



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

ORIGINATOR: Chief Executive

REASON FOR SUBMISSION: FOR DECISION

SUBMITTED TO: POLICE & CRIME COMMISSIONER

SUBJECT: CONTINUITY OF BUSINESS AND GOVERNANCE PROCESSES FOLLOWING THE ABOLITION OF NORFOLK POLICE AUTHORITY (NPA).

SUMMARY: The Police Reform and Social Responsibility (PR&SR) Act 2011 Section 1(9) abolishes police authorities effective from midnight 21st November 2012.

The new policing body, which takes on all legal responsibilities and liabilities of the Norfolk Police Authority, is the Police and Crime Commissioner (PCC) for Norfolk.

For seamless continuity this report recommends that existing policies and practices of the NPA continue, amended only regarding nomenclature, until a detailed review has been undertaken by the PCC in due course of all such documents on an individual or collective basis as may be deemed suitable.

RECOMMENDATION: That the Police & Crime Commissioner for Norfolk, Mr Bett signs the appended formal Continuity of Business Declaration to be effective immediately on the cessation of legal authority of the NPA pursuant to PR&SR Act S1.

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

1.1 The Police Reform and Social Responsibility (PR&SR) Act 2011 Section 1(9) abolishes police authorities effective from midnight 21st November 2012.

1.2 The new policing body which takes on all legal responsibilities and liabilities of the Norfolk Police Authority is the Police and Crime Commissioner (PCC) for Norfolk.

1.3 The Office of the Police & Crime Commissioner for Norfolk (OPCCN) will, initially, be supported by the staff of the former NPA who are automatically transferred by Statute. It will be a matter for the PCC to determine thereafter who his staff will be and what functions they will discharge, including, if required, a Deputy PCC.

1.4 In the absence of any time for overlap of responsibilities it is necessary, for the effective operation of the OPCCN, to be able to function as a Corporation Sole immediately, and for there to be unbroken continuity of systems, and processes of governance and accountability. Thus, this short report appends (Appendix 1) a Declaration to be signed-off by the incoming PCC which will give general endorsement of all current and extant business processes and governance with a view to delivering unbroken continuity immediately following the cessation of business and legal authority of the NPA. This will allow the OPCCN, and the Norfolk Constabulary, to carry on pending review and reappraisal of such matters following his election.

1.5 Thereafter, in due course and when timescales allow, the PCC for Norfolk will review and approve any revised, modified, or replacement documentation, should that be determined to be necessary and/or appropriate.

1.6 In order for this to happen seamlessly, the paper is submitted to the PCC-elect for consideration following election (15th November) but prior to taking up office (22nd November). It is anticipated, assuming the PCC agrees, that the appended document will be signed following formal Declaration of Office but post-dated to come into effect immediately on the cessation of the NPA and upon the PCC taking office i.e. immediately past midnight of the 21st November.

2. FINANCIAL IMPLICATIONS:

2.1 There are no direct financial costs or implications arising from this report provided it is approved.

2.2 However there could be financial costs arising if continuity was not maintained and/or there was a "vacuum" of appropriate policies or a radical change to them without appropriate and in some cases, statutory, consultation. It is not possible to quantify such costs without knowing what areas were impacted.

3. OTHER IMPLICATIONS AND RISKS:

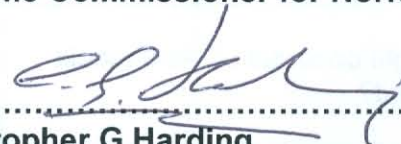
3.1 Without such approval the governance of the OPCCN would be open to challenge and there could be a collateral impact on the ability of the Constabulary to function or to be appropriately resourced. Liabilities and assets could be thus put at risk.

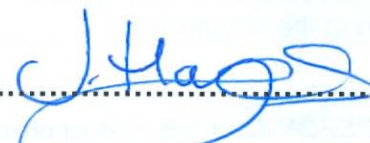
**DECLARATION OF CONTINUITY OF GOVERNANCE AND BUSINESS
PROCESSES BY STEPHEN BETT**

I, Stephen William Bett, as duly elected Police & Crime Commissioner for Norfolk hereby confirm that all previous policies, procedures and governance arrangements that are in place as at the time of the abolition of the Norfolk Police Authority, pursuant to the provisions of the Police Reform and Social Responsibility Act 2011(The Act) (along with all incorporated principal and subordinate legislation) shall continue in place and effect (modified as is consistent with the replacement Policing Body as defined by The Act) until such time as I determine that they shall be otherwise amended, revised, modified, repealed or replaced as is appropriate and within my authority at the time.

Further, and to the extent that until the bespoke Transfer Order for Norfolk is effected and that the staffs and constables who are under the direction and control of the Chief Constable prior to the NPA's abolition remain linked to me as PCC, this declaration shall apply to all such policies and procedures, and governance arrangements until that Transfer Order is approved and brought into effect by the Home Secretary on or before the 31st March 2014.

Signed:  Dated: 21/11/12
Stephen Bett
 Police & Crime Commissioner for Norfolk

First Witness:  Dated: 21/11/12
Christopher G Harding
 Head of Staff – OPCCN

Second Witness:  Dated: 21.11.12
Jenny C Hayes
 Deputy Head of Staff – OPCCN

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No – Author is the Solicitor and Monitoring Officer
Has the Chief Finance Officer been consulted?	Yes
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes – to the extent that all such pre-existing polices etc have been so assessed.
Have human resource implications been considered?	Yes – to the extent that all such pre-existing polices etc have been so assessed.
Is the recommendation consistent with the objectives in the Police and Crime Plan?	Yes – to the extent that all such pre-existing polices etc have been so assessed.
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes
Has communications advice been sought on areas of likely media interest and how they might be managed?	Yes
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes

APPROVAL TO SUBMIT TO THE DECISION-MAKER (this approval is required only for submissions to PCC and DPCC).

Chief Executive/Chief Finance Officer/Deputy Chief Executive (delete as appropriate)

I am satisfied that relevant advice has been taken into account in the preparation of the report and that this is an appropriate request to be submitted to the (add decision-maker's title i.e. PCC/DPCC).

Signature:

Date: