

Record of Decision

ORIGINATOR: Head of Policy
Coordination & Research

REFERENCE: OPCC.D.028.21

TITLE: Schemes of Consent

OPEN **CONFIDENTIAL**

Reason if Confidential:

EXECUTIVE SUMMARY

The Police Reform and Social Responsibility Act 2011 together with other legislation and regulations defines the roles and responsibilities of the Commissioner together with statutory functions. Section 18 of the Act permits the Commissioner to delegate certain functions.

Whilst a large number of formal powers to make decisions rest with the Commissioner, in practice their Chief Executive, Chief Finance Officer and the Chief Constable need to make decisions if they are to do their jobs effectively.

The Schemes of Consent detail the key responsibilities of the Commissioner, and recognising certain decisions cannot be delegated by law, provide clarity to the Chief Executive, Chief Finance Officer and the Chief Constable about the extent to which they can make decisions and the extent to which they must seek the Commissioner's views. Until such Schemes are in place, they effectively have no powers to make decisions (except the Chief Constable's ability to take operational decisions).

Following the Police and Crime Commissioner's re-election in May 2021, the Schemes of Consent have been reviewed and updated. They are supported by other key elements of governance including the Financial Regulations and Standing Orders.

The Schemes do not identify all the statutory duties contained in specific laws and regulations, nor do they attempt to list all matters which form part of everyday management responsibilities.

RECOMMENDATION

The Commissioner is recommended to adopt the proposed Schemes of Consent.

DECISION

To endorse and sign the Schemes of Consent for:

- the Chief Executive and Chief Finance Officer; and
- the Chief Constable.

Chief Finance Officer:

Comments: I am content that the Schemes of Consent have been reviewed and reflect the current governance arrangements; they allow appropriate decisions to be made.

Signature: 

Date: ... 14 May 2021

Chief Executive:

Comments: Commissioner, as with your previous term. These Schemes of Consent allow us to discharge our responsibilities lawfully, efficiently and effectively. All significant matters will continue to be brought to your personal attention for your direct authority and support.

Signature: 

Date: ... 14 May 2021

POLICE AND CRIME COMMISSIONER FOR KENT

Comments: Supports the continuation of the strong working relationship between the OPCC and Kent Police and sets out the distinct roles of the two organisations.

Signature: 

Date: ... 14 May 2021

BACKGROUND DOCUMENTS:

Schemes of Consent for:

- the Chief Executive and Chief Finance Officer
- the Chief Constable

IMPACT ASSESSMENT:

Police and Crime Plan
(please indicate which objectives decision/recommendation supports)

Supports delivery of the Commissioner's priorities through effective and efficient governance arrangements. Ensures a balance between giving the Chief Constable, Chief Executive and Chief Finance Officer reasonable managerial freedom and retaining the Commissioner's ability both to hold the Force to account and to give direction to the Office of the Police and Crime Commissioner.

Has an Equality Impact Assessment been completed?

Yes No *(If yes, please include within background documents)*

Will the decision have a differential/adverse impact on any particular diversity strand?
(e.g. age, disability, gender reassignment, race, religion/belief, sex, sexual orientation, marriage/civil partnership, pregnancy/maternity)

Yes No
The Schemes of Consent support effective governance and are administrative in nature. Therefore, they do not have a differential/adverse impact on any particular strand of diversity.