



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

ORIGINATOR: Chief Executive

DECISION NO. 2014/06

REASON FOR SUBMISSION: For Decision

SUBMITTED TO: Chief Executive

SUBJECT: Delegations by Chief Executive

SUMMARY:

1. The paper provides for a decision to be made by the Chief Executive to delegate the performance of his functions as Chief Executive and Monitoring Officer to the Chief Finance Officer and other officers to cover circumstances whenever the Chief Executive is unable to perform such functions.

RECOMMENDATION:

It is recommended that:

1. A delegation is made to the Chief Finance Officer and other officers in the form attached at Appendix A.

Refers to Section 3.4, Scheme of Governance and Consent – April 2014.

OUTCOME/APPROVAL BY: CHIEF EXECUTIVE

The recommendations as outlined above are approved.

Signature

Date 31-3-14

DETAIL OF THE SUBMISSION

1. KEY ISSUES FOR CONSIDERATION:

1.1 The Chief Executive has statutory functions to perform as Chief Executive and Monitoring Officer. Further the Chief Executive has a number of responsibilities delegated to them by the Police and Crime Commissioner.

1.2 The Scheme of Governance and Consent, which was agreed by the Police and Crime Commissioner on 17th March 2014, and came into effect on 1st April 2014, provides that:

“Any member of the PCC’s staff who is authorised by the Chief Executive to act, and provided such further delegation and the terms thereof is documented in writing, may act on behalf of the Chief Executive and with particular reference to the execution of all contracts, agreements and other legal instruments either in writing or by affixing the common seal of the PCC, on behalf of the PCC in accordance with any decisions made by or on behalf of the PCC.”

1.3 The Scheme makes specific provision for delegations to the Chief Executive.

1.4 Under Section 5A(10) of the Local Government and Housing Act 1989:

“The duties of an authority’s monitoring officer under this section shall be performed by him personally or, where he is unable to act owing to absence or illness, personally by such member of his staff as he has for the time being nominated as his deputy for the purposes of this section.”

1.5 The PCC has appointed the Chief Finance Officer who will deputise for the Chief Executive.

1.6 In order to ensure continuity and discharge of the functions of the Chief Executive in the absence or illness of the Chief Executive, and to avoid any doubt as to the authority of the Chief Finance Officer, the Chief Executive proposes to give a specific written authority to the Chief Finance Officer as set out in Appendix A. This relates to the discharge of the Chief Executive’s statutory duties as Chief Executive and Monitoring Officer and inclusive of the various delegations to the Chief Executive included within the Scheme of Governance and Consent.

1.7 The Chief Executive also proposes to authorise one further officer to execute formal documents on behalf of the PCC as set out in Appendix A.

2. FINANCIAL IMPLICATIONS:

2.1 There are no financial implications.

3. OTHER IMPLICATIONS AND RISKS:

3.1 There are no relevant other implications or risks.

PUBLIC ACCESS TO INFORMATION: *Information contained within this submission is subject to the Freedom of Information Act 2000 and wherever possible will be made available on the OPCC website. Submissions should be labelled as 'Not Protectively Marked' unless any of the material is 'restricted' or 'confidential'. Where information contained within the submission is 'restricted' or 'confidential' it should be highlighted, along with the reason why.*

ORIGINATOR CHECKLIST (MUST BE COMPLETED)	PLEASE STATE 'YES' OR 'NO'
Has legal advice been sought on this submission?	No
Has the PCC's Chief Finance Officer been consulted?	Yes
Have equality, diversity and human rights implications been considered including equality analysis, as appropriate?	Yes – there are no such implications
Have human resource implications been considered?	Yes – there are no such implications
Is the recommendation consistent with the objectives in the Police and Crime Plan?	N/A
Has consultation been undertaken with people or agencies likely to be affected by the recommendation?	Yes – the PCC and the officers concerned have been consulted
Has communications advice been sought on areas of likely media interest and how they might be managed?	Assessed as very unlikely.
In relation to the above, have all relevant issues been highlighted in the 'other implications and risks' section of the submission?	Yes



OFFICE OF THE POLICE & CRIME COMMISSIONER FOR NORFOLK

Delegations by the Chief Executive to the Chief Finance Officer and other officers

WHEREAS the Scheme of Governance and Consent agreed by the Police and Crime Commissioner on 17th March 2014, which came into effect 1st April 2014 provides:

“Any member of the PCC’s staff who is authorised by the Chief Executive to act, and provided such further delegation and the terms thereof is documented in writing, may act on behalf of the Chief Executive and with particular reference to the execution of all contracts, agreements and other legal instruments either in writing or by affixing the common seal of the PCC, on behalf of the PCC in accordance with any decisions made by or on behalf of the PCC.”

And further that the Chief Executive is authorised:

“To execute all contracts, agreements and other legal instruments either in writing or by affixing the Common Seal of the PCC, on behalf of the PCC in accordance with any decisions made by or on behalf of the PCC”.

I, **MARK STOKES**, Chief Executive of the Office of the Police and Crime Commissioner for Norfolk, hereby authorise:

(i) **JOHN HUMMERSONE** as Chief Finance Officer, to undertake the roles and obligations of Chief Executive and Monitoring Officer when for reasons of absence or illness I am unable to discharge such roles and obligations and including the various delegations to the Chief Executive contained within the Scheme of Governance and Consent referred to above;

(ii) **MARTIN BARSBY**, to execute all contracts, agreements and other legal instruments either in writing or by affixing the common seal of the Police and Crime Commissioner, on behalf of the Commissioner in accordance with any decisions made by or on behalf of the Commissioner whenever I and the Chief Finance Officer (as authorised by (i) above) are unavailable to do so.

In attesting the common seal **JOHN HUMMERSONE** will use the style “Chief Finance Officer” and **MARTIN BARSBY** will use the style “Duly Authorised Officer”.

Mark Stokes
Chief Executive

Dated: 1st April 2014

