

**Warwickshire Police Authority – 23 April 2008**

**Report of the Chief Executive**

**Police Authority Constitution**

**Summary**

This report updates Members on progress towards the production of a constitution for the Authority and seeks approval for a number of re-drafted documents.

**Recommendations**

That: Members note the full list of documents and policies at Appendix A  
Members approve the draft documents at Appendix B

**1. Introduction**

At the meeting on 21st January 2008, it was reported that the Authority's governance arrangements were being revised to take account of the Authority's new structure and changes in governance expectations. The revised policy and governance documents are being organised into a single constitution. The draft constitution is now largely complete and is available to view in the "Members Only" section of the Authority's website. This section is password protected and usernames and passwords are being issued to Members.

A full list of the documents in the constitution showing the status of each document is attached at Appendix A.

**2. Items for approval**

The following documents, attached at Appendix B, have been re-drafted and are presented to the Authority for consideration. None of the changes from previous versions of these documents are significant.

- Constitution Articles
- Procedural Standing Orders
- Code of Conduct for PA officers
- Complaints Procedures – Police Authority
- Access to Information Procedures

Members are recommended to approve the attached draft documents

# WARWICKSHIRE POLICE AUTHORITY

## CONSTITUTION

### CONTENTS

	Status
<b>The Constitution Articles</b>	
1 The constitution	All drafted for discussion at Police Authority on 23 <sup>rd</sup> April
2. Members of the Police Authority, Rights and Responsibilities	
3. Citizens and the Police Authority: Rights and Responsibilities	
4. The Police Authority: Powers, Duties and Functions	
5. Committees and Panels	
6. Officers	
7. Principles of Decision Making	
8. Finance, Contract and Legal Matters	
9. Revision, Suspension, Interpretation and Publication of the Constitution	
Appendix 1 – Current Statutory Powers, Duties and Functions	
<b>Schedule 1: Schemes of Delegation</b>	
1.1. Introduction	Complete
1.2. Police Authority	Complete
1.3. Standards Committee	Complete
1.4. Professional Standards Committee	Complete
1.5. Appointments and Remuneration Committee	Complete
1.6. Audit Panel	Complete
1.7. Governance Stream: Warwickshire Partnerships and Local Policing	Complete
1.8. Community Engagement and Consultation Panel	Complete
1.9. Governance Stream: Resources and Standards	Complete
1.10. Resources Panel	Under review. To be considered by Resources Panel on 28 <sup>th</sup> April.
1.11. Governance Stream: External Partnerships, Protective Services and Business Improvement	Complete
1.12. Diversity and Equality Panel	Complete
1.13. Delegations to Officers: Chief Executive, Treasurer, Monitoring Officer and Chief Constable	Under review. To be considered at May Police Authority meeting.
<b>Schedule 2: Current Membership of the Police Authority</b>	
2.1. The Members of the Police Authority	Complete
2.2. Membership of Police Authority Committees, Panels and other bodies	Complete
<b>Schedule 3: Authority Standing Orders</b>	
3.1. Procedural Standing Orders	Drafted for discussion at Police Authority on 23 <sup>rd</sup> April
3.2. Contract Standing Orders	Complete
3.3. Financial Standing Orders	Under review

<b>Schedule 4: Corporate Governance: Codes of Conduct, Complaints Procedures and Access to Information</b>	
4.1. Members Code of Conduct	Complete
4.2. Protocol on Member/Officer and Member/Force Relations	Under review
4.3. Officers Code of Conduct	Drafted for discussion at Police Authority on 23 <sup>rd</sup> April
4.4. Code of Corporate Governance	Complete
4.5. Complaints Procedures – ACPO Officers	Under review
4.6. Complaints Procedures – Police Authority	Drafted for discussion at Police Authority on 23 <sup>rd</sup> April
4.7. Whistleblowing Procedures	Under review
4.8. Access to Information Procedures	Drafted for discussion at Police Authority on 23 <sup>rd</sup> April
4.9. Forward Plan	In preparation
<b>Schedule 5: Members Allowances Scheme</b>	
5.1. Members Allowances	Complete
<b>Schedule 6: The Management and Delivery of Authority Services</b>	
6.1. Police Authority Management Structure	Complete
6.2. Performance Management Framework	Under review
6.3. Risk Management Policy and Framework	Complete
6.4. Partnership Framework	Under review
6.5. Consultation and Engagement Strategy	Complete
6.6. Anti-Fraud and Corruption Policy	Under review
6.7. Health and Safety Policy	Under review

## WARWICKSHIRE POLICE AUTHORITY

### CONSTITUTION

#### ARTICLES

Contents:

- 1 *The Warwickshire Police Authority and its Constitution*
- 2 *Members of the Police Authority: appointment, rights and responsibilities*
- 3 *Citizens' rights and responsibilities*
- 4 *The Police Authority's Powers, Duties and Functions*
- 5 *Committees and Panels of the Police Authority*
- 6 *Officers of the Police Authority*
- 7 *Principles of Decision Making*
- 8 *The Police Authority's Financial and Legal Affairs*
- 9 *Revision, Suspension, Interpretation and Publication of the Constitution*

*Appendix 1: Current statutory powers, duties and functions of the Police Authority*

#### **ARTICLE 1: THE WARWICKSHIRE POLICE AUTHORITY AND ITS CONSTITUTION**

- 1.1 This Constitution, and all its Schedules and Appendices, is the Constitution of Warwickshire Police Authority.
- 1.2 The purpose of Warwickshire Police Authority is collectively to ensure that Warwickshire has an efficient and effective Police Force ("the Force") by:
  - Following consultation with the local community, setting the strategic direction for the Force and independently scrutinising the Force performance;
  - Seeking to achieve value for money (Best Value) and continuous improvement in all services provided by the Force;
  - Maintaining constructive partnerships with the local community, the Police Force, Local Authorities, HMIC, and the Audit Commission;
  - Demonstrating that services are delivered fairly and without discrimination;
  - Implementing the national Good Governance Standards; and
  - Overseeing and authorising the work of individual members of the Police Authority.
- 1.2 The purpose of this Constitution is to:
  - help the Police Authority and its members to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
  - support the active involvement of citizens in the process of Police Authority decision-making;
  - encourage openness and transparency by ensuring that those who make decisions are clearly identifiable to local people, and that they explain the

- reasons for decisions;
- promote high standards of conduct by members and officers and provide a means of holding decision-makers to public account;
- enable efficient and effective decision-making and improve the delivery of services to the community.

1.3 The Police Authority will exercise its powers, duties and functions in accordance with the law and this Constitution.

## **ARTICLE 2: MEMBERS OF THE POLICE AUTHORITY: APPOINTMENT, RIGHTS AND RESPONSIBILITIES**

2.1 The Police Authority will comprise 17 members. Members are drawn from two groups: elected councillors of Warwickshire County Council, and independent members. With effect from 1 October 2008, the membership of the Authority will comprise 9 elected councillors of Warwickshire County Council and 8 independent members of whom 1 must be a lay justice.

2.2 Only registered voters of the county or those living or working there will be eligible to hold the office of member. Those members who are elected councillors of Warwickshire County Council will be appointed by Warwickshire County Council. Those members who are independent members will be appointed by a panel of Police Authority Members and external representatives for a term of four years.

2.3 In addition to any specific responsibilities set out in this Constitution or otherwise allocated to them from time to time, all members will fulfil the following key roles:

- represent the people of Warwickshire and the interests of individual constituents;
- provide community leadership and contribute to the good governance of the area;
- actively encourage community participation and citizen involvement in decision-making;
- collectively be the ultimate policy makers and participate in the governance and management of the Police Authority; and
- promote and maintain the highest standards of conduct and ethics in the conduct of Police Authority business.

2.4 Members will at all times observe the Members' Code of Conduct and the Protocol on Member/Officer Relations set out in Part [4] of this Constitution.

2.5 Members will not make public information which is confidential or exempt without the consent of the Police Authority or divulge information given in confidence to anyone other than a member or officer entitled to know it.

- 2.6 Members will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in Part [5] of this Constitution.
- 2.7 Members will have rights of access to such documents, information, land and buildings of the Police Authority as are necessary for the proper discharge of their functions and in accordance with the law.
- 2.8 Members will have rights to speak, or raise an item at, all Police Authority meetings at the discretion of the Chair and provided they comply with Procedural Standing Orders and the Members' Code of Conduct.
- 2.9 The Chair of the Police Authority will be appointed from the members of the Police Authority in accordance with Procedural Standing Orders and will have specific responsibilities:
- to help to uphold and promote the purposes of the Constitution, and to interpret the Constitution where necessary;
  - to preside over meetings of the Police Authority so that its business can be carried out efficiently and with regard to the rights of members and the interests of the community;
  - to ensure that the Police Authority meeting is a forum for the debate of matters of concern to the local community and the place at which members are able to hold to account other members or officers in relation to decisions or functions for which they have responsibility;
  - to help to promote public involvement in the Police Authority's activities; and
  - to attend such civic and ceremonial functions as the Police Authority and he/she determines appropriate.

### **ARTICLE 3: CITIZENS' RIGHTS AND RESPONSIBILITIES**

- 3.1 Citizens have the following rights. Their rights to information, to participate and to complain are explained in more detail in Parts [3], [4] and [6] of this Constitution.
- 3.2 Citizens have the right to access information about the Police Authority including by:
- attending meetings of the Police Authority and any of its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
  - finding out from the forward plan (published on the Police Authority's website) what decisions will be taken by the Police Authority and when;
  - seeing reports and background papers, and any records of decisions made by the Police Authority and its committees which are open to the public;
  - inspecting the Police Authority's accounts during the audit process and make their views known to the external auditor, and
  - exercising their rights under legislation including the Freedom of Information Act 2000 and the Data Protection Act 1998.

- 3.3 Citizens have the right to participate in public interest debates, public question time where provided for in procedural standing orders, and where appropriate, and by invitation, in the investigations by special committees or working parties.
- 3.4 Citizens have the right to complain to:
- the Police Authority itself under its complaints procedure;
  - the Local Government Ombudsman after using the Police Authority's own complaints procedure;
  - the Standards Board for England about a breach of the Member's Code of Conduct.
- 3.5 Citizens must not be violent, abusive or threatening to members or officers and must not damage property owned by the Police Authority, or members or officers.

#### **ARTICLE 4: THE POLICE AUTHORITY: POWERS, DUTIES AND FUNCTIONS**

- 4.1 The Warwickshire Police Authority, as a collective body of all of its members, is the public corporation recognised in law as being responsible for ensuring the provision of an efficient and effective police force in the county of Warwickshire. All committees, panels and officer responsibilities set out in this Constitution are established under the powers of the Police Authority.
- 4.2 The powers, duties and functions of the Police Authority may change from time to time. The current statutory powers, duties and functions of the Police Authority are set out in Appendix 1 to these Articles. These include:
- Publishing annually, a three year rolling policing plan for Warwickshire which sets local priorities within the national priorities set by the Home Secretary;
  - Consulting local communities to include appropriate concerns within the policing plan;
  - Holding the Chief Constable to account for the continuous improvement of performance and efficiency of the Force;
  - Setting and auditing the annual budget to ensure the delivery of the policing plan and to secure value for money;
  - Scrutinising the performance of the Force and responding appropriately to the outcomes of local county and district scrutiny processes;
  - Appointing and retaining high quality staff at ACPO level;
  - Supporting the ACPO team and sharing the leadership role with them; and
  - Leading the Police Authority's commitment to fair and non discriminatory practice in the management of staff and the delivery of services to the public.
- 4.3 Subject to any legislative requirement to the contrary, only the Police Authority will exercise the following functions:

- adopting, changing or suspending the Constitution to the extent permitted by Article [9];
- approving or adopting the policy framework and the budget (see below);
- making decisions which are contrary to the policy framework or decisions which are contrary to or not wholly in accordance with the budget ;
- agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them;
- appointing representatives to outside bodies;
- adopting an allowances scheme under Article [2.6];
- confirming the appointment of the Chief Executive, the Monitoring Officer and the Treasurer;
- confirming the appointment of the Chief Constable of Warwickshire Police; and
- all other matters which, by law, must be reserved to the Police Authority.

4.4 In Article [4.3] above and wherever else in this Constitution the context supports it:

- “the policy framework” means plans and strategies which the Police Authority may from time to time decide to adopt, and includes the three-year policing plan and any policies or strategies required by law.
- “the budget” includes the allocation of capital and revenue resources, the precept level, the council tax, the planned use of reserves, the Police Authority’s borrowing limit and the virement limits.

## **ARTICLE 5: COMMITTEES AND PANELS OF THE POLICE AUTHORITY**

### **COMMITTEES**

5.1 The Police Authority will appoint committees to discharge certain of its functions. These committees will have decision-making powers to the extent set out in the scheme of delegation [in Schedule 1] of this Constitution.

#### **Standards Committee**

5.1.1 The Police Authority will appoint the Standards Committee, whose role will include promoting and maintaining high standards of conduct by members and oversight of other arrangements for the maintenance of probity allocated from time to time by the Police Authority.

5.1.2 The Standards Committee will be chaired by an independent appointment who is external to (that is to say, is not a member of) the Authority. In addition, the Chair of the Professional Standards Committee plus 2 other appointed members will serve on the Committee.

