



**PROCEDURAL STANDING ORDERS
CONTRACT STANDING ORDERS
FINANCIAL REGULATIONS
AND
SCHEME OF DELEGATION**

2011/12

(Approved by the Police Authority on 23rd June 2011)

MERSEYSIDE POLICE AUTHORITY

PROCEDURAL STANDING ORDERS

Introduction

These Standing Orders shall, where applicable, be read and interpreted together with the provisions of Schedule 12 to the Local Government Act 1972 and any amendments to or variation or re-enactment of those provisions.

In these Standing Orders, the "Chief Officer" shall mean:

- (a) the Chief Executive to the Authority;
- (b) the Treasurer to the Authority;
- (c) the Deputy Chief Executive

For the purposes of these Standing Orders the Chief Executive's authorised signatories shall be:-

- (a) the Chief Executive
- (b) the Treasurer to the Authority
- (c) the Deputy Chief Executive
- (d) the Solicitor to the Authority
- (e) the Force Solicitor (Merseyside Police)

And such other persons as the Chief Executive shall from time to time authorise in relation to specific matters or generally.

Appointment of Chairperson

1. The Police Authority shall, at its Annual Meeting, as the first item of business, appoint a Chairperson from amongst its members for the period up to the date of the Annual Meeting in the following year.
2. If the Chairperson is absent from a meeting of the Police Authority, the members present shall appoint one of their number to act as a Chairperson for that meeting.
3. Any power or duty of the Chairperson of the Police Authority may, in the absence of the Chairperson, be exercised by the member presiding at the meeting.

Meetings of the Police Authority

4. The Annual Meeting of the Police Authority shall be held on such date prior to the end of June in each Authority year as the Police Authority may determine.

5. An extraordinary meeting of the Police Authority may be called at any time by the Chairperson of the Police Authority during normal business hours.
6. If the Chairperson refuses to call an extraordinary meeting of the Police Authority after a requisition for that purpose, signed by three members of the Police Authority, has been presented to him or her or if, without so refusing, the Chairperson does not call an extraordinary meeting within seven days after the requisition has been presented to him or her, then any three members of the Police Authority, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the Police Authority.
7. The Police Authority shall meet at West House, Mercury Court, Liverpool for the transaction of general business on dates to be agreed by the Authority at its Annual Meeting or as the Chairperson may determine.

All meetings of the Police Authority shall be convened by or through the Chief Executive to the Authority.

8. At least five clear days before a scheduled meeting of the Police Authority:-
 - (a) a notice of the date, time and place of the intended meeting shall be published at West House, Mercury Court, Liverpool and, where the meeting is called by members of the Police Authority in accordance with Standing Order 6, the notice shall be signed by those members and shall specify the business proposed to be transacted thereat; and
 - (b) a summons to attend the meeting, specifying the date, time and place of the meeting and the business proposed to be considered thereat, shall be supplied to every member of the Police Authority at his or her usual place of residence or otherwise as requested.
9. Want of service of a summons on any member of the Police Authority shall not affect the validity of a meeting of the Police Authority.

Recording of proceedings

10. Without the express permission of the Authority, no audio or photographic record of the proceedings (or part of the proceedings) of a meeting may be taken.

Quorum and further meetings

11. The quorum of the Police Authority shall be one quarter (five) of the total number of members and no business shall be transacted at any meeting unless a quorum is present.
12. If, during any meeting of the Police Authority, the Chairperson, after counting the number of members present, declares that there is not a quorum present, the meeting shall stand adjourned to a date and time to be fixed by the Chairperson at the time when the meeting is adjourned.
13. If the Chairperson does not fix a date and time for such adjourned meeting to be resumed, the meeting shall stand adjourned until the date and time fixed

for the next ordinary meeting of the Police Authority, in which event the business not transacted at the meeting which was adjourned shall, subject to Standing Order 14, be placed first upon the agenda.

Order of business

- 14.** The order of business at every meeting of the Police Authority shall be:
- (a) to choose a person to preside at the meeting if the Chairperson of the Police Authority is absent;
 - (b) to deal with any business required by statute to be dealt with before any other business;
 - (c) to approve as a correct record or otherwise, and to authorise the Chairperson to sign, the minutes of the last meeting of the Police Authority;
 - (d) to receive declarations of interests in accordance with the Code of Conduct for Members approved by the Authority;
 - (e) to receive announcements from the Chairperson;
 - (f) to dispose of any business outstanding from the last meeting;
 - (g) to receive, consider and, if approved, adopt the minutes of committees of the Police Authority and to answer questions in accordance with Standing Order 17;
 - (h) to consider motions submitted in accordance with Standing Order 18 in the order in which the Chief Executive has received notice thereof;
 - (i) to consider reports of the Chief Executive, the Chief Constable and other officers of the Police Authority;
 - (j) to consider other business, if any, specified in the agenda; and
 - (k) to deal with business in respect of which five clear days' notice has not been given but which, by reason of special circumstances shall be specified in the minutes, the Chairperson of the meeting is of the opinion should be considered at the meeting as a matter of urgency.
- 15.** With the exception of those items referred to in Standing Order 14(a) and (b) the order of business specified in standing order 14 above may be varied by:-
- (a) the Chairperson at his or her discretion; and
 - (b) by a resolution passed on a motion duly moved and seconded without debate.
- 16.** At the Annual Meeting of the Authority, the Chief Executive shall, in addition to including on the Agenda the statutory business relating to the appointment of the Chairperson include:-

- (a) an item requiring the Authority to consider the constitution of committees, their membership, and the appointment of Chairperson to them;
- (b) an item requiring the Authority to consider the dates and times for ordinary meetings of the Authority and of committees;
- (c) an item requiring the Authority to consider appointments to outside bodies; and
- (d) an item requiring the confirmation of the Authority's Standing Orders (procedural and contractual) and Financial Regulations, and Scheme of Delegation.

Questions

17. At a meeting of the Authority any member may ask a question of the Chairperson of a Committee about a matter falling within the province of that Committee by asking such questions without notice when the proceedings of the Committee are presented to the Authority provided that such question is limited to the matter included in such proceedings.

Motions

18. Any member may submit a Motion for consideration by the Authority by giving notice electronically or in writing, and signed by the Member or Members giving such notice, to the Chief Executive of the Authority at least ten clear days prior to the date of the Authority meeting.

On receiving any such notice, the Chief Executive to the Authority shall:-

- (a) enter upon each notice the date of receipt;
- (b) number such notices in the order of receipt; and
- (c) enter such notice in a book which shall be available for inspection by any member of the Authority.

The Member, or Members, who gave the original notice may withdraw a Motion by so notifying the Chief Executive to the Authority, in writing.

Every Motion shall be directly relevant to some matters in relation to which the Authority has powers or duties; and shall not seek to rescind or vary any resolution which has been passed at a meeting of the Authority within the preceding six months.

All Motions submitted in accordance with this Standing Order shall be set out in the summons for the next Authority meeting in the order of receipt. Any notice of Motion which has been given less than ten days before the next meeting of the Authority shall be inserted by the Chief Executive on the Summons for the next but one meeting.

If a Motion set out in the summons is not moved by the Member who gave notice thereof, or by some other member acting on his or her behalf, or fails to be seconded it shall be regarded as having been withdrawn.

19. Presentation of Petitions

- (1) At a meeting of the Authority any local government electors, Council Tax payers or ratepayers for the area of the authority may present a petition containing a minimum of 100 signatures, which is relevant to some matter in relation to which the Authority has functions, or which affects the area of the Authority, or part of it, or the inhabitants of that area, or some of them except that no petition relating to the Authority's roles:-
- (a) as an employer;
 - (b) as discipline authority under the prevailing senior officer disciplinary arrangements;
 - (c) under the Police Pension Regulations;
 - (d) in respect of requests for financial assistance to officers under Section 88 of the Police Act 1996

will be heard.

- (2) At least ten days before the meeting at which the petition is to be presented the person wishing to present it shall give notice of his/her intention to do so to the Chief Executive and shall produce the petition to him or his authorised representative.
- The notice of intention to present a petition shall not be accepted unless the Chief Executive is satisfied that the petition is proper to be presented.
- (3) The presentation of a petition shall be limited to not more than five minutes, and shall be confined to reading out, or summarising, the prayer of the petition, indicating the number and description of the signatories (minimum 100), and making such further supporting remarks relevant to the petition as the person presenting it shall think fit, provided always that the Authority's Standing Orders shall not be breached.
- (4) Petitions shall be presented in the order in which notice of them is received by the Chief Executive and there shall be a maximum of three petitions received at any one meeting of the Authority.
- (5) Nothing in this Standing Order prevents the Authority from debating the matter privately in appropriate circumstances.

20. Rules of Debate for Meetings

A motion or amendment shall not be discussed unless it has been proposed and seconded, and shall at the request of the Chairperson be put into writing and handed to the Chairperson before it is further discussed or put to the meeting.

- 21.** When a motion is under debate no other motion shall be moved except the following:-
- to amend the motion;

to adjourn the meeting;

to adjourn the debate;

to proceed to the next business;

that the question be now put;

that a Member be not further heard;

that a member do leave the meeting under Standing Order 35;

a motion under Section 100A of the Local Government Act, 1972 to exclude the public.

- 22.** A Member may move without comment at the conclusion of a speech of another Member:

"That the question be now put" or "That the meeting do now adjourn", on the seconding of which the Chairperson shall proceed as follows:-

- (a) on a motion that the question be now put, the Chairperson shall first put to the vote without discussion the motion that the question be now put and, if it is passed, then put the original motion to the vote;
- (b) on a motion to adjourn the meeting, the Chairperson shall put the adjournment motion to the vote without discussion.

- 23.** A Member may raise a point of order and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he or she considers it has been broken.

- 24.** Any Member speaking must give way if a point of order is raised.

- 25.** The ruling of the Chairperson on a point of order shall be final and not open to discussion.

- 26.** A member when speaking shall address the Chairperson. If two or more members wish to speak the Chairperson shall call on one to speak - the other or others shall wait until called. While a member is speaking, the other members shall remain silent unless raising a point of order.

- 27.** A member shall direct his/her speech to the question under discussion or to a point of order.

- 28.** An amendment shall be relevant to the motion and shall either:-

refer a subject of debate to a Committee or Sub-Committee for consideration or re-consideration;

leave out words;

leave out words and insert or add others;

insert or add words; or

defer a matter for further information from an officer or other person or body;

but such omission, insertion, or addition of words shall not have the effect of negating the motion before the Authority.

29. Only one amendment may be moved and discussed at a time, and no further amendment shall be moved until the amendment under discussion has been disposed of. Provided that the Chairperson may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the business and may direct the order in which such amendments are to be put.
30. If a motion or an amendment is lost, other motions or amendments may be moved on the original subject matter under discussion or motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
31. A member may with the consent of the meeting alter a motion of which he or she has given notice; or with the further consent of his or her seconder, alter a motion which he or she has moved, if (in either case) the alteration is one which could be made as an amendment.
32. A motion or amendment may be withdrawn by the mover but any other member may then move that motion or amendment.
33. **Matters affecting persons employed by and officers of the Authority**

If at a meeting matters relating to the appointment, promotion, dismissal, salary, pension or conditions of service, or the conduct of any police officer or person employed by the Authority, are or are likely to be under discussion the Chairperson shall forthwith call upon the meeting to decide whether or not the power of exclusion of the public under Section 100A of the Local Government Act 1972, shall be exercised.

Disorderly Behaviour

Members of the Police Authority

34. If at a meeting any Member of the Authority in the opinion of the Chairperson misconducts him or herself by persistently disregarding the ruling of the Chairperson or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Police Authority, the Chairperson or any other member may move 'that the member named be not further heard' and the motion, if seconded, shall be put and determined without discussion.
35. If the member named continues his or her misconduct after a motion under the foregoing standing order has been carried, the Chairperson shall either 'move that the member named do leave the meeting' (in which case the motion shall be put and determined without seconding or discussion) or

adjourn the meeting of the Police Authority for such period as the Chairperson shall consider expedient.

36. In the event of a general disturbance which, in the opinion of the Chairperson, renders the due and orderly despatch of business impossible, the Chairperson, in addition to any other statutory and common law power vested in him or her may adjourn the meeting for such period as he or she shall consider expedient.

Disturbance by Members of the public

37. If a member of the public interrupts the proceedings at any meeting, the Chairperson shall warn him or her of the consequence of continuing that course of conduct and if he or she continues the interruption the Chairperson shall order his or her removal from the meeting room.
38. In the case of general disturbance by members of the public in any part of the meeting room, the Chairperson shall order that part occupied by persons causing the disturbance to be cleared.

Voting

39. Voting at meetings of the Police Authority shall be determined by a show of hands. The names and votes of Members shall not normally be recorded in the minutes. On the requisition of any Member of the Police Authority (made before the vote on any question is taken) and immediately supported by five other Members who signify their support by raising their hands, the voting shall be by roll call and recorded in the minutes so as to show whether each Member present gave his or her vote for or against that question or abstained from voting.
40. In the case of an equality of votes the Chairperson of the meeting shall have a second or casting vote.

41. **Recording of Votes at Meetings**

Where immediately after a vote is taken at a meeting of a relevant body, if any member of that body so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his vote for the question or against the question or whether he abstained from voting.

In this paragraph “relevant body” means the Authority, a Committee or Sub-Committee of the Authority or a relevant joint Committee or Sub-Committee of such a committee.

42. **Voting on Appointments**

Where there are more than two persons nominated for any position to be filled and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.

43. Signing of minutes of meetings

Where in relation to any meeting of the Authority the next such meeting is a meeting called under paragraph 3 (extraordinary meetings) of Schedule 12 to the Local Government Act 1972, the next following meeting of the Authority (being a meeting called otherwise than under that paragraph) shall be treated as a suitable meeting for the purposes of paragraph 41 (1) and (2) (signing of minutes) of that Schedule.

Committees and Sub-Committees of the Police Authority

- 44.** The Police Authority at its Annual Meeting may establish and determine the Terms of Reference of such committees and sub-committees of the Authority as it considers appropriate and appoint Chairpersons and Members of those Committees.
- 45.** Committees and Sub-Committees shall meet for the transaction of general business on dates agreed by the Annual Meeting or as the Chairperson of the Committee or Sub-Committee may determine.
- 46.** The membership of all Committees and Sub-Committees shall reflect the representative balance of the Police Authority in so far as that is practicable.
- 47.** The Chairperson of the Police Authority shall be an ex-officio member of all Committees and Sub-Committees of the Police Authority (without the right to vote).
- 48.** The Authority may at any time dissolve such committees and sub-committees or change the Membership and Terms of Reference thereof.
- 49.** The period of continuance of every Committee and Sub-Committee shall, unless otherwise determined, be until the next Annual Meeting of the Police Authority.
- 50.** The Police Authority shall make appointments to fill vacancies upon Committees which may occur for any reason; such appointments, however, shall not be made until the relevant vacancies on the Police Authority have been filled.
- 51.** All meetings of Committees or Sub-Committees shall be summoned by or through the Chief Executive, who, after consultation with the appropriate Chairperson, may also convene a special meeting thereof at any time.

Sub-Committees

- 52.** Each Committee shall review the appointment, the powers and duties and the membership of any of its Sub-Committees at the first meeting of the Committee following the Annual Meeting of the Authority.

A Committee may, at any time, vary the appointment, the powers and duties or the membership of any of its Sub-Committees.

Resignations

53. Chairpersons, or Members of Committees or Sub-Committees may resign from such office at any time by notification, in writing, to the Chief Executive to the Authority, such resignation being effective on the date of receipt.

Chairperson to preside

54. At any meeting of a Committee or Sub-Committee the Chairperson of the Committee or Sub-Committee, if present, shall preside. If the Chairperson is absent then the members present shall appoint one of their numbers to act as Chairperson of the meeting.

Waiving Delegated Powers

55. Notwithstanding the delegation of any powers and duties to a Committee or Sub-Committee, if the Committee or Sub-Committee so resolve the approval of the Authority shall be required to any decision taken under such powers and duties.

Special Meetings

56. A Special Meeting of a Committee may be called by the Chairperson at any time or on the requisition of any three members of the Committee, delivered in writing to the Chief Executive.
57. If the Chairperson refuses to call a Special Meeting of a Committee after a requisition for that purpose, signed by three members of the Committee, has been presented to him or her or if, without so refusing, the Chairperson does not call a Special Meeting within seven days after the requisition has been presented to him or her, then any three members of the Committee, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call a Special Meeting of the Committee.
58. The summons to a Special Meeting shall set out the business to be considered thereat and no business other than that set out in the summons shall be considered at the meeting subject to the Chairperson's power to consider matters of an urgent nature.

Quorum of Committees/Sub-Committees

59. Business shall not be transacted at a meeting unless one quarter of the total number of members is present, always provided that in no case shall the quorum be less than two.
60. No business shall be transacted by a committee/sub-committee unless there is a quorum and a meeting which ceases to have a quorum shall stand adjourned and the provisions relating to the adjournment of meetings of the Police Authority (standing orders 12 and 13) shall apply.

Order of Business

61. The order of business specified in Standing Order 14 for meetings of the Authority shall apply, as appropriate, to meetings of committees and sub-committees.

Voting in Committees and Sub-Committees

62. Voting at meetings of a Committee or Sub-Committee shall be determined by show of hands. The names and votes of Members shall not normally be recorded in the minutes but any Member may request that his/her abstention or dissention be so recorded. On the requisition of any Member (made before a vote is taken) and immediately supported by two other Members, voting shall be determined by roll call and recorded so as to show votes for or against that question or abstention from voting.

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

Presentation of Committee Proceedings

63. The proceedings, of each Committee shall be presented to the Authority for approval or information by the Chairperson of the Committee or some other member of the Committee in the Chairperson's absence.

Presentation of Sub-Committee Proceedings

64. The proceedings of each Sub-Committee shall be presented to the Committee for approval by the Chairperson of the Sub-Committee or other Member of that Sub-Committee in his/her absence and reported to the Authority.
65. In presenting the minutes the Chairperson or other Member may request the approval of the Authority to withdraw for further consideration or to amend any committee decision requiring confirmation.

Any voting by the Authority upon withdrawal or an amendment proposed under this Standing Order shall be by a show of hands, without debate.

66. Resolutions of Committees which have been passed in the exercise of delegated powers shall be indicated by the placing of an asterisk opposite such resolution which shall not be open for debate or amendment.

Suspension of Standing Orders

67. Any of these standing orders other than those which are statutory requirements may be suspended in relation to the conduct of any business at a meeting. Voting on a motion to suspend standing orders shall be by a show of hands without debate.

Interest in contracts and other matters

68. If any Member of the Authority has a prejudicial interest within the meaning of Part 2 of the Authority's Code of Conduct in any contract, proposed contract, or other matter, that member shall withdraw from the meeting while the

contract, proposed contract, or other matter is under consideration by the Authority unless the:-

- (1) Member has received a dispensation from the Authority's Standards Committee;

(Note: A member remaining in the meeting by virtue of this sub-paragraph must comply with any requirements relating to the declaration of interest on voting, attached to or contained in the Standards Committee dispensation.)

- (2) contract, proposed contract, or other matter is under consideration by the Authority as part of the report of a Committee or Sub-Committee and is not itself the subject of debate.

Inspection of Documents

69. In accordance with Section 100 (F) of the Local Government Act 1972, except in cases where it appears to the Chief Executive that disclosure of exempt information of a description falling within any of Paragraphs 1 and 2 and 3 (in certain circumstances) and 4,5 and 7 of Part 1 of Schedule 12A to the Act would be involved, a member of the Police Authority may, on application to the Chief Executive, inspect any document which is in the possession, or under the control, of the Police Authority relating to any business which is to be or has been transacted at a meeting of the Police Authority or of a Committee or Sub-Committee thereof and may make, or ask to be supplied with, copies of or extracts from the documents; provided that a member shall not knowingly inspect nor ask to be supplied with a copy of any document relating to a matter in which he or she is professionally interested or in which he or she has a personal or prejudicial interest within the meaning of Part 2 of the Authority's Code of Conduct. This standing order shall not preclude the Chief Executive from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.

