Police will be exposed to serious public criticism or serious weaknesses in the organisation or polices and procedures will be revealed.

when the Police and Crime Commissioner will be consulted.

6.50 Institute, defend or participate in legal actions to protect the interests of Sussex Police.

7 Urgent matters

7.1 If any matter which would normally be referred to the Police and Crime Commissioner (or Deputy Police and Crime Commissioner, if appointed) for a decision arises and cannot be delayed, the matter may be decided by the appropriate chief officer.

7.2 The appropriate chief officers authorised to decide urgent matters are:

- the Chief Executive (all issues other than operational matters);

- the Chief Financial Officer (financial and related issues)
- the Chief Constable (operational and financial issues affecting Sussex Police).

7.3 Urgent decisions taken must be reported to the Police and Crime Commissioner as soon as practically possible.