5.1.3 The role of the Chair of the Standards Committee will include liaising with the Chair of the Authority, the Chief Executive and the Monitoring

Officer to ensure the Authority implements all the legislative requirements of good governance. The Chair will also ensure the Committee meets at least annually and when otherwise required by events.

### **Appointments and Remuneration Committee**

5.1.4 The Police Authority will appoint the Appointments and Remuneration Committee, whose role will include ensuring that high quality persons are appointed and appropriately remunerated (within any rules determined by the Home Secretary) for the following posts:

- For Police Officers at ACPO rank level and Civilian Staff
- For the post of Chief Executive of The Authority
- For posts in support of the Chief Executive and the Authority

5.1.5 The Committee will be chaired by the Chair of the Authority. In addition, membership will comprise the Vice Chair of the Authority plus 3 other members provided always there are 3 elected councillor members on the Committee (Usually the Lead Member for Diversity will be co-opted and other members may be co-opted where necessary)

### **Professional Standards Committee**

5.1.6 The Police Authority will appoint the Professional Standards Committee, whose role will include overseeing the development of high professional standards by:

- Ensuring the investigation of complaints against the Force is managed to the agreed standards
- Reviewing actions taken to address unacceptable conduct and performance.
- Taking action in respect of complaints, misconduct or grievances relating to senior officers.
- Examining the implications of investigations for strategic direction, change management, efficiency and effectiveness
- Enabling the continuous development of members in their governance role to meet the requirements of the national Good Governance Standards

5.1.7 The appointment of the Chair of the Committee together with 3 additional members will be made through the Authority's selection process.

5.1.8 The role of the Chair of the Committee will include:

- Liaising with the Deputy Chief Constable and the Head of Professional Standard to ensure appropriate action is being taken in all relevant cases
- Liaising with the regional commissioner of the IPCC as required to ensure the Authority's interests are protected

## **PANELS AND INDIVIDUAL MEMBER LEADS**

- 5.2 The Police Authority will appoint panels and individual members to fulfil certain advisory functions and report back on those functions, and any decisions required to be taken, to the Police Authority. These panels and individual member advisory roles do not confer any decision-making powers under the Police Authority's scheme of delegation.

### **Audit Panel**

- 5.2.1 The Police Authority will appoint an Audit Panel with advisory powers to oversee the auditing of all aspects of the Force use of resources and finance to deliver policing plan priorities and to consult with internal and external auditors and inspectors, recommending to the Authority any actions needed to ensure probity and value for money. The membership of the Panel and detailed responsibilities of its members are set out in [Schedule 1].

### **Governance Stream: Warwickshire Partnerships and Local Policing**

- 5.2.2 The Police Authority will appoint a group of members with advisory powers in relation to Warwickshire Partnerships and Local Policing. The role of this Governance Stream will be to improve the scrutiny and governance of local policing, making it more relevant to communities by holding the Chief Constable to account for delivery of the three year rolling Policing Plan and entering partnerships within Warwickshire that:

- Increase local influence on policing priorities and the Policing Plan
- Enable the Authority to demonstrate value for money
- Display our commitment to diversity
- Value the contribution being made to services by voluntary effort

The membership of the Governance Stream and detailed responsibilities of its members are set out in [Schedule 1].

### **Community Engagement and Consultation Panel**

- 5.2.3 The Police Authority will appoint a Panel of members with advisory powers to engage and consult with all key stakeholders in Warwickshire to establish the local policing priorities, supporting their delivery and ensuring the Police Authority contribution to local scrutiny is effective. The membership of the Panel and detailed responsibilities of its members are set out in [Schedule 1].

### **Governance Stream: Resources and Standards**

5.2.4 The Police Authority will appoint a group of members with advisory powers in relation to Resources and Standards. The role of this Governance Stream will be to oversee the achievement of value for money and high standards of conduct by:

- Advising on allocating resource to underpin policing priorities and scrutinising the results
- Ensuring that the Police Authority's and the Force's response to complaints and misconduct reinforces a commitment to high professional standards
- Securing high standards of member development and conduct
- Improving the Police Authority's response to national policy and consultation.

The membership of the Governance Stream and detailed responsibilities of its members are set out in [Schedule 1].

### **Resources Panel**

5.2.5 *[to follow]*

### **Governance Stream: External Partnerships, Protective Services and Business Improvement**

5.2.6 The Police Authority will appoint a group of members with advisory powers in relation to External Partnerships, Protective Services and Business Improvement. The role of this Governance Stream will be to improve the governance of protective services and the investigation of serious crime, and scrutinise the impact of the deployment of resources to improve the fair delivery of front line policing. The membership of the Governance Stream and detailed responsibilities of its members are set out in [Schedule 1].

### **Diversity and Equality Panel**

5.2.7 The Police Authority will appoint a Panel of members with advisory powers to advise the Authority and the Force on all aspects of diversity and equality on behalf of the Authority and to monitor the Force in meeting all their statutory responsibilities in relation to diversity and equality. The membership of the Panel and detailed responsibilities of its members are set out in [Schedule 1].

## **OTHER COMMITTEES OR PANELS**

5.3 The Police Authority may from time to time establish such other committees, panels and joint arrangements with such decision-making or advisory powers as it sees fit (subject to the restrictions set out in these Articles or in law). The composition and responsibilities of any such bodies currently in existence are set out in [Schedule 1] of this Constitution.

## **ARTICLE 6: OFFICERS OF THE POLICE AUTHORITY**

- 6.1 The Police Authority may engage such officers as it considers necessary to carry out its functions.
- 6.2 The Police Authority will be responsible for confirming the appointment, and determining the terms and conditions, of the Chief Executive, the Monitoring Officer, and the Treasurer.
- 6.3 The functions of the Chief Executive, Monitoring Officer and Treasurer are set out in detail in the scheme of delegation in Schedule 1 of this Constitution. Essentially they can be summarised as follows:
- The Chief Executive will be responsible for the corporate and day to day management of the Police Authority, for ensuring that the members of the Police Authority are able to discharge their duties of governance and accountability in respect of the functions and decisions of the Police Authority, and for ensuring the co-ordination of service and the provision of appropriate professional advice;
  - The Monitoring Officer will be responsible for ensuring the lawfulness and fairness of decision-making in relation to Police Authority functions, for compliance with legal obligations, promoting high standards of conduct and probity in relation to members and officers and for contributing to the corporate governance of the Police Authority through the provision of professional advice, auditing and reporting;
  - The Treasurer will be responsible for ensuring the financial prudence of decision-making in relation to Police Authority functions, for reporting to the Police Authority and the Police Authority's external auditor on the lawfulness of expenditure, for administering the financial affairs of the Police Authority including compliance with legal requirements in respect of the Police Authority's annual accounts and budget, and for contributing to the corporate governance of the Police Authority through the provision of professional advice, auditing and reporting.
- 6.4 The Police Authority will provide the Chief Executive, Monitoring Officer and Treasurer with such resources as are sufficient to allow their duties to be performed.
- 6.5 The Chief Executive will appoint and determine the terms and conditions of any officers of the Police Authority other than those officers set out in Article [6.2] above.
- 6.6 Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Schedule 4 of this Constitution.

## **ARTICLE 7: PRINCIPLES OF DECISION MAKING**

- 7.1 All decisions of the Police Authority, or its committees, members or officers, will be made in accordance with the following principles:
- proportionality (i.e. the action will be proportionate to the desired outcome);
  - due consultation and the taking of professional advice from officers;
  - respect for human rights and for equality and diversity;
  - a presumption in favour of openness;
  - clarity of aims and desired outcomes; and
  - explaining what options were considered and giving the reasons for the decision.
- 7.2 Any member or officer will follow the applicable Standing Orders set out in Schedule 3 of this Constitution when considering any matter, to ensure that decisions are properly taken and properly recorded.
- 7.3 Any member or officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the Human Rights Act 1998.
- 7.4 Where appropriate, a decision to be taken by the Police Authority or its committees, members or officers will be subject to an equality and diversity impact assessment.
- 7.5 The Police Authority will adopt and maintain a scheme of delegation setting out the functions and decisions delegated from the Police Authority to its committees and officers. All decisions that are delegated by the Police Authority will be taken in accordance with this scheme of delegation.
- 7.6 Wherever these Articles expressly reserve a function or decision to the Police Authority, that decision or function will not be delegated except to the extent permitted by the Articles.

## **ARTICLE 8: THE POLICE AUTHORITY'S FINANCIAL AND LEGAL AFFAIRS**

- 8.1 The management of the Police Authority's financial affairs will be conducted in accordance with the Financial Standing Orders set out in Schedule 3 of this Constitution. These may change from time to time.
- 8.2 Every contract made by the Police Authority will comply with Contract Standing Orders set out in Schedule 3 of this Constitution. These may change from time to time.
- 8.3 The Chief Executive and the Monitoring Officer both have authority to institute, defend or participate in any legal proceedings in any case where

such action is necessary to give effect to decisions of the Police Authority or in any case where he/she considers that such action is necessary to protect the Police Authority's interests.

- 8.4 Where any document is necessary to any legal procedure or proceedings on behalf of the Police Authority, it will be signed by the Chief Executive or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Police Authority has given requisite authority to some other person.

## **ARTICLE 9: REVISION, SUSPENSION, INTERPRETATION AND PUBLICATION OF THE CONSTITUTION**

- 9.1 The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution, and of the Police Authority, are given full effect.
- 9.2 Changes to the Constitution may only be made at a meeting of the Police Authority, after advice from the Monitoring Officer, provided at least one half of the members of the Police Authority are present and on a two-thirds majority of those voting.
- 9.3 The Articles of this Constitution may not be suspended.
- 9.4 The Standing Orders set out in Schedule 3 of this Constitution may be suspended by a meeting of the Police Authority, provided at least one half of the members of the Police Authority are present and on a two-thirds majority of those voting. The extent and duration of suspension will be proportionate to the result to be achieved.
- 9.5 The ruling of the Chair of the Police Authority as to the construction or application of this Constitution or as to any proceedings of the Police Authority shall be final at any meeting of the Police Authority. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.
- 9.6 The Monitoring Officer will ensure the Constitution is published as follows:
- by publishing on the Police Authority's website;
  - by making printed copies available to members of the Police Authority; and
  - by making printed copies available for public inspection at the Police Authority's offices.



**Warwickshire**  
POLICE AUTHORITY

*The authority behind the force*

## **Procedural Standing Orders**

**WARWICKSHIRE POLICE AUTHORITY**  
**PROCEDURAL STANDING ORDERS**

**1. Meetings of the Authority**

- 1.1 The Authority shall hold an annual meeting between the 1<sup>st</sup> April and the 30<sup>th</sup> June each year. The first item of business on the agenda for the annual meeting shall be the appointment of the Chair and Vice Chair for the ensuing year.
- 1.2 In addition to the annual meeting of the Authority and any meetings convened by the Chair or by members of the Authority, meetings for the transaction of general business shall be held on such days as may be determined by the Authority.
- 1.3 In these Standing Orders “ordinary meetings” means a meeting described in paragraphs 1.1 or 1.2 above other than a meeting convened by the Chair or by members of the Authority. The term “year” means the period from the 1<sup>st</sup> April in one calendar year to the 31<sup>st</sup> March in the next following year.
- 1.4 Meetings shall be held at the Shire Hall, Warwick or such other place as the Authority shall determine or as the Chair shall consider convenient. Unless the Authority otherwise determines, all meetings of the Authority shall be held at 10.00am on a weekday.
- 1.5 An extraordinary meeting of the Authority may be called at any time by its Chair, or by a minimum of one quarter of the members of the Authority.
- 1.6 If, at the expiry of thirty minutes from the time at which a meeting is appointed to be held, a quorum (see Standing Order 4) be not present, such meeting shall not take place but shall stand adjourned to such date within fifteen days as the Chair shall appoint, or if he does not fix a date, to the next ordinary meeting of the Authority.

**2. Membership and Attendance**

- 2.1 Each member shall sign the attendance book at every meeting of the Authority, its committees and panels. That book shall be the official record of attendance.

**3. Chair of Meeting**

- 3.1 At a meeting of the Authority, the Chair if present, shall preside.
- 3.2 If the Chair of the Authority is not present at a meeting of the Authority, the following provisions will apply:-
- 3.2.1 The Vice Chair, if present, shall preside;
- 3.2.2 In the absence of the Chair and the Vice Chair, the Authority shall elect another member to preside; or

3.3 If the Chair of a Committee or Panel is not present at a meeting of the relevant body or if it is agreed by the meeting at the request of the Chair that he/she shall not preside then:-

3.3.1 The Deputy Chair (subject to post existing), if present, shall preside;

3.3.2 In the absence of the Chair and the Vice Chair, the Authority shall elect another member to preside; or

3.3.3 Otherwise, the Chief Executive may conduct the business of the meeting.

3.4 The member presiding at any meeting shall have all the powers and duties of the Chair in relation to the conduct of the meeting but the Chief Executive to the Police Authority acting under Standing Order 3.3.3 above shall not have such powers and duties.

3.5 At an election of the Chair and Vice Chair of the Authority, the procedure shall be as follows:-

3.5.1 The Chair in office (if any) shall invite nominations; otherwise nominations shall be invited by the Chief Executive.