Pecuniary interest of officers

70. The Chief Executive shall record, in a book to be kept for the purpose, particulars of any notice of a pecuniary interest in a contract given by:-
 - (a) an officer of the Police Authority under section 117 of the Local Government Act 1972 and an officer of Knowsley Borough Council employed under Section 113 of the Local Government Act 1972 whose duties concern wholly or in part the business of the Police Authority and such officers shall be required to notify the Chief Executive of any pecuniary interest in a contract with the Police Authority as if they were required to do so under section 117 of the Local Government Act 1972.
 - (b) A police officer or a staff member under the direction and control of the Chief Constable.

The book shall be open during normal office hours for inspection by Members of the Police Authority.

Canvassing of Members for appointment

71. Any candidate for an appointment under the Police Authority which is wholly or mainly concerned with Police Authority business shall be disqualified from such appointment if he or she has canvassed, directly or indirectly, any member of the Police Authority.
72. No member of the Police Authority shall solicit for any person any appointment under the Police Authority nor give a written testimonial of a candidate's ability, experience or character for submission to the Police Authority with an application for appointment.
73. Any candidate for appointment to a post concerned mainly or wholly with Police Authority business shall be disqualified from appointment if any member of the Police Authority has solicited for the appointment of such person or has given a written testimonial of a candidate's ability, experience or character.
74. A candidate for any appointment under the Police Authority who knows that he or she is related to any Member or senior officer of the Police Authority or to the Chief Constable or an Assistant Chief Constable of the Merseyside Police shall, when making application, disclose that relationship to the Chief Constable, or in the case of appointments made by Members of the Police Authority, the Chief Executive; and any candidate who fails to disclose such a relationship shall be disqualified from the appointment and, if appointed, shall be liable to dismissal without notice.
75. Every Member and officer of the Authority shall disclose to the Chief Executive any relationship known to him to exist between himself and any person whom he/she knows is a candidate for appointment under the Authority. The Chief Executive shall report to the Authority or officer responsible for the selection or appointment any such disclosure made to him.

The purport of this Standing Order shall be included either in every advertisement inviting applications for appointments or in any form of application.

Persons shall be deemed to be related if they are husband and wife or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other. This provision shall apply to persons who have lived together as husband and wife as if they were husband and wife and shall be interpreted accordingly.

76. Every Member must disclose any personal knowledge of a candidate for any appointment under the Police Authority if he or she is involved in the short-listing and/or interview of such candidate.

Common Seal, sealing and signing of documents

77. The Common Seal of the Police Authority shall be kept in a safe place in the custody of the Chief Executive or someone specifically authorised to keep the seal on his behalf.

78. The Common Seal of the Police Authority shall not be affixed to any document unless the sealing has been authorised by resolution of the Police Authority or of a Committee or officer to which the Police Authority have delegated their powers in this behalf, but a resolution of the Police Authority (or of a committee where that committee has the power) authorising the taking of any action shall be sufficient authority for sealing any document necessary to give effect to the resolution.
79. The seal shall be attested by the Chief Executive or his authorised signatories whom he may appoint for this purpose and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be initialled by the person who has attested the seal.
80. Where any document will be a necessary step in legal proceedings on behalf of the Police Authority, it shall be signed by the Chief Executive, or his authorised signatories unless any enactment otherwise requires or authorises.

Variation and revocation of Standing Orders

81. Any motion at a meeting of the Police Authority to add to the Standing Orders or to vary or revoke any of the existing Standing Orders, shall, when proposed and seconded, be referred without discussion to the next meeting of the Police Authority for consideration.

Interpretation of Standing Orders

82. The ruling of the Chairperson of the Police Authority, in respect of meetings of the Police Authority, and of the Chairperson of committees with regard to their respective committees, or, in their absence, the persons presiding at the meeting of the Police Authority or of the committee as the case may be, as to the construction or application of these Standing Orders, or as to any proceedings of the Police Authority or of its committees, shall be final.

MERSEYSIDE POLICE AUTHORITY

CONTRACT STANDING ORDERS

1. Introduction

- (i) These Standing Orders have been prepared in accordance with the requirements of the Home Office Code of Practice on Financial Management, which is made under section 39 of Police Act 1996.
- (ii) The main aims of these Standing Orders are to:-
 - a) Outline the manner in which contracts are handled and managed within the Authority to ensure compliance with all relevant legislation including directives of the European Union;
 - b) Outline the relative responsibilities of the Authority, its Officers and the Chief Constable in this process.
- (iii) Although the Authority remains the legal party for contracts, it is the aim of these Standing Orders to delegate responsibility for the day to day management and control of contracts to the Chief Constable or Chief Officer as appropriate subject to the provisions of these standing orders and provided always that the Authority is satisfied that the Chief Constable or Chief Officer as appropriate has adequate systems, procedures, personnel and expertise to discharge these responsibilities.
- (iv) The Chief Constable or Chief Officer as appropriate shall manage the tendering and contracting process in accordance with these Standing Orders.
- (v) The Authority shall be the contracting party for the purpose of entering into contracts.
- (vi) These Standing Orders are supplemented by both Financial Regulations and Force Financial Instructions, and should be read in conjunction with these documents.
- (vii) These Standing Orders will be kept under review by the Chief Executive, Treasurer, and Chief Constable to ensure that the working arrangements for both the Authority and the Chief Constable are conducted in accordance with the relevant legislation and latest best practice. They can only be varied with the approval of the Authority.
- (viii) The financial values identified within these Standing Orders will also be kept under review and updated as appropriate.

2. Definitions

In these Standing Orders:-

- (i) The expression “the Authority” shall where the context allows be deemed to include reference to a Committee or Sub-Committee or person acting in accordance with delegated authority on behalf of the Authority,
- (ii) the expression “appropriate officer” shall mean any officer who is duly authorised in writing by the Chief Executive, Treasurer, or Chief Constable,
- (iii) the expression “Chief Officer” shall mean the Deputy Chief Constable, officer of ACPO rank and Director of Resources,
- (iv) the expression “contract” shall unless otherwise specified relate to a contract for the supply or disposal of goods or materials or for the execution of works or the provision of services and shall where the context so admits include sub-contracts,
- (v) reference to the contract sum in relation to a contract to be performed over a specified period shall be to the aggregated estimate for the whole of that period. Any transaction for the supply or disposal of goods or materials, the provision of services, or for the execution of works which forms part of a larger transaction shall not be regarded as a separate contract in the calculation of the contract sum,
- (vi) reference to any statute, enactment, order, regulation or other similar instrument shall be construed as a reference to the statute, enactment, order, regulation or instruments as amended by any subsequent statute, enactment, order, regulation or instruction as contained in any subsequent re-enactment thereof.
- (vii) E-tendering in the context of these Contract Standing Orders will mean any Police Authority approved e-tendering arrangements.

3. Compliance with Standing Orders

- (i) Every contract made by the Authority and the procedures relating to them shall comply with these Standing Orders and Financial Regulations with all supplementary codes of practice and no exception from any of the provisions of these Standing Orders and Financial Regulations and supplementary codes of practice shall be made otherwise than with the approval of the Authority or appropriate Committee.
- (ii) A record of any exception to any of the provisions of these Standing Orders shall be included in the Minutes of the Authority.
- (iii) Any failure to comply with any of the requirements of these Standing Orders shall be reported to the Chief Executive to the Authority as soon as such failure is discovered. The Chief Executive to the Authority shall consult with the Treasurer and the Chief Constable before determining such actions as he may deem necessary in the circumstances.
- (iv) Every contract shall comply with any relevant directives of the European Union for the time being in force in the U.K.

4. Nominated Sub-Contractors/Suppliers

- (i) This Standing Order shall have effect where a sub-contractor/supplier is to be nominated to a main contractor/supplier.
- (ii) The terms of any tender or quotation by a nominated sub-contractor/supplier shall require an undertaking that, if he is selected, he will be willing to enter into a contract with the main contractor/supplier on terms which indemnify:-
 - a) the main contractor/supplier and Authority against his own obligations under the main contract included in the sub-contract unless provision is made to the contrary under the conditions of contract; and
 - b) the Authority against any third party claims arising out of any act or omission by the said nominated sub-contractor/suppliers.
- (iii) The Chief Constable or appropriate Chief Officer shall nominate to the main contractor the person whose tender in his opinion is the most satisfactory, provided that where the tender is other than the lowest received, the circumstances shall be reported to the next meeting of the Authority or appropriate Committee.

5. Restrictions on Contracts with Certain Persons

No Member of the Authority nor any company, partnership or firm in which any Member of the Authority is interested nor any employer, nominee or spouse of a Member of the Authority shall undertake the execution of work on behalf of the Authority or shall accept an order for the supply or disposal of goods or materials from the Authority or shall provide services for the Authority unless such works or other contract for goods or materials or services have been offered or secured or provided by competitive tender or quotation.

6. Cancellation of Contracts in case of corruption

There shall be inserted in every contract a clause empowering the Authority to cancel a contract and recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do, or for having done or forborne to do, any action in relation to obtaining execution of the contract or any other contract with the Authority or for showing or forbearing to show any favour or disfavour to any person in relation to the contract or any other contract with the Authority or, if the like acts shall have been done by any person employed by him or acting on his behalf (whether with or without the knowledge of the contractor) or if in relation to any contract with the Authority the contractor or any person employed by him or acting on his behalf shall have committed an offence under the Bribery Act 2010 or shall have given any fee or reward, the receipt of which is an offence under Sections 117(2) and 117(3) of the Local Government Act 1972.

If a contract is determined under this Standing Order the Contractor shall be debarred from tendering for a period of five years unless in the meantime the Authority otherwise determine.

