



**Warwickshire**  
POLICE AUTHORITY

*The authority behind the force*

## **Protocols**

- 1) Member/Officer Relations (Police Authority)**
- 2) Police Authority/Police Force**

Updated : June 2009

## Protocol on Member/Officer Relations (Police Authority)

This protocol, which has been approved by the Police Authority, sets out a number of points which both Members and Officers should have regard to in their dealings with each other.

1. Both Members and Officers are servants of the public and are indispensable to one another. However, their responsibilities are distinct. It is important that there is clarity about how the respective Member and Officer roles are carried out but this can only be achieved if there is mutual understanding and good communication. Members are responsible to the people of Warwickshire for the provision of policing services and serve only as long as their term of office lasts. Officers are responsible to and are employed by the Authority but not by individual Members.

2. Both Members and Officers have a variety of roles to undertake. However, the principal roles may be stated as follows:-

**Members** – to define the Authority’s core values, to identify priorities and to ensure that decisions are taken both to enable those priorities to be put into place and also to ensure that the Authority complies with its various statutory duties and functions.

**Officers** – to provide information, administrative support and advice to enable Members to take necessary decisions and to undertake the professional work required to implement Member decisions.

Where it is necessary to formally record the Authority’s position on a particular matter (whether in correspondence or otherwise) this should be done by the appropriate Authority officer.

3. Members and Officers need to be aware of the pressures which each face when trying to fulfil their different roles. The following points should always be borne in mind:-

(1) Whilst mutual respect between Members and Officers is essential to the efficient running of the Authority, close personal familiarity between individual Members and Officers can damage this relationship and may prove an embarrassment both to other Members and Officers and to the Authority as a whole. Additionally, Members should not ask Officers to assist or otherwise become involved in a Member’s own business or personal activities.

(2) Members should remember that Officers cannot respond to personal criticism in the same way that Members are able to. They should also take care in their contact with Officers, and in particular with less senior members of staff to avoid any action which might be seen as constituting oppressive behaviour or bullying.

(3) Officers have a duty to give objective unbiased professional advice even if this is not what Members wish to hear. They must do this as much for the protection of Members as for any other reason. From time to time this may mean advising Members that a course of action which Members wish to pursue cannot be carried out.

(4) Members and Officers need, in the course of their duties, to exchange confidential information and be sure that such information will not be the subject of unauthorised disclosure to a third party.

- (5) When making an Officer appointment, Members must always work on the basis of identifying the candidate who would best serve the interests of the Authority as a whole. Members should never let any political or personal preferences influence their judgement. They should not canvass the support of colleagues for any candidate and should resist any attempt by any other Member to canvass them.
4. At all times both Members and Officers should take care to ensure observance of the Code of Conduct.
5. If any Member or Officer considers that any individual is not observing the terms of this Protocol then the Member or Officer concerned should not attempt to pursue the matter themselves but should report to the Chair or Chief Executive of the Authority.

## **Protocol Governing the Relationship between the Authority and the Force**

In order to foster and maintain the open, mutually supportive yet constructively challenging relationship between the Authority, the Chief Constable and the Force, the following principles, guidelines and practices have been developed. They are intended to underpin a culture and climate of mutual trust, confidence and openness in which both responsibility and accountability is clear.

### **Principles**

It is the Chief Constable's job:

- to have direction and control of Warwickshire Police;
- to lead Warwickshire Police;
- to formulate policy;
- to manage operational policing;
- to make the best use of financial and other resources made available by the Police Authority;
- to deliver efficient and effective policing.

It is the Police Authority's job:

- to secure an efficient and effective policing service for Warwickshire;
- to promote, support and uphold Warwickshire Police;
- to ensure through consultation that the demands and aspirations for policing of local people are reflected in policing policy;
- to determine an affordable budget;
- to monitor and review policing performance and to hold the Chief Constable to account;
- to account to the people of Warwickshire for policing performance;
- to issue a three year local policing plan and local policing summaries;
- to appoint the Chief Constable and other chief police officers.

### **Guidelines**

The Authority and the Chief Constable will be successful in carrying out these roles only if they do so in a spirit of partnership. The following guidelines flesh out the mutual expectations and responsibilities that are more likely to make this happen.