3.5.2 In the event of more than one nomination being received, the Chief Executive will include the names of each member nominated on ballot papers, which shall be circulated to all members present.

3.5.3 Each member shall have one vote and candidates, including a candidate who is the Chair, shall be entitled to one vote.

3.5.4 Each member shall place a tick against the name for whom he or she wishes to vote.

3.5.5 If (a) there are more than two candidates, the candidate with an overall majority over the others shall be elected; otherwise (b) the candidate receiving the fewest votes shall be eliminated and further votes shall be taken, subject to (a), until there are only two candidates when the candidate receiving the most votes shall be elected.

3.5.6 In the case of an equality of votes, the Chair (if any) shall have a casting vote.

#### **4. Quorum**

4.1 A quorum prescribed by statute for a meeting of the Authority is one quarter of the whole number of members. This will be five members.

4.2 At a meeting of the Authority, if the Chair, after counting the number of persons present, declares that there is not a quorum present, the meeting shall be adjourned with any outstanding business to be transacted at a date and time fixed by the Chair when he/she adjourns the meeting or the next ordinary meeting of the Authority.

- 4.3 At other meetings, the quorum shall be one quarter of the number of that body or two, whichever is the greater (See Standing Order 17.11). Any legal requirements which, from time to time specify a particular quorum for any body, will be observed.
- 4.4 Any decision to issue a precept under Section 40 of the Local Government Finance Act 1992 or to make the budget calculations required by Section 43 of that Act may only be taken if the members approving it:
- (i) constitute at least half of the total membership of the Authority at the time of the decision, and
  - (ii) include more than half of the local authority appointed members at that time.

## **5. Minutes**

- 5.1 The Chair shall move that the minutes of the previous meeting be approved as a correct record.
- 5.2 There shall be no discussion on the minutes except upon their accuracy other than matters arising from those minutes.
- 5.3 When the minutes have been approved as a correct record the Chair shall sign the minutes at the end and shall initial each page
- 5.4 Where in relation to any meeting of the Authority, the next such meeting is an extraordinary meeting called under the provisions of paragraph 3 of Schedule 12 of the Local Government Act 1972, the next ordinary meeting (being a meeting called otherwise under paragraph 1.5) of the Authority may be treated as a suitable meeting for the purposes of signing the minutes.

## **6. Agenda Items and Questions by Members**

- 6.1 The agenda of meetings of the Authority, its Committees and Panels shall be agreed by the Chair, or in his/her absence, the Vice or Deputy Chair where appropriate.
- 6.2 At a meeting of the Authority, a member may ask the Chair of the Authority any questions relating to the business of the Authority on the agenda for that meeting. Notification of the question shall be given to the Chief Executive at least 3 days before the meeting.
- 6.3 The Chair of the meeting may allow the asking of a question which has not been submitted as required by paragraph 6.2 above, if he/she considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the Chief Executive not later than 12 noon on the working day immediately before the meeting at which the question is to be asked.
- 6.4 At ordinary meetings of any Committee or Panel, any member of the Authority who is present may ask the Chair of the relevant body any question on any matter in relation to which that body has delegated or referred functions and which is on the agenda at that meeting.

- 6.5 Every question shall be put orally and answered without discussion.
- 6.6 If the Chair is of the opinion that a question is out of order, or of a personal nature, or is undesirable in the interests of the Authority, he/she shall so inform the member and shall not allow the question.

## **7. Rules of Debate**

- 7.1 A motion or amendment must be proposed and seconded before it is discussed and it shall, if required by the Chair, be put in writing and handed to the Chair before it is discussed or put to the meeting.
- 7.2 However, the moving of a report of a Committee, Panel or other subsidiary body need not be seconded nor put in writing. All recommendations in such reports shall be treated as being duly moved when the report is moved. Recommendations by officers in reports shall not be duly moved unless they are proposed and seconded by members in accordance with Standing Order 7.1 above.
- 7.3 A member who seconds a motion or amendment may declare his/her intention to reserve their right to speak until later in the debate.
- 7.4 A member when speaking shall address the Chair. If more than one member wishes to speak, the Chair shall call on each member in turn to speak.
- 7.5 Speeches shall be relevant to the question under discussion or to a point of order or to a personal examination.
- 7.6 An amendment must be relevant to the motion and shall be:-
- 7.6.1 To refer a matter to a Committee or Panel of the Authority for consideration or reconsideration; or
  - 7.6.2 To leave out words; or
  - 7.6.3 To insert or add words; or
  - 7.6.4 To leave out words and to insert or add words.
- 7.7 The Chair may either restrict debate to the motion and one amendment at a time or may allow a motion and more than one amendment to be discussed together if he/she considers it to be appropriate in the interests of the efficient conduct of the meeting. Notice may be given by a member of his/her intention to move a further amendment.
- 7.8 Amendments shall be voted on separately and shall be voted on in reverse order to which they were moved.
- 7.9 If an amendment is lost, other amendments may be moved on the original motion.

- 7.10 If an amendment is carried, the motion as amended shall become the substantive motion in place of the original motion and shall become the motion upon which any further amendment may be moved.
- 7.11 A member may, with the consent of the Authority given without discussion:-
- 7.11.1 Alter a motion on which he/she has given notice; or
  - 7.11.2 With the further consent of his/her seconder alter a motion which he/she has moved provided that the alteration could be made as an amendment of the motion.
- 7.12 A motion or amendment may be withdrawn by the mover with the consent of both his/her seconder and of the Authority given without discussion.
- 7.13 A mover and seconder of an original motion shall have a right to reply at the close of the debate on the motion before it is put to the vote.
- 7.14 If an amendment is moved, the mover and seconder of the amendment and the original motion (in that order) shall each have a right of reply at the close of the debate on the amendment.
- 7.15 The mover of an amendment which has become the substantive motion shall also have the right to reply to the debate on that motion.
- 7.16 A member exercising a right of reply shall only reply to points made in the debate and shall not introduce any new matter.
- 7.17 When a motion is under debate no other motion shall be moved except:-
- 7.17.1 To amend the motion;
  - 7.17.2 To exclude the public under Section 100A(4) of the Local Government Act 1972;
  - 7.17.3 To proceed to next business;
  - 7.17.4 To suspend standing orders;
  - 7.17.5 That the question be now put;
  - 7.17.6 That the debate be adjourned;
  - 7.17.7 That the Authority do adjourn.
- 7.18 A motion to proceed to next business shall be moved and seconded without comment by members who have not spoken in the debate at the conclusion of the speech of another member. The Chair shall give the mover of the original motion a right of reply and then put to the vote the motion to proceed to next business. If defeated the motion cannot be put again for 30 minutes.
- 7.19 A motion that the question be now put shall be moved and seconded without comment by members who have not spoken in the debate at the conclusion of the speech of another member. The Chair shall put the motion that the question be now put to the vote. If it is passed the mover of the original motion and of any amendment(s) and a seconder who has reserved his/her speech

have the right to reply before the motion or amendment is put to the vote. If defeated the motion cannot be put again for 30 minutes.