7. Tender or Quotation

All Chief Officers and the Chief Constable will comply with the following:-

- (i) Purchases require certain quotations or tenders depending on the value involved.
- (ii) Where reference is made to a financial limit, this refers to the total value of works, goods or services that are required over the life of the contractual arrangement or period of supply. The limit should not be considered solely in terms of a single purchase, especially when it is clear that there will be an ongoing supply of works, goods or services from a given supplier.

Purchases up to £4,999

Chief Officers or as appropriate the Chief Constable shall ensure that all purchases achieve what they consider to be the best value in the particular circumstances.

Purchases between £5,000 and £49,999

Three or more written quotations must be sought. This can be done manually or by use of approved MPA E-Tendering arrangements. An exception from the above relates to building related expenditure where a minimum of six contractors should be invited to tender. A minimum of four should be rotated from the select list, with the two lowest tenderers from the previous contract being allowed to tender for the work also.

Purchases over £50,000

Full tender procedure required. This can be done manually or by use of approved MPA E-Tendering arrangements. (See Force Financial Instructions for detailed guidance). Contact the Procurement Department at the commencement of tendering procedure.

- (iii) Officers must keep a written record to demonstrate that they have taken appropriate steps to obtain best value for money and be prepared to justify the method of contractor selection.
- (iv) Where a quotation (up to the value of £50,000) other than the lowest is recommended for acceptance, the officer should make a written record of the reasons and if he thinks it appropriate, the Chief Officer or Chief Constable shall report the circumstances to the Authority/appropriate Committee.

8. Exceptions from quotations or tender

- (i) Only one tender or quotation need be obtained for:-
 - (a) The purchase of patented or proprietary articles where no suitable alternative is available
 - (b) the urgent supply of goods or services or works where there is no time to get quotations or tenders
 - (c) the supply of goods or services or works in respect of which there is no valid commercial reason to get quotations or tenders
 - (d) the supply of goods which the Home Office have specified
 - (e) the supply of goods or services or works the price of which is fixed by a trade organisation or government department and no alternative is available.
- (ii) Any use of the above exemptions shall require the approval of the Chief Constable or appropriate Chief Officer.
- (iii) No tender or quotation is required if the supply of goods and services are obtained through purchasing framework, consortium or call-off arrangements, in which the Force or the Authority is an agreed participant.
- (iv) The Chief Constable or Treasurer should report to the Authority details of all exceptions from quotations or tender (as per 8 (i) & (ii) above), as well as details of the supply of goods and services obtained through a purchasing framework, consortium or call off arrangements, in which the Force or Authority is an agreed participant (as per 8 (iii) above). These details should be included within the regular tender monitoring reports.

9. Selection

- (i) Where the Chief Constable or Chief Officer considers it appropriate, tenders may be invited from a list of approved contractors or suppliers in a particular category of works, supply or service.
- (ii) Lists of approved contractors or suppliers may be created and received under a procedure approved by the Chief Officer or Chief Constable as appropriate in consultation with the Treasurer.

10. Advertising

- (i) Tenders shall be invited by placing an advertisement, which gives 10 days notice, and stating the last day for receipt. This can be done by placing an advertisement in one or more local newspapers or by electronic means through the use of approved MPA E-Tendering arrangement.

- (ii) If the value of the contract is more than £50,000, an advertisement shall be placed in one or more trade newspapers or journals or by electronic means through the use of MPA approved E-Tendering arrangement.
- (iii) Tenders shall be invited by complying with any E.U Directive currently in force which requires the invitation of tenders from within all the member states of the Union.

11. Submission of Tenders

Paper submission: -

- (a) No tender will be considered unless it is received in a plain sealed envelope bearing the words "Tender for" followed by the subject of the tender and the date and time by which it is to be received;
- (b) The tender envelope shall be addressed to the Chief Executive to the Authority and addressed to PO Box 101A, 3rd Floor, West House, Mercury Court, Liverpool L69 2NU. In the case of contracts estimated at £200,000 or less, to the Chief Constable or appropriate Officer/Department and addressed to, Police Headquarters, Canning Place, Liverpool L1 8JX; and
- (c) There shall bear no name or mark upon the tender envelope indicating the identity of the sender. Any identifying mark will result in the tender not being opened.

Electronic Submission: -

All tenders received electronically must be stored securely in an E-Tendering system, which has the ability to log time and dates of receipt without revealing the identity of the sender until the date of opening.

12. Notification of Invitation of Tenders

The Chief Executive to the Authority and the Treasurer to the Authority shall immediately be notified by the Chief Constable or appropriate Chief Officer of the invitation of tenders in excess of £200,000 and :-

- (a) The time and date by which tenders should be received by the Chief Executive to the Authority;
- (b) the names of the persons invited to tender.

13. Receipt and Opening of Tenders

- (i) No tender shall be considered which arrives after the closing date and time for receipt of tenders. Late tenders, which do not fall to be considered shall be opened and the tenderer shall be informed why the tender was not considered and this should only be done after a tender has been accepted. Approved verifiers who are authorised to open tenders through the E-Tendering system will decline late receipts electronically.

(ii) All tenders to be considered shall be opened at the same time either by: -

(a) The Chief Executive, Chief Constable or a Chief Officer, who are authorised verifiers on the E-Tendering system, where contracts are estimated not to exceed £200,000.

Chief Officers Panel up to £200,000 – shall consist of a Chief Officer and at least two other persons (normally from Force Solicitors' Office, and the Procurement Department). Tenders are opened electronically at the same time when the seal is removed by the verifier.

All submissions are recorded on the Tender Summary Sheet and signed by all members of the panel and stored electronically on the E-Tendering system.

(b) A Panel of Members (appointed by the Authority at its Annual Meeting) where tenders for contracts are estimated to be in excess of £200,000.

Members Panel over £200,000 – (members are appointed by the Authority) – who are authorised verifiers on the E-Tendering system. Tenders are opened electronically at the same time when the seal is removed by the verifier.

All submissions are recorded on the Tender Summary Sheet and signed by all members of the Panel and stored electronically on the E-Tendering system.

(iii) In the event of no Panel member being available, the officers may proceed with the opening of tenders after consultation with the Chairperson of the Authority.

(iv) The Chief Executive to the Authority, Chief Constable or appropriate Chief Officer as the case may be, shall maintain a record of all tenders received by him/her at the time of opening.

14. Withdrawal of tenders or failure to sign or Execute a Contract

In the event of any person in the opinion of the Chief Executive or the Chief Constable as the case may be and reporting the circumstances to the Authority, without proper reason withdraws a tender, or refuses to sign or execute a contract after a tender has been accepted such person shall not be allowed to tender for a period of three years thereafter, unless in the meantime the Authority otherwise determine.

15. Acceptance of Tenders and Power to enter into Contracts

(i) The Chief Constable or Chief Officer is not bound to accept any tender.

(ii) Before accepting any tender the Chief Constable or Chief Officer must satisfy himself that reasonable value is being obtained in the light of the original estimate and other relevant circumstances.

- (iii) In respect of tenders exceeding £50,000, the Chief Constable or Chief Officer shall have power to accept the lowest valid tender received provided that the amount of the tender is within the approved budget.
- (iv) A tender other than the lowest shall only be accepted if the Chief Constable or Chief Officer is satisfied that the lowest tender does not represent value for money as it is not in the best interests of the Authority.
- (v) Where payment is to be received by the Authority the Chief Constable or Chief Officer shall have power to accept the highest tender.
- (vi) A tenderer shall not be allowed to alter a tender after the date fixed for its receipt provided that significant errors in arithmetic and obvious errors in pricing discovered before acceptance shall be corrected and the tenderer shall be given the opportunity of confirming the offer or of amending it to take account of such errors as are genuine before any tender for the contract is accepted.
- (vii) Any variation in the amount of an accepted tender or contract must be authorised and reported as follows:-
 - (a) up to 10% or £49,999 (whichever is the lower) – variations of this value must be certified by the relevant Project Officer or Project Consultant and then submitted to the Head of Department for approval;
 - (b) over 10% or £50,000 (whichever is the lower) – variations of this value must be certified by the relevant Project Officer or Project Consultant, signed by the Head of Department and then submitted to the Director of Resources for approval. In addition, variations of this value must be reported to the Treasurer of the Police Authority in order to prepare a joint report to the Finance and Audit Committee.

16. Form and Contents of Contracts

- (a) Contracts shall be in writing and under seal whenever appropriate, except that contracts for the purchase of vehicles will not be subject to this Standing Order.

Contracts shall clearly specify:-

- (i) The goods, materials or services to be supplied and/or the work to be done as the case may be;
- (ii) the price to be paid with a statement of discounts or other deductions;
- (iii) the time or times within which the contract is to be performed; and
- (iv) the liquidated damages if any to be paid by the contractor if the contract is not completed at the specified date.

- (b) It shall be a condition of the engagement of the services of any person (not being an employee of the Authority) who is to be responsible through the Chief Constable or appropriate Chief Officer for the supervision of a contract, that in relation to the contract he shall:-
- (i) comply with these Standing Orders and the Financial Regulations of the Authority as though he were a Chief Officer;
 - (ii) at any time during the carrying out of the contract, produce to the Chief Constable or appropriate Chief Officer, on request, all the records maintained by him in relation to the contract; and
 - (iii) on completion of a contract, transmit all such records to the Chief Constable or appropriate Chief Officer.
- (c) The Authority shall require and take sufficient security for the due performance of every construction contract exceeding £50,000, and may require and take sufficient security for the performance of every such contract below £50,000, where the Chief Constable or appropriate Chief Officer considers it necessary to do so in the interests of the Authority.
- (d) The Authority shall not require security for the performance of any contract let to Contractors on the Police Authority's approved list unless following a joint report of the Treasurer and Chief Constable or Chief Officer it is decided that security is necessary.
- (e) Where an appropriate Standard Specification or Standard Code of Practice issued by the British Standards Institution or the EU equivalent is current one calendar month before the date of tender, the contract shall require all goods and materials used or supplied and/or all workmanship to be at least in accordance with that standard or such higher standard as may be specified.
- (f) A Contractor shall be required to indemnify the Authority against:-
- (a) any claim which may be made in respect of Employer's liability against the Authority or the Contractor by any Authority employee or by any workman employed by the contractor or any Sub-contractor arising out of or in connection with the execution of the work; and
 - (b) any claim for bodily injury to or damage to property of third parties, including the Authority's employees;
- and the Contractor shall produce, before any work commences, evidence that he is satisfactorily insured against any such claim.
- (g) Any extensions to contracts shall require the approval of the Chief Constable or appropriate Chief Officer and be reported to the Authority as part of the regular tender monitoring report.