	<b>Police Authority</b>	<b>Police Force</b>
<b>Budget</b>	<ul style="list-style-type: none"> <li>• The Authority will determine the overall budget, but will delegate to the Chief Constable responsibility for financial management of that part allocated to Warwickshire Police.</li> <li>• The Chief Executive is responsible for the management of the budget allocated directly to the Police Authority.</li> </ul>	<ul style="list-style-type: none"> <li>• The Chief Constable is responsible for the financial management of the budget allocated to Warwickshire Police.</li> </ul>
<b>Organisation, Recruitment, Promotion and Discipline</b>	<ul style="list-style-type: none"> <li>• The Authority will appoint the Chief Constable, Deputy Chief Constable, Assistant Chief Constables and Director of Resources.</li> <li>• The Authority has oversight of human resources plans to ensure that recruitment processes and procedures for all staff are fair and equitable and meet standards of best practice.</li> <li>• The Authority is responsible for complaints against police officers at the rank of Assistant Chief Constable and above and for the general oversight of the conduct of complaints and professional standards.</li> </ul>	<ul style="list-style-type: none"> <li>• The Chief Constable is responsible for the recruitment and promotion of all other staff.</li> <li>• The Chief Constable is responsible for all disciplinary matters and the handling of complaints against police officers, police staff and members of the special constabulary. The Deputy Chief Constable will report on this area to the Professional Standards Committee.</li> </ul>
<b>Performance and Accountability</b>	<ul style="list-style-type: none"> <li>• The Authority will act as a 'critical friend' to the Force.</li> </ul>	<ul style="list-style-type: none"> <li>• The Chief Constable is accountable to the Authority for the performance of Warwickshire Police and, in so doing, for providing information to the Authority which impacts on issues of performance throughout the organisation.</li> <li>• The Chief Constable will be expected to provide constructive feedback to the Authority wherever appropriate to assist in the process of sustaining mutual confidence between the Authority and the Force.</li> <li>• The Chief Constable is responsible for managing policing operations but will keep the Authority informed and in touch and draw attention to the extent there is or could be an impact on finance and day to day policing.</li> </ul>

	<b>Police Authority</b>	<b>Police Force</b>
<b>Role of Chair/ Chief Constable</b>	<ul style="list-style-type: none"> <li>• The Chair of the Authority takes his/her responsibilities from the Authority and in that capacity will liaise with the Chief Constable and his/her senior colleagues.</li> <li>• The Chair is expected to inform and advise his/her fellow Members of the Authority of information conveyed to him by the Chief Constable (unless told in confidence) and to involve them in any consequent decision-making process wherever appropriate.</li> <li>• The Chief Constable and the Chair will work jointly at continuing to develop a mutually supportive professional relationship aimed at achieving common goals for quality policing in Warwickshire and in which the regular and open exchange of ideas, information and views is a common expectation and practice.</li> </ul>	<ul style="list-style-type: none"> <li>• The Chief Constable, in return, will advise the Chair of all issues likely to impact directly or indirectly on the Authority in the performance of its duties, either imminently or some time in the future.</li> <li>• In accordance with Standing Orders/Scheme of Delegation the Chief Constable will consult the Chair on urgent decisions. It is a matter for the Chair as to whether/when consultation with other Members is necessary or not.</li> <li>• The Chief Constable and the Chair will work jointly at continuing to develop a mutually supportive professional relationship aimed at achieving common goals for quality policing in Warwickshire and in which the regular and open exchange of ideas, information and views is a common expectation and practice.</li> </ul>
<b>Openness and Accessibility</b>	<ul style="list-style-type: none"> <li>• Both the Chief Constable and the Authority encourage an 'open' policy in relationships between the Warwickshire Police and the Authority.</li> </ul>	<ul style="list-style-type: none"> <li>• Both the Chief Constable and the Authority encourage an 'open' policy in relationships between the Warwickshire Police and the Authority.</li> </ul>
<b>Conduct of Police Authority Members/Officers &amp; Police Officers</b>	<ul style="list-style-type: none"> <li>• Members of the Authority have signed up to a Code of Conduct which governs their approach and behaviour in matters of probity, equality, fairness and appropriateness. The Authority has appointed a Standards Committee including an Independent Chair to promote and maintain high standards of conduct by Members of the Authority.</li> <li>• Authority Members will at all times treat all police officers, police staff and authority staff with respect and dignity.</li> <li>• TO BE DRAFTED FOR OFFICERS</li> </ul>	<ul style="list-style-type: none"> <li>• TO BE DRAFTED</li> </ul>