- 7.20 A motion to adjourn the debate or the meeting shall be moved and seconded without comment by members who have not spoken in the debate at the conclusion of the speech of another member. That Chair shall put the adjournment motion to the vote immediately without any right to reply. If defeated the motion cannot be put again for 30 minutes.
- 7.21 A member may arise on a point of order or in personal explanation and shall be entitled to be heard immediately.
- 7.22 A point of order may relate only to a Standing Order or statutory provision alleged to have been breached. The particular provision and the way which it is alleged to be breached must be specified.
- 7.23 A personal explanation may relate only to a material part of the former speech by the speaker which appears to have been misunderstood in the current debate.
- 7.24 The ruling of the Chair on a point of order or admissibility of a personal explanation shall not be open to discussion.

## **8. Voting**

- 8.1 Except where otherwise provided in these standing orders, all questions in the Authority, Committees and Panels shall be determined by a majority of members present and voting. The votes shall be taken by a show of hands and the person chairing the meeting shall have a second or casting vote
- 8.2 After a proposition is put from the Chair but before a vote, any three members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each member present gave his/her vote for or against that proposition or abstained from voting.

## **9. Motions Affecting an Employee**

- 9.1 If any question arises about the appointment, promotion, dismissal, salary, superannuation or conditions of service or conduct of any employee of the Authority then if the Chair considers that exempt information as defined in Schedule 12A of the Local Government Act 1972 would be likely to be disclosed to the public he/she shall immediately move and put without debate a motion under Section 100A(4) of that Act.

## **10. Disorderly Conduct**

- 10.1 If at a meeting, any member of the Authority, in the opinion of the Chair, misconducts himself/herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, the Chair or any other member may move that the

member named be not further heard. If seconded the motion shall be put and determined without discussion.

10.2 If the member named continues his or her misconduct after a motion under paragraph 10.1 has been carried, the Chair shall either:-

10.2.1 Move that the member leave the meeting (in which case the motion shall be put and determined without seconding or discussion); or

10.2.2 Adjourn the meeting for as long as he/she considers appropriate.

10.3 Motions under Standing Order 10.1 and 10.2 require the support of two thirds of those members voting to be carried.

10.4 If a motion 'that the member named do leave the meeting' is carried in accordance with paragraph 10.2 above, the Chair shall order the member named to retire from the meeting for the remainder thereof and if such member should refuse to do so, the Chair may order his/her removal from the place of the meeting.

10.5 If the Chair considers that the orderly conduct of business is impossible due to general disturbance he/she may without any question being put, adjourn the meeting for as long as he/she considers appropriate.

## **11. Disturbance by Members of the Public**

11.1 If a member of the public interrupts a meeting of the Authority or one of its committees, the Chair shall warn him/her. If he/she continues the interruption, the Chair shall ask him/her to leave and, if necessary, may order his/her removal. In the case of a general disturbance the Chair may without any question being put adjourn the meeting for as long as he/she considers appropriate and may order the removal of those causing the disturbance.

## **12. Suspension of Standing Orders**

12.1 Subject to paragraph 7.17 above, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

12.2 A motion to suspend any of the preceding Standing Orders shall not be moved unless there shall be present at least one half of the whole number of the members of the Authority.

## **13. Decision of the Chair**

13.1 The decision of the Chair on all questions of procedure, order, relevance and the construction or interpretation of these Standing Orders shall be final.

13.2 It shall be the duty of the Chair to stop any discussion which he/she considers to be irrelevant or outside the work of the Authority.

## **14. Appointment of Committees and Panels**

- 14.1 The Authority shall, at the annual meeting, appoint any committees as it is required to appoint by or under any statute and such other Committees and Panels as the Authority deems appropriate, and shall determine the terms of reference of those bodies.
- 14.2 Subject to any statutory provision, the Authority:-
- 14.2.1 Shall not appoint any member of a Committee or Panel so as to hold office later than the next annual meeting of the Authority;
  - 14.2.2 May at any time, dissolve a Committee or Panel or alter its membership; every vacancy on any such body shall be reported by the Chief Executive at the first meeting of the Authority after the vacancy has arisen and the Authority may thereupon proceed to fill the vacancy.
- 14.3 Every committee appointed by the Authority may appoint Panels for purposes to be specified by the Committee and, subject to these Standing Orders and to any resolution of the Authority in that behalf, may delegate to any such Panel any power or duty delegated to the Committee by the Authority.
- 14.4 Except in the case of the Standards Committee and Panels of the Authority with no delegated powers, any Committee or Panel appointed under this Standing Order shall not include persons who are not members of the Authority.
- 14.5 A Committee shall not appoint any member of a Panel so as to hold office later than the next annual meeting of the Authority and may at any time dissolve a Panel or alter its membership.
- 14.6 The Chair and Vice Chair of the Authority may attend and speak (but not vote) at a meeting of a Committee or Panel of which they are not members.
- 14.7 These Standing Orders shall, with any necessary modification, apply to meetings of Committees or Panels.

## **15. Appointment of Chairs and Deputy Chairs of Committees and Panels**

- 15.1 Every Committee and Panel shall at its first meeting after the annual meeting of the Authority in each year elect a Chair and, if appropriate, a Deputy Chair.
- 15.2 Every Chair and Deputy Chair of a Committee or Panel shall be a member of the Authority. The exception being the Standards Committee, which is chaired by an independent member who is not a member of the Authority.
- 15.3 The appointment of the Chair of a Committee or Panel shall be conducted in the same way as such an appointment is required to be made by the Authority under Standing Order 3. The exception being the Standards Committee, whose Chair is appointed directly by the Authority.

- 15.4 If the Chair of a Committee or Panel is absent from a meeting, the Deputy Chair will preside over the meeting. In the event of both the Chair and Deputy Chair being absent, the members present shall choose one of their number who is a member of the Authority to preside over the meeting.
- 15.5 The exception to paragraph 15.4 being the Standards Committee. In the event of the Chair not being present, the meeting would be declared inquorate and the business of the meeting would be rescheduled on a new date.
- 15.6 If the Chair of a Committee or Panel arrives at a meeting after the time for which the meeting has been summoned, he/she shall preside over the meeting after any item of business under discussion on his/her arrival has been disposed of but not before then.