17. Conditions to be observed by Contractors and Sub-Contractors

In each contract where the work will be executed wholly or in part in the United Kingdom or the goods or materials to be supplied will be manufactured or made wholly or in part in the factory, workshop or place situate in the United Kingdom there shall be inserted a clause to the following effect:-

The Contractor shall in respect of all persons employed by him (whether in execution of his contract or otherwise) in every factory, workshop or place situate in the United Kingdom and occupied or used by him for the execution of the contract, comply with the following conditions, namely:-

- (a) The Contractor shall not unlawfully discriminate within the meaning and scope of the provisions of the equality laws;
- (b) the Contractor shall keep proper records necessary for the satisfactory completion of the Contract including wages, records and time sheets, showing the wages paid to and the time worked by the work people in his employ and about the execution of the contract, and all such records shall be produced whenever required for inspection by any officer authorised by the Authority;
- (c) the Contractor shall be responsible for the observance of this Standing Order by Sub-Contractors employed within the United Kingdom in the execution of the contract and shall if required notify the Authority of the names and addresses of all such Sub-Contractors; and
- (d) in the event of any question arising as to whether the foregoing conditions are being observed, the question shall, if not otherwise disposed of, be referred to an independent tribunal for decision.

Any contracts made by or on behalf of the Authority incorporating the Standard Form of Building Contract (1998 Editions as revised) in which Clause 17(a) or any revision thereof, stands without amendment, shall be deemed to comply with the provisions of the Standing Order.

18. 'Lump Labour'

Tender forms and Conditions of Contract issued in respect of all building and civil engineering projects shall incorporate a declaration by the tenderer that he will ensure that all persons working on the project shall either be:-

- (a) Directly employed by him or by Sub-Contractors approved by the Chief Constable or appropriate Chief Officer; or
- (b) self-employed workman, holding the Inland Revenues' exemption certificate issued under the Finance Act (No. 2) 1975, who have been approved as Sub-Contractors.

Tender forms and Conditions of Contract shall also include a provision stating that except in the case of corporate bodies (including registered limited liability companies), Inland Revenue exemption certificates shall be produced to the Chief Constable or appropriate Chief Officer in respect of proposed Sub-Contractors.

19. Breach of Contract

- (i) Each contract shall provide that, in the event of any breach by the Contractor, or by any person to whom the contract or any part thereof may have been assigned or underlet, of any of the conditions and provisions of these Standing Orders, the Authority may absolutely determine the contract; and that furthermore, the Authority may proceed to complete the works or obtain or dispose of the materials elsewhere as the case may be, either by contract or otherwise.
- (ii) Any sums which may be incurred or sustained by the Authority by reason of the determination of the contract as aforesaid shall be borne by the Contractor and at the discretion of the Authority may be deducted from any monies due or to become due to him under the contract or recovered by action.
- (iii) If a contract is determined under this Standing Order, the Contractor shall be debarred from tendering for a period of five years unless in the meantime the Authority otherwise determine.

20. Assignment and Sub-Letting

Each contract shall provide that a Contractor shall not assign a contract or any part thereof without the previous consent of the Authority or sub-let the same or part thereof without the written consent of the Chief Constable or appropriate Chief Officer which shall not unreasonably be withheld.

21. Acquisition and Sale of Property or Land

- (i) Any acquisition and/or disposals of property or land must be in accordance with the Authority's Estate Strategy.
- (ii) The Chief Constable or appropriate Chief Officer in consultation with the Chief Executive is authorised to dispose of police houses on behalf of the Police Authority.
- (iii) All other proposed disposals must be reported to the Estates Strategy Committee in accordance with its Terms of Reference approved by the Authority and in accordance with the Authority's Scheme of Delegation.

MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS

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**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 1: Introduction**

1. INTRODUCTION

- 1.1 These Financial Regulations have been prepared in accordance with the requirements of the Home Office Code of Practice on Financial Management, which is made under Section 39 of the Police Act 1996.
- 1.2 The Financial Regulations were drawn up by the Treasurer of the Authority, in consultation with the Chief Constable, and approved by the Police Authority on 29th June 1995 and are reviewed annually.
- 1.3 The main aims of these Financial Regulations are to:-
- a) provide sufficient safeguards for the Treasurer of the Authority to formally discharge his statutory obligations and responsibilities;
 - b) ensure the financial dealings of the Authority and the Force are conducted properly and in accordance with best practice; and
 - c) encourage delegation for financial matters to the lowest possible level, both between the Authority and the Force and within the Force, and at the same time maintain adequate control.
- 1.4 It is an overriding requirement of these Financial Regulations that the Treasurer will be satisfied that the Chief Constable has adequate systems, procedures, personnel and expertise in the Force to handle the delegated responsibilities.
- 1.5 These Financial Regulations are complementary to, and supported by, the Force Financial Instructions, which have been drawn up by the Chief Constable, in consultation with the Treasurer of the Authority, and should also be read in conjunction with Standing Orders.
- 1.6 These Financial Regulations will be kept under review by the Treasurer of the Authority in consultation with the Chief Constable, to ensure that the working arrangements for both the Authority and the Force are conducted in accordance with latest best practice generally and local prevailing conditions. They can only be varied with the approval of the Police Authority.
- 1.7 The financial values identified within these Financial Regulations will be also kept under review by the Treasurer of the Authority in consultation with the Chief Constable and recommend updates where considered appropriate.

**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 2: Roles and Responsibilities**

2 **ROLES AND RESPONSIBILITIES**

2.1 The Treasurer shall, for the purposes of Section 151 of the Local Government Act 1972, Section 112 and 114 of the Local Government Finance Act 1988, (as applied to the Police Authority by paragraph 33 Schedule 4 of the Police and Magistrates Court Act 1994), and the Accounts and Audit Regulations 2003 be responsible for ensuring the proper administration of the Authority's financial affairs. The Treasurer shall also perform the role of professional adviser to the Authority, on financial matters, in general. The Treasurer's duty is to :-

- (a) provide financial advice to the Authority on all aspects of its activity, including the strategic planning and policy making process;
- (b) advise on budgetary matters including any consequent long term implications;
- (c) assist the Authority to obtain best value for money;
- (d) ensure that the financial affairs of the Authority and the Force are properly administered and that Financial Regulations are observed and kept up to date;
- (e) report both to Members of the Authority and to the external auditor any unlawful, or potentially unlawful, expenditure by the Members or officers of the Authority or Force;
- (f) report both to the Authority and to the external auditor when it appears that expenditure is likely to exceed the resources available to meet that expenditure;
- (g) maintain an effective internal audit function, operating in accordance with the CIPFA Code of Practice for Internal Audit in Local Government in the UK and with other statutory obligations and regulations;
- (h) ensure that accurate, complete and timely financial management information is provided to the Authority and Chief Constable;
- (i) secure the preparation of statutory and other accounts;
- (j) treasury management including loans and investments;
- (k) advise on safeguarding of assets, including risk management and insurance; and
- (l) arrange for the determination, issue and transfer of the precept.

2.2

The Treasurer shall discharge this responsibility in part by satisfying himself that the Chief Constable is exercising delegated financial responsibilities in an adequate manner.

**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 3: The Maintenance of Accounts**

3. THE MAINTENANCE OF ACCOUNTS

- 3.1 The Force Director of Resources shall prepare the Statement of Accounts in accordance with the requirements of the Treasurer to the Authority and with statutory responsibilities.
- 3.2 The Force Director of Resources shall prepare as appropriate, grant claims and other government returns for certification by the Treasurer to the Authority.
- 3.3 The Force Director of Resources shall provide such budgets, accounts and other financial information to Government Departments, HMIC and constituent Authorities in relation to shared or pooled financing arrangements as agreed with the Treasurer from time to time.

**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 4: Financial Plans and Budgets**

4. FINANCIAL PLANS AND BUDGET

4.1 FINANCIAL/POLICING PLANS

- (a) The Treasurer shall, in consultation with the Force Director of Resources, determine the timetable and format for and agree the detailed form of the capital and revenue estimates.
- (b) The Treasurer in consultation with the Force Director of Resources will produce a forward forecast of resources for financial planning purposes, guidance on inflation, advice to the Authority and the Chief Constable on the maximisation of resources available to the Authority and offer options for and general assumptions affecting the preparation of the Authority's Budget.
- (c) The Chief Constable will produce annually a Draft Policing Plan to the Authority, setting out the planned use of resources for the financial period consistent with capital and revenue estimates of the Authority as referred to in (a) above.
- (d) The Force Director of Resources will provide financial input to the preparation of the mid-term Policing Plan identifying implications for the Force Budget.

4.2 BUDGETS

CAPITAL AND REVENUE – GUIDELINES

- 4.2.1 The Force Director of Resources and appropriate designated officers shall be responsible for preparing and providing detailed information for the production of the capital and revenue estimates. For this purpose, the definition of revenue and capital will be as set out in the Accounting Manual and as supplied by Force Financial Instructions.
- 4.2.2 The Treasurer, in conjunction with the Chief Constable, will be responsible for the submission of revenue and capital budgets to the Authority, in a format such that, once approved, the responsibility for the day to day management and control of budgets can be delegated to the Chief Constable.
- 4.2.3 Once approved, and subject to the provisions of Standing Orders and the Financial Regulations, the Budgets will give authority to the Chief Constable to incur expenditure without the need for further approval, from the Authority, except where:-
 - (a) the Chief Constable proposes a major change in policing policy; and/or
 - (b) expenditure on an approved budget head would change by more than (20%) or the equivalent of (0.5%) of the gross operational budget, whichever is the lower.