	<b>Police Authority</b>	<b>Police Force</b>
<b>Police Authority Participation</b>	<ul style="list-style-type: none"> <li>• The Authority needs appropriate support and assistance from Warwickshire Police if it is to fulfil its responsibilities effectively.</li> <li>• The Authority is statutorily responsible for securing Best Value and publishing a three year local policing plan and local policing summaries but expects Warwickshire Police to work with and for it in satisfying those responsibilities.</li> <li>• The Authority has a duty to consult with local communities about policing and to advise the Police accordingly. Warwickshire Police will be involved and invited to participate, where appropriate.</li> <li>• As representatives of the public, the Authority members will assist the police service by giving full support to the agreed force strategies and helping to explain them to communities.</li> <li>• Members of the Authority, in discharging their ever-increasing responsibilities and their need for greater understanding of policing, its problems, complexities and successes, look to the Chief Constable to foster a working environment where the benefits of their support and assistance can be maximised.</li> </ul>	<ul style="list-style-type: none"> <li>• The Chief Constable will endeavour to ensure that all necessary support is provided for the Authority to fulfil its responsibilities effectively.</li> <li>• The Chief Constable will ensure that the Chair, Vice Chairs and other Members of the Authority are encouraged to play a full role in the formal life of Warwickshire Police, for example, invitations to attend attestations and award ceremonies.</li> <li>• Warwickshire Police will keep the Authority informed of their consultation work and invite the Authority to participate where appropriate.</li> <li>• The Chief Constable to foster a working environment where the benefits of the support and assistance of the Authority can be maximised.</li> <li>• The Chief Constable to assist the Authority in understanding policing, its problems, complexities and successes.</li> </ul>
<b>Role of Chief Executive</b>	<ul style="list-style-type: none"> <li>• The Chief Executive is the statutory officer employed by the Authority to support them in the discharge of its functions. He/She will also act as a bridge between the Authority and Warwickshire Police wherever appropriate in receiving and acting upon information which requires further consideration by Members.</li> </ul>	
<b>Role of Treasurer</b>	<ul style="list-style-type: none"> <li>• The Treasurer is employed by the Authority to provide them with financial advice and to secure the proper administration of their finances.</li> </ul>	

## **Practices**

A range of practical proposals have been developed to underpin the guidelines and help to further mutual trust, confidence and understanding.

- The Authority has an agreed Governance Framework for itself, its committees and panels in order to record and collate all its responsibilities and to distribute accountability for these fairly between its Members.
- The Code of Conduct referred to earlier in this document.
- The Chair and Chief Constable will keep each other informed about their availability and periods of leave of absence.
- The Authority will delegate to the Chief Constable responsibility for approving secondments and leave of absence on official or related duties, except in the case of the Chief Constable where they would expect him/her to seek permission from the Authority.
- There will be regular and frequent meetings between the Chief Constable and his/her senior staff and the Chair and Vice Chairs of the Authority.
- The Chief Constable will ensure that he/she and/or their senior staff attend all meetings of the Authority and its Committees and Panels, except where otherwise advised by the Chief Executive.
- If either the Authority or the service intend to issue a press statement which could adversely impact on the other, prior consultation between the Chair of the Authority and the Chief Constable will take place before the statement is issued.
- The Chair and Members of the Authority should address issues of policy to Chief Officers only, although they are able to discuss local issues with District Commanders and other staff.
- The Chair will ensure that the Authority Members attend meetings and events for which invitations are accepted by the Authority.
- The Chair will be made aware and kept informed of any developments in relation to major policy issues raised by Members of the Authority which are raised directly by them with the Chief Constable and his/her senior staff.

## **Commentary**

Both the Authority and the Chief Constable need to acknowledge the significant role they both play in securing the best policing arrangements for Warwickshire. To this end, the crucial elements lying at the heart of this partnership are mutual understanding, confidence and trust.