## **16. Meetings of Committees and Panels**

- 16.1 The Chair of a Committee or Panel or the Chair of the Authority may call a special meeting of that body at any time.
- 16.2 A special meeting of a Committee or Panel may be called on the request of at least one quarter of the whole number of its members by notice in writing signed by them and given to the Chief Executive and specifying the business for which the meeting is to be called.

## **17. Proceedings of Committees and Panels**

- 17.1 The quorum of every Committee and Panel, unless a special quorum is otherwise prescribed, shall be at least one quarter of its whole number or two, whichever is the greater number.
- 17.2 Any Authority member may attend as an observer at meetings of Committees or Panels (except those Committees or Panels which the Authority may from time to time determine for the purposes of this Standing Order) to which he/she has not been appointed as a member, including meetings or items of business from which the public has been excluded.

If given permission by the Chair of the meeting, a member attending as an observer may speak (but not vote) on any matter.

(Note: The Authority has determined the following exceptions for the purposes of Standing Order 17.2:

- (a) the Appointments and Remuneration Committee of the Authority and any other Committee established to consider individual cases under the grievance or disciplinary procedures for employees of the Authority or for Police Officers;
- (b) any Committee established to consider individual cases of salary grading or appointments.

17.3 Subject to the provision of Section 100 of the Local Government Act 1972, all Committee reports and all documents marked as “confidential”, “exempt” or “not for publication” shall be treated as confidential until they become public in the ordinary course of the Authority’s business.

## **18. Voting**

18.1 The mode of voting at the meetings of the Authority shall be by a show of hands, subject to:-

18.1.1 The Authority deciding that the mode of voting on any particular question being by ballot; or

18.1.2 On the requisition of any member of the Authority made before the vote is taken and supported by a majority of the members present who signify support by rising in their places, the voting on any question shall be by roll-call and shall be recorded in the minutes so as to show how each member present and voting gave his/her vote. The name of any member not voting shall also be recorded.

18.2 In the case of an equality of votes, the person presiding at a meeting shall have a second or casting vote.

18.3 Where a roll call vote is not taken, a member may request that his/her vote is recorded as for, against or in abstention.

## **19. Appointments by the Authority**

19.1 Where three or more persons are nominated for any position and there is not a majority in favour of any one person, the person having the least number of votes shall be disregarded and a fresh vote taken and so on until there is a majority in favour of one person.

## **20. Declaration of Interests**

20.1 Any member who has a personal interest in any matter under discussion at a meeting must disclose the existence and nature of the interest at the start of the discussion or when it becomes apparent.

20.2 Any member with a personal interest, which is so significant that it could prejudice his/her judgement must withdraw from the meeting immediately unless a dispensation has been granted by the Standards Committee.

## **21. Sealing and Attestation of Documents**

21.1 The common seal of the Authority shall be kept in a safe place in the custody of the Chief Executive.

21.2 The common seal of the Authority shall be affixed to a document only on the authority of :-

21.1.1 A resolution of the Authority

21.1.2 A resolution of a Committee which the Authority has empowered to authorise the use of the seal;

21.1.3 A decision by the Authority, or by a duly authorised Committee or officer, to do anything where a document under the common seal is necessary to complete the section.

21.3 The affixing of the common seal shall be attested by the Chief Executive or the person authorised by him/her. An entry of every sealing shall be made and numbered consecutively in a book kept for the purpose and shall be signed by the person who shall have attested the seal.

21.4 In addition to any other person who may be authorised by resolution of the Authority for the purpose, the proper officer for the purpose of Section 234 of the Local Government Act 1972 (authentication of documents) shall be the Chief Executive.

## **22. Canvassing of and Recommendations by Members**

22.1 Canvassing of members of the Authority or any Committee or Panel of the Authority, directly or indirectly for any appointment under the Authority or as a police officer, shall disqualify the candidate concerned for that appointment. The purpose of this paragraph of this Standing Order shall be included in any form of application.

22.2 A member of the Authority shall not solicit for any person any appointment under the Authority or as a police officer, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority or the Chief Constable with an application for appointment.

## **23. Relatives of Member or Employees**

23.1 A candidate for any appointment by the Authority who knows that he/she is related to any member or employee of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and if appointed shall be liable to dismissal without notice.

23.2 Every member and senior officer of the Authority shall disclose to the Chief Executive any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Authority.

23.3 This Standing Order shall be included in any form of application.

23.4 For the purpose of the Standing Order, "senior officer" means any officer so designated by the Authority.

## **24. Confidential Documents**

24.1 Documents marked confidential shall be treated as such unless and until they become public in the ordinary course of business.

## **25. Members' Absence**

25.1 If any member fails throughout a period of six consecutive months to attend any meetings of the full Authority, the circumstances shall be reported to the Authority and he/she shall cease to be a member of the Authority unless the failure is due to some reason approved by the Authority and the Authority shall proceed to fill the vacancy.

25.2 If any member fails throughout a period of six consecutive months to attend any meetings of any Committee or Panel of which he/she is a member (provided that at least two such meetings have been convened with the period), the circumstances shall be reported to the Authority and he/she shall cease to be a member of the Committee or Panel, unless the failure is due to some reason approved by the Authority and the Authority shall proceed to fill the vacancy.

## **26. Matters of Urgency**

26.1 The Chief Executive, after consultation with the Chair or the Vice Chair of the Authority, may deal with matters of urgency within the responsibility of the Police Authority subject to a report being made to the next following meeting of the appropriate Committee or the Authority.

## **27. Petitions**

27.1 Any petition signed by ten or more members of the public and not received to be dealt with under a procedure regulated by law shall be reported to the Authority as quickly as possible. At the request of the petitioners, they will be given the opportunity to meet the Chair of the Authority or his nominee.

## **28. Recordings at Meetings**

28.1 No-one may make recordings of any kind other than written notes unless the Chair has given permission. If anyone does so without permission, the Chair can either require the person to leave at once and/or adjourn the meeting for as long as he/she thinks fit.

## **29. Substitute Members**

29.1 Members appointed to the Authority by Warwickshire County Council may be removed by the said County Council and replaced at its discretion provided that the replacement member continues to reflect the prevailing political balance of the said County Council to the Authority.

29.2 Any change in the membership of the Authority appointed by the said County Council shall be notified in writing to the Chief Executive by the Leader or the Secretary of the political group to which that member belongs. The change shall take effect five clear working days after the notification is received by the Chief Executive.

In the case of Independent members, the notification shall be sent by the member himself or herself. Members will, under normal circumstances, be appointed to the Authority for a period of four years.

### **30. Delegation of Powers**

30.1 The Authority may delegate to any Committee or Panel or any officer of the Authority such powers as it may from time to time consider appropriate.

30.2 There shall be delegated to Chief Officers of the Authority all matters of day to day administration of the services for which they are responsible which shall include taking and implementing decisions which are concerned with maintaining the operation or effectiveness of those services or with matters incidental to the discharge of the Authority's functions which fall within a policy decision taken by the Authority, a Committee or a Panel.