4.2.4 Where the Chief Constable proposes a major change in policing policy or expenditure by more than 20% of an approved budget head or the equivalent of (0.5%) of the gross operational budget, whichever is the lower, the Chief Constable, in conjunction with the Treasurer, will seek the approval of the Authority to the changes, so that the approved budget can be amended accordingly.

4.2.5 The Chief Constable will prepare a report to the Authority for all new capital/revenue proposals for expenditure in excess of £500,000 which provides a financial appraisal of the nature and content of the proposal and the financial implications for the Authority.

4.3 **FINANCIAL IMPLICATIONS IN COMMITTEE REPORTS**

4.3.1 All reports to the Authority will include a section where appropriate, setting out the financial implications of the proposals being made, along with any comments and/or advice of the Treasurer. The Force Director of Resources will undertake this role on behalf of the Treasurer, subject to consultation with the Treasurer in each case and with the Treasurer having the opportunity to provide his opinion and assistance as he thinks fit, whose agreement will be obtained where appropriate.

4.4 **BUDGETARY CONTROL**

4.4.1 The Chief Constable and those officers to whom he delegates the responsibility will manage and control expenditure within budgets approved by the Authority.

4.4.2 Within four weeks of the end of the first three quarters of the year, the Chief Constable shall submit to the Treasurer a statement comparing Budget with Spending for the year to date. This statement should be in the form agreed by the Treasurer and he should report to the Authority any significant financial problems arising from such reports.

**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 5: Accounting Procedures**

5.1 ACCOUNTING PROCEDURES

- 5.1.1 All accounting procedures and records of the Authority and its officers shall be determined by the Treasurer in consultation with the Force Director of Resources. The latter shall be responsible for proposing to the Treasurer such amendments as he considers appropriate from time to time. Where such procedures and records are maintained in the Merseyside Police Force, these will be governed by the appropriate Financial Instructions provided to the Force. Such Financial Instructions shall have regard to the provision of Section 151 of the Local Government Act 1972, the Accounts and Audit Regulations 2003, and such other statutory provision which affect the financial affairs of the Authority.
- 5.1.2 Accounting procedures and records of the Authority may be regulated in a more detailed form by an Accounting Manual to be approved by the Treasurer.
- 5.1.3 The following principles shall be observed in the allocation of accounting duties:-
- (a) The duties of providing information regarding sums due to or from the Authority and of calculating, checking and recording these sums, shall be separated as completely as possible from the duty of collecting or disbursing them; and
 - (b) Officers charged with the duty of examining and checking the accounts of cash transactions shall not themselves be engaged in any of these transactions.
- 5.1.4 Operational Area and Departmental Heads shall provide, for the purposes of accounting and budgetary control, statements, financial returns, employee information and other financial information in the form, and in accordance with the timetable determined by the Force Director of Resources.

**MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 6: Financial Systems and Procedures**

6.1 INTRODUCTION

6.1.1 The Force Director of Resources, on behalf of the Chief Constable, will be responsible for the day to day operation and control of the system and procedures required to:-

- a) order goods and services.
- b) Release monies for the payment of salaries, pensions, allowances and expenses.
- c) pay creditors,.
- d) collect and bank all income due to the Authority.
- e) provide, safeguard and subsequently dispose of Authority assets.

6.1.2 The Force Assistant Chief Constable, Personnel, on behalf of the Chief Constable, will be responsible for the day to day operation and control of the system and procedures in respect of the payment of salaries and pensions through the current outsourcing arrangements. Any non-contractual payments to police staff e.g. those contained within a compromise agreement shall require the prior approval of the Treasurer to the Authority.

6.1.3 The Treasurer will authorise the use of all systems and procedures for the receipt and payment of all Authority monies, and in consultation with the Chief Constable, will determine procedures and work practices to ensure there is adequate internal control and internal check.

6.1.4 The Force Director of Resources, on behalf of the Chief Constable, will not change or amend any financial systems or procedures without the approval of the Treasurer.

6.1.5 The Chief Constable, in consultation with the Treasurer, will issue and keep under review Force Financial Instructions covering the financial systems or procedures outlined above. These Financial Instructions contain the detailed procedures to be followed and should be read in conjunction with these Financial Regulations, especially where specific reference is made herein.

6.2 RISK MANAGEMENT AND INSURANCES

6.2.1 The Treasurer shall be responsible for advising the Authority on insurance matters, and in conjunction with the Force Director of Resources, preparing and monitoring a Risk Management Programme and advising on appropriate and/or available options with regard to premiums and/or levels of risk.

- 6.2.2 The Treasurer shall be responsible for the day to day operational control and management of all Insurance Funds established, including identifying the level of associated claims, authorising expenditure from the Fund, and the arrangement with the Authority's insurers and brokers subject to the policy direction of the Authority.
- 6.2.3 The settlement of civil claims shall be referred to the Authority's Insurers for determination.
- 6.2.4 The Treasurer, in consultation with the Force Director of Resources, will (for the time being) review at least annually, the arrangements for insurances and risk management, to ensure that they remain effective.
- 6.2.5 The Chief Constable may settle ex-gratia payments for loss or damage (so far as they are not otherwise insured) of an individual value up to £100 subject to all such approvals being reported to the Treasurer to the Authority within 3 days.
- 6.2.6 The Chief Constable, in consultation with the Treasurer and Chief Executive to the Police Authority, shall have the power to settle ex-gratia claims for loss or damage (so far as they are not otherwise insured) of an individual value of between £100 and £2,000, and within the approved budget. The Force Director of Resources will monitor all ex-gratia payments in relation to the budget, insurable risks and cover available.
- 6.2.7 The Chief Constable shall seek Authority approval above the individual limit or in cases involving particular sensitivity.

6.3 **TREASURY MANAGEMENT**

- 6.3.1 The Treasurer will be responsible for advising the Authority on all matters related to Treasury Management, Investments and Borrowing.
- 6.3.2 The Authority shall adopt CIPFA's Code of Practice for Treasury Management in Local Authorities.
- 6.3.3 The Authority will create and maintain, as the cornerstones for effective treasury management:-
- a Treasury Management Policy Statement, stating the policies, objectives and approach to risk management of its treasury management activities; and,
 - suitable treasury management practices setting out the manner in which the Authority will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- 6.3.4 The Authority will receive reports on its treasury management policies, practices and activities, including, as a minimum, an Annual Strategy in advance of the year, a mid-year review, and an annual report after its close, in the form prescribed in its treasury management practices.

6.3.5 The Authority delegates responsibility for the implementation and regular monitoring of its treasury management policies and practices to the Finance and Audit Committee and for the execution and administration of treasury management decisions to the Treasurer; who will act in accordance with the Authority's Policy Statement and Treasury Management Practices and the CIPFA's Standard of Professional Practice on Treasury Management.

6.3.6 The Authority nominates the Finance and Audit Committee to be responsible for ensuring the effective review of the Treasury Management Strategy and policies.

6.4 **BANKING ARRANGEMENTS, CHEQUES AND CREDIT CARDS**

6.4.1 The Treasurer will be responsible for advising the Authority on banking and related arrangements. All arrangements with the Authority's bankers shall be made by or in accordance with principles approved by the Treasurer, who shall authorise the Force Director of Resources to operate such banking accounts as the Force, through the Force Director of Resources, consider necessary.

6.4.2 Cheques on the Authority's main banking accounts shall bear the facsimile signature of the Treasurer. In addition individual cheques with a value of £10,000 or more will require to be signed by the Treasurer or other officer(s) authorised by him to do so.

6.4.3 The Force Director of Resources shall be responsible for the ordering, control and despatch of the cheques drawn on the Authority's main banking accounts and imprest accounts relating to the defraying of Authority expenditure.

6.4.4 The Force Director of Resources will undertake regular reconciliation's of all authorised (bank) accounts in accordance with arrangements determined by the Treasurer.

6.5 **IMPREST ACCOUNTS**

6.5.1 The Force Director of Resources shall provide such advance accounts as he considers appropriate for such officers of the Authority as may need them for the purposes of defraying petty cash and other expenses. Such accounts shall be maintained in the imprest system.

6.5.2 Where he considers it appropriate, the Force Director of Resources, subject to the approval of the Treasurer, shall open an account with the Authority's bankers or such other bank as may be authorised in specific cases for use by the imprest holder, who shall not cause such account to be overdrawn. It shall be a standing instruction to the Authority's bankers that the amount of any overdrawn balance of an imprest holder's banking account shall forthwith be reported to the Force Director of Resources.

6.5.3 Those procedures relating to imprest Accounts as outlined in the relevant Force Financial Instruction shall be complied with unless otherwise agreed.

6.6 **INCOME**

6.6.1 **Collection and Banking**

- a) The collection of all monies due to the Authority, including the raising of the accounts, shall be made under arrangements determined by the Force Director of Resources and approved by the Treasurer. All monies received on behalf of the Authority shall without delay, be banked in the Authority's name. In no case shall lodgement of cash be less frequent than weekly except by arrangement with the Treasurer.
- b) The Force Director of Resources shall be authorised to write off debts considered to be irrecoverable up to an individual maximum amount of £5,000, subject to a six monthly report to the Treasurer. The Treasurer's prior approval is required for all debts to be written off with a value higher than £5000.
- c) The Chief Constable shall have all necessary powers of debt recovery including the taking of appropriate legal action.
- d) The Chief Constable shall notify the Internal Audit Section as soon as possible of the impending resignation or retirement of any officer under his control who has cash handling responsibilities.
- e) Those procedures relating to income as outlined in the relevant Force Financial Instruction shall be complied with unless otherwise agreed.

6.6.2 **Fees and Charges**

- a) The Chief Constable shall, at least annually, review all rents, fees and charges for services provided.
- b) The annual Budget report to be considered by the Authority each year will include a statement identifying the charging policies to be pursued in the budget year.

6.7 **SPONSORSHIP**

6.7.1 The Force Director of Resources shall be informed of all offers of gifts, loans of property and sponsorship which must comply with the conditions approved by the Authority. The Authority has agreed an individual figure of £100,000 above which Authority approval is required prior to acceptance. All other gifts, loans or sponsorship must be arranged in accordance with the appropriate Financial Instruction.

6.7.2 The Chief Constable shall maintain a record of the market value of all gifts, loans and sponsorship received. A report to the Authority will be produced at the end of each financial year. The total value of gifts, loans and sponsorship accepted shall not exceed a maximum equivalent value of 1% of the Force budget annually.

6.8 **GRANTS TO VOLUNTARY ORGANISATIONS/OUTSIDE BODIES**

6.8.1 Grants made to voluntary organisations shall comply with the condition of grant aid approved by the Authority.

6.8.2 The Force Director of Resources shall maintain a record of these grants which shall not exceed the agreed budget total.

MERSEYSIDE POLICE AUTHORITY
FINANCIAL REGULATIONS
Section 7 Internal Controls

7 INTERNAL CONTROL

7.1 INTERNAL AUDIT

7.1.1 A continuous internal audit, under the independent control and direction of the Treasurer, shall be arranged to carry out an independent examination of accounting, financial and other operations of the Authority, thereby reviewing and reporting upon:-

- (a) the soundness and adequacy of financial management and other internal control systems and their implementation;
- (b) the extent of compliance with and the financial effect of established policies, plans and procedures;
- (c) the extent to which assets and interests are accounted for and safeguarded from losses due to fraud, waste, extravagance and inefficiency;
- (d) the arrangements for assessing and controlling risks, both financial and business related;
- (e) the completeness, reliability and integrity of information, both financial and operational; and
- (f) the economy, efficiency and effectiveness with which resources are employed.

7.1.2 The Treasurer or his authorised representative shall have authority to:-

- a) enter at all reasonable times on any Authority premises or land;
- b) have access to all records, documents and correspondence relating to any financial and associated transactions of the Authority;
- c) require and receive such explanations as are necessary concerning any matter under examination;
- d) require any employee of the Authority or officer of the Force to produce cash, stores or any other asset under his control; and
- e) attend meetings to give advice or report on matters affecting his/her responsibility.

7.1.3

- a) The Treasurer shall be informed immediately by the Chief Constable of any loss or financial irregularity or suspected irregularity, or of any circumstances which may suggest the possibility of losses or

irregularities, including those affecting cash, stores, and other property of the Authority. Except where the urgency of the situation dictates, no investigation or interview in connection with an alleged irregularity shall be undertaken prior to Internal Audit being informed. Nor should any statements be requested of staff within the Department concerned, since this could prejudice any investigation that may take place.

- b) The Treasurer in conjunction with the Force Director of Resources and the Head of the Department concerned, shall take such steps as he/she considers necessary by way of investigation and report, and where it appears an offence may have been committed, shall consult with the Force Solicitor. In appropriate circumstances the Chief Executive shall be informed.

7.1.4 The Treasurer shall report serious losses and irregularities to the Authority.

7.1.5 The Chief Constable, who also has a direct interest in Internal Audit shall have the opportunity to discuss planned audits activity, receive regular reports and request audit reviews on systems and value for money studies as an essential tool of good management.

7.2 **EXTERNAL AUDIT**

7.2.1 The External Auditor shall be provided by the Audit Commission and they shall have full access to full Internal Audit, audit reports and plans. This will ensure that no duplication of activity will take place.

7.2.2 The External Auditor shall work closely with the Chief Constable and the Treasurer and discuss their plans with both.

7.2.3 The Authority shall use the External Auditor's Report to aid them in their monitoring role to ensure that these Financial Regulations are being followed.

7.2.4 All audit plans and reports including Management Letters shall be submitted to the Authority for consideration and action where appropriate.

7.3 **AUDIT OVERVIEW**

7.3.1 The full Authority will:-

- a) Oversee the provision of External Audit to:-
 - i) receive and consider the plans and subsequent reports of the External Auditor (Management Letter);
 - ii) review their work, discuss their concerns and resolve any issues arising; and
 - iii) review, on behalf of the Authority, the effectiveness of the External Audit provision and recommend changes/improvements where necessary.

- b. Oversee the Internal Control arrangements within the Authority to:-
 - i) assure itself that a sufficient and effective review of internal control arrangements takes place, and that any identified weaknesses are corrected; and
 - ii) consider any major findings identified periodically by Internal Audit.
- c. Oversee the process of Internal Audit to:-
 - i) consider, approve and adopt the terms of reference of Internal Audit, as required by Auditing Practices Board guidelines;
 - ii) review the planned programme of work of Internal Audit thereby assessing its appropriateness;
 - iii) review and consider whether the Internal Audit is sufficiently resourced; and
 - iv) receive and consider activity reports.

7.4 **CONTROL OF ASSETS**

7.4.1 **ASSET REGISTER**

The Force Director of Resources shall maintain a register of property and equipment, in accordance with the CIPFA Accounting Guidelines on behalf of the Treasurer. All new acquisitions of such property and equipment and disposals must be notified to the Force Director of Resources within one month of the acquisition or disposal.

7.4.2 **INVENTORIES**

- a) Inventories of all movable plant and machinery, rolling stock, furniture, fittings and equipment owned by the Authority (other than stores) shall be kept by the Chief Constable in a form approved by the Force Director of Resources. Small value items may be excluded from the inventory after consultation with the Force Director of Resources
- b) The Treasurer or his representatives shall have access to all property of the Authority to check inventories.
- c) The Force Director of Resources shall be responsible for maintaining an annual check of all items on the inventory, for taking action in relation to surplus or deficiencies and noting the inventory accordingly

7.4.3 **SECURITY**

- a) The Force Director of Resources shall be responsible for the accountability and control of staff and for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, etc, under his control.
- b) Operational Area/Departmental Heads shall be responsible for the security of confidential information held in their respective Operational Areas/Departments. This shall include responsibility for the security of all computer software and the control of access to all records held on micro/mini computers, in accordance with the requirements of the Data Protection Act 1998. Operational Area/Departmental Heads will notify the Force Director of Resources and Internal Audit of all new computerised systems. Operational Area/Departmental heads shall be responsible for authorising access to information held in their Operational Area/Departmental computer systems, in accordance with approved Information and I.T Strategies and Procedures.

7.4.4 **PROPERTY**

- a) The Force Director of Resources will be responsible for the management of the Authority's estate, including the maintenance of this property. All purchases and sales of property should be in accordance with the Authority's Standing Orders, and the approval of the Authority obtained. Any substantial transactions which have not been considered in the Policing Plan will require the prior approval of the Authority. For these purposes a substantial transaction will be the capital value of the property either acquired or disposed of being in excess of £500,000 and reported to the Estate Strategy Committee.
- b) The Force Director of Resources shall have the custody of all title deeds under secure arrangements.
- c) The Force Director of Resources will maintain a register of all properties owned by the Authority, recording the purpose for which held, locations extent and plan reference, purchase details, particulars of nature of interest and rents payable and particulars of tenancies granted. Information relating to the assets and their value shall be provided for the Authority's Asset Register in accordance with requirements set out by the Force Director of Resources.

7.4.5 **STOCKS AND STORES**

- a) The Chief Constable shall be responsible for the care and custody of stocks and stores including regular stocktaking on a continuous basis where possible, and for ensuring that stores are not held in excess of minimum requirements. All stocks should be monitored in accordance with the appropriate Force Financial Instruction.

- b) Stores, equipment and other property (excluding land and buildings) deemed to be surplus to requirement, and saleable old materials shall not be disposed of except on written authority of the Force Director of Resources and prior approval of the Treasurer to the Authority. Sales of such items shall be made by advertising the invitation of tenders except where disposal by other means would better serve the Authority's interests. The Force Director of Resources shall be informed of all such disposals.

7.4.6 **THEFT AND BURGLARY**

- a) The Treasurer shall be informed immediately by the Chief Constable of any loss or financial irregularity or suspected irregularity, or of any circumstances which may suggest the possibility of losses or irregularities, including those affecting cash, stores, and other property of the Authority. Except where the urgency of the situation dictates, no investigation or interview in connection with an alleged irregularity shall be undertaken prior to Internal Audit being informed. Nor should any statements be requested of staff within the Department concerned, since this could prejudice any investigation that may take place. It is important that no disciplinary procedures are commenced until a preliminary investigation has taken place.
- b) The Treasurer, in conjunction with the Force Director of Resources and the Head of Department concerned, shall take such steps as he/she considers necessary by way of investigation and report, and where it appears an offence may have been committed, shall consult with the Force Solicitor. In appropriate circumstances the Chief Executive shall be informed.

7.4.7 Under the Public Interest Disclosure Act 1998, the Treasurer to the Authority shall operate, in conjunction with the Chief Constable, a "whistle blowing" strategy aimed at rooting-out malpractice whilst protecting innocent parties from malicious allegations and protecting, wherever possible, the sources of any information.



LOCAL GOVERNMENT ACT 1972, PART IX

THE POLICE ACT 1996

**LIST OF POWERS AND DUTIES DELEGATED TO THE CHIEF
CONSTABLE AND OFFICERS OF THE AUTHORITY**

1. GENERAL PRINCIPLES OF DELEGATION

- 1.1 The powers delegated to the Chief Executive to the Authority, Treasurer to the Authority and Chief Constable shall be exercised in accordance with:
- Legislation
 - Standing Orders
 - Financial Regulations
 - Policies, procedures, plans, strategies and budgets of the Authority as current from time to time
- 1.2 The Authority may require that a specific matter be referred to it for a decision and not dealt with under delegated powers.
- 1.3 The delegation of powers under this Scheme does not prevent an Officer from referring the matter to the Authority or a Committee for decision if the Officer wishes or considers it appropriate. In particular, the Authority expects its Officers to draw its attention to sensitive issues or any matter which may have a significant financial implication.
- 1.4 The Chief Executive to the Authority, Treasurer to the Authority and Chief Constable should, when considering a professional or technical matter that is within the sphere of competence of another of these Officers, consult with the appropriate professional officer before authorising the action.
- 1.5 All decisions made by Officers under powers delegated to them by the Authority shall be properly documented and available for inspection by any Member of the Authority.
- 1.6 The delegation of a function to an Officer does not require that Officer to give the matter his/her personal attention. That Officer may authorise other Officers of appropriate experience and seniority to exercise the duty on his/her behalf. However the Officer named in this Scheme of Delegation remains responsible for any decisions taken by such other Officers in his/her name.
- 1.7 The Chief Executive to the Authority, Treasurer to the Authority and Chief Constable shall be responsible for ensuring the provisions and obligations of the Scheme of Delegation are properly drawn to the attention of members of staff under their direction and control.