### **31. Legal Proceedings**

31.1 The Chief Executive shall, in respect of any legal proceedings instituted by or against the Authority, have power to take any action which is urgently required to be taken and is, in his/her opinion, in the interests of the Authority.

### **32. Contracts**

32.1 Contracts may be entered into only in pursuit of either a resolution of the Authority or a properly made decision under decision-making powers delegated to a Committee, the Chief Executive and/or the Chief Constable. The Authority's Scheme of Delegation is contained within its Contract Standing Orders.

### **33. Variation and Revocation of Standing Orders**

33.1 Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority.

### **34. Contract Standing Orders and Financial Regulations**

34.1 Every member and officer of the Authority shall comply with such Contract Standing Orders and Financial Regulations as may from time to time be made by the Authority.

### **35. Interpretation of Standing Orders**

35.1 References to the "Chief Executive and Treasurer to the Authority", a "Chief Officer" or any other specified officer shall include references to an officer authorised by him/her to be his/her representative or to discharge particular tasks on his/her behalf.

35.2 The term "Chair" is used as a generic term and includes other alternative descriptions of a person who chairs a meeting.

- 35.3 The Interpretation Act 1978 shall, save where the context otherwise requires, apply to these Standing Orders as it applies to the interpretation of an Act of Parliament.
- 35.4 The ruling of the Chair as to the construction or application of any of these Standing Orders or as to any proceedings of the Authority shall not be challenged at any meeting of the Authority.

## **Code of Conduct for Officers**

Officers of the Authority employed through the County Council are subject to the Council's terms and conditions of employment including conduct and disciplinary procedures. Contractors employed by the Authority will be subject to such conditions as are set out in individual contracts. Those terms and conditions shall determine the process that will be followed in the event that allegations of officer misconduct arise.

Notwithstanding the above, all officers working for or in the name of the Authority will be expected to comply with the Nolan Committee's standards of public life as follows:

### **Selflessness**

Holders of public office take decisions in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in their performance of the official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

Officers working for or in the name of the Authority will be expected to declare offers of gifts and hospitality in the Register maintained by the Police Authority, and will be expected to declare any potential conflicts arising between their personal interests

and the interests of the Police Authority on an annual basis or as those interests otherwise arise.



**Warwickshire**  
POLICE AUTHORITY

*The authority behind the force*

## **Complaints Procedure**

February 2008

## **Introduction**

This procedure explains how to make a complaint if you are dissatisfied with any services provided by the Police Authority. It does not cover complaints in the following areas:-

- Operational policing matters, which should be addressed to your local police District Commander.
- The conduct of an individual police officer, which should be addressed to the Professional Standards Department at the Police Headquarters in Leek Wootton, Warwick.
- The conduct of an individual Member of the Police Authority, which should be addressed to the Standards Board for England, PO Box 36656, London SE1 0WN

Please also note that although complaints may refer to the behaviour of a particular member of staff, any issues concerning the employer/employee relationship including the need for disciplinary action to be taken are addressed separately under the Authority's internal procedures.

## **How To Complain About The Police Authority's Services**

Warwickshire Police Authority (WPA) aims to provide services which are both efficient and fair. However, if you are not satisfied with any service which you have received from WPA or feel that you have been unfairly treated you are entitled to make a complaint.

WPA has a set of procedures for dealing with complaints with the intention that everyone who makes a complaint is treated equally. This procedure explains each stage involved to ensure that complain are properly dealt with.

WPA's intention is to respond positively to any complaints which are made and in particular if mistakes have been made to acknowledge this and try and put things right.

## **Making Your Complaint**

### **STEP ONE**

Complaints should be submitted in writing and addressed to the Chief Executive of WPA. However, if for any reason this presents a difficulty it is possible to make a complaint either in person or by telephone or to ask someone else, eg a friend or relative, to do it for you.

When making a complaint, please give the name of the member(s) of staff involved in the issue giving rise to the complaint, outline the circumstances of the complaint in as much detail as possible and give the reasons why you are not satisfied with the way you have been dealt with.

The Chief Executive will endeavour to respond to your complaint within 14 days. There will be cases, however, where this is not possible. In such cases you will be contacted in writing and told when you can expect a response.

If, in any case, your complaint relates directly to the Chief Executive then it will be referred to Step Two of this procedure.

If you are still dissatisfied once you have received a response then you may ask for the complaint to proceed to Step Two.

## **STEP TWO**

WPA has a Monitoring Officer whose responsibilities include the consideration of complaints and you should write to him with details of your complaint and where possible include copies of all previous correspondence.

The Monitoring Officer will review how your complaint has been handled and again will aim to let you have a response within 14 days. If this is not possible then you will be contacted in writing and given a date when you can expect a response. In particular a longer time may be needed if the Monitoring Officer feels that some detailed investigation is necessary which involves consideration of the relevant files.

If your complaint directly involves the Monitoring Officer it will be reviewed by another senior officer of the County Council.

Once you have received a response from the Monitoring Officer and if you remain dissatisfied then you may ask the Monitoring Officer to refer your complaint to Step Three. Please note, however, that normally the Monitoring Officer will only refer a complaint to Step Three where the complaint raised issues about the Authority's policies or procedures.

## **STEP THREE**

In appropriate cases a final decision about your complaint will be taken by WPA's Standards Committee which comprises Members of the WPA but is chaired by an independent person not associated with WPA. If a complaint is referred to Step Three you will be further advised about the procedure to be followed.

## **Problems in Pursuing Your Complaint**

If you have any practical difficulties in being able to pursue the complaint, for example, because of disability or language problems, please contact the Chief Executive and consideration will be given as to how WPA can best provide assistance.

## **Complaints to the Local Ombudsman**

If, after going through the various steps in this procedure, you feel that WPA has not handled your complaint satisfactorily you are entitled to make a complaint to the Local Government Ombudsman. The Ombudsman will not usually investigate a complaint unless you have tried to resolve it with WPA first.

## **Addresses and Contact Numbers**

Chief Executive, Warwickshire Police Authority, 3 Northgate Street, Warwick CV34 4SP – Tel No. 01926 736363 – email [ericwood@warwickshire.gov.uk](mailto:ericwood@warwickshire.gov.uk)

Monitoring Officer, Warwickshire County Council, PO Box 9, Shire Hall, Warwick CV34 4RR – Tel No. 01926 412564 – email [davidcarter@warwickshire.gov.uk](mailto:davidcarter@warwickshire.gov.uk)

Local Government Ombudsman, Beverley House, 17 Shipton Road, York YO30 5FZ – Tel No. 01904 663200