A. To the Chief Executive

1. Urgent matters to the Chief Executive in consultation with the Chair of the Authority and relevant committee.
2. Property matters of an operationally sensitive nature shall be dealt with by the Chief Executive in consultation with the Chairman of the Authority.

B. To the Chief Constable

1. The powers and duties of the Authority in relation to the provision of mutual aid between Police Forces under S24 of the Police Act, 1996.

2. The powers and duties of the Authority to provide advice and assistance to international organisations under S26 of the Police Act, 1996.
3. The power to make awards for diligence under S31 of the Police Act, 1996.
4. The power and duties under the Police Regulations and the Police Pensions Regulations attached hereto.
5. To dispose of police houses in accordance with the Authority's approved scheme and to dispose of other property in consultation with the Chief Executive and Standing Orders.
6. To grant consent, in consultation with the Chief Executive as may be required, to enable a purchaser or lessee, of Police property, or their successors in title or assigns, to make alterations or additions to property on any such terms and conditions as may be deemed appropriate.
7. To accept proposed or revised rating assessments which are recommended for approval by the Authority's external consultants.
8. The determination of scales of charges for special services provided under S25 of the Police Act 1996, subject to the approval of the Treasurer in any particular case if less than full cost recovery is proposed and the sum concerned is in excess of £5,000.
9. All powers and discretions in respect of payments to and by police staff under all relevant regulations regarding pension contributions and pensionable pay, injury allowances, redundancies, early and ill health retirements, including flexible retirement under the prevailing Local Government Pension Scheme Regulations subject to:-
 - (a) the exercise of such powers being reported to the Authority at three monthly intervals and reports to include an indication of the financial and staffing implications for the Force; and
 - (b) the application for early retirement of a Chief Officer (Director) and those senior support staff whose posts are at Grade K and L (normally Heads of Departments) being retained by the Authority.
10. The non-compulsory discretions under the following Regulations of the Local Government Pension Scheme (Administration) Regulations 2008 (as amended):

Regulation 22(2), to increase the time limit for active members to pay voluntary contributions following periods of unpaid leave to prevent a gap in membership.

Regulation 83(8), to accept applications to transfer in any previous pension rights beyond the 12 months of joining to a period not exceeding 3 years.

Regulation 3(4), to allocate employees to the appropriate contribution banding at April each year and also reassign the banding when changes to Employment Conditions occur during the financial year.

Regulation 16(4), to consider aggregation of previous membership from one scheme to another beyond the 12 months of joining to a period not exceeding 3 years.

11. To make payments of Legal Protection Insurance premiums for Superintendent ranks.
12. The powers of the Police Authority under the Road Traffic Act 1988, as amended by the Road Traffic Act 1991, to appoint a person or persons for a police area under the directions of the Chief Officer of Police for the purposes of acting as an authorised examiner to carry out roadside tests of motor vehicles.
13. The Powers and duties of the Authority in relation to the engagement and dismissal of all police staff other than Directors of equivalent status to Assistant Chief Constables. Any appeals against dismissal of police staff will be considered by the Authority with the exception of appeals against dismissal from temporary employees or those dismissed during their probationary period.
14. The Chief Constable shall have the power to settle ex-gratia claims for loss or damage (so far as they are not otherwise insured) of an individual value of up to £100.

C. To the Chief Constable and the Treasurer Jointly

1. The conduct and defence of any legal proceedings in any court or tribunal and, subject to the approval of the Chief Executive, in actions against the Authority, the settlement of civil claims.
2. In respect of the Assisted Car Purchase Scheme, to set the amount of the maximum advance to take account of future variations in vehicle prices.

D. To the Chief Executive and the Chief Constable Separately

1. The powers of the Authority to accept gifts of money or gifts of loans or other property subject to the approval of the Authority of any such individual item valued in excess of £100,000.

E. To the Chief Executive and Treasurer Jointly

1. The conduct and defence of any legal proceedings in any court or tribunal relating only to the Authority and the settlement of civil claims.

POLICE PENSIONS REGULATIONS 1987

DISCRETIONARY POWERS OF POLICE AUTHORITY

<u>Regulation</u>		<u>Description</u>
A11	Injury on duty	Determining whether the injury should be treated as one received because the officer was known to be a police constable
A19	Compulsory retirement in interest of efficiency of the Force	Authority requires officer to retire who has 30 years service.
A20	Retirement on grounds of disablement <u>**See Note Below**</u>	Authority requires officer to retire due to disablement.
C3(1)	Widows augmented award	Augmenting award in certain circumstances where a police officer dies after an injury received on duty
C9(1) & (2)	Reinstatement of Widows Pension and Gratuity	Where a re-marriage ends a widow may apply for reinstatement of widow's pension and gratuity.
D5(5) D8(b)	Childs Awards	Payment of child's pension after age 19.
E1(2)	Adult Dependants	Payment of special pension in case of death due to injury on duty.
E2(2)	Adult Dependants	Payment of Gratuity in case of death due to an injury on duty.
E4(2+3)	Widows Pension	Payment of Gratuity in lieu of pension commutation of annual pension.
E5(2+3)	Childs Pension	Payment of Gratuity in lieu of pension.
E6(2)	Gratuity in Lieu of Pension	Limitation on amount of gratuity.
F5(1+2)	Previous Pensionable Service	Reckoning of previous service with another Police Force.

F6(3)	Previous Pensionable Service	Reckoning of previous service - other pension schemes.
F7(1) (c+e) (2) (c)	Time Limits - Previous Service	Extension of time limits for transferring previous service.
F8(2)	Transfer Values payable between Police Authorities	Calculation of Transfer Value where only past service counts.
F9(3)	Payment of Transfer Value to another scheme	Conditions for payment.
F9(1)(c)	Time Limits - Transfer Value payable to other scheme	Extension of time limit for application to transfer police service.
H1	Referral to Medical Practitioner <u>**See Note Below**</u>	Refer officers to a qualified medical practitioner.
Regulation H2 – Schedule H – part 8	Medical Appeals	Reclaiming Expenses in cases where the appointed medical Referee finds in favour of the Authority
I2(3+4)	Awards to Servicemen	Payment of awards where officer is disabled after service in the Armed Forces.
I3(3+5)	Awards on Death of Servicemen	Payment of awards on death during Armed Forces service or relating to such service.
I5	Awards to Ex-Servicemen who resume police service.	Payment of awards on death or disablement - no loss of benefit.
K1+2	Cancellation of ill health and injury pensions.	Pensioner resumed health and is fit for police duties - option to resume.
K4(1)	Withdrawal of pension	Where pensioner is in receipt of a pension and resumes police service.

** **The scope of this delegation does not extend to consideration of matters relating to the possible medical retirement of an officer of ACPO rank.**

Police Regulations 2003

These Regulations (which extend to England and Wales) replace the Police Regulations 1995. The Police Regulations 1995 are now revoked in accordance with Part 1 of Schedule 4 (“the 1995 Regulations”)

- 10(d) **Qualifications for appointment to a police force**
Approval of registered medical practitioners certifying appointments.
- 14(a) **Retirement**
Receipt of written notice from officer who intends to retire
- 22(3b) **Duty**
Fixing of limits on the amount of the expenses which may be reimbursed in respect of travelling time
- 24 (1a) **Pay**
Functions in relation to the pay above the rank of Chief Superintendent
- 30
(Annex P) **Fixing of pay day and calculation of monthly, weekly and daily pay**
Fixing of intervals at which police officers are to be paid
- 33 (1) **Leave**
Determination of the annual leave year
- 33(6)
(Annex P) **Leave**
Management of sick leave in respect of self certification, and appointment and approval of medical practitioners.
- 34(1) **Allowances**
Functions in relation to the calculation of an allowance
- Schedule 2
Annex U Approval of insurance terms required by officers in receipt of a motor vehicle allowance.
- 35 (2) **Expenses**
Functions specifying conditions subject to which expenses are to be reimbursed.
- Annex V(2) Determine the payment of removal expenses when a police officer moves home due to the exigencies of duty or voluntarily transfers to another force.
- 45 **Issue of uniform and equipment**
Determination of uniform and equipment issued to officers in the rank of Inspector and above.

POLICE (INJURY BENEFIT) REGULATIONS 2006

<u>Regulation</u>	<u>Description</u>
6(2) Injury on duty	Determining whether the injury should be treated as one received because the officer was known to be a police constable
7 Disablement	Refusal of person to receive appropriate medical treatment
14 Adult survivors augmented award	Entitlement to award where a police officer dies after an injury received on duty
16 Termination of adult survivors award	Where a remarriage ends a widow may apply for reinstatement of widows special pension or gratuity
19 Child's special allowance	Payment of child's allowance after age 19
20 Adult dependant's special pension	Payment of special pension in case of death due to injury on duty.
21 Death Gratuity	Payment of Gratuity in case of death due to an injury on duty
24 Gratuity in Lieu of pension	Limitation on amount of gratuity
25 Childs pension	Payment of gratuity in lieu of child's pension
30 Reference of medical questions	Refers officers to a medical practitioner
31 Medical Appeal	Appeal against the decision of a Medical practitioner
32 Further reference to a medical authority	Referral of a medical decision for reconsideration

33	Refusal to be medically examined	Medical decision where person refuses to be examined.
39	Withdrawal of pension	Where a pensioner is in receipt of an injury pension and resumes police service.
43	Payment of awards	Timing of pension payments
44	Payment of beneficiary awards	Payment to person other than beneficiary
Schedule 6 - Medical Appeals		Timing of and payment of expenses and fees

POLICE PENSION REGULATIONS 2006

Regulation

Description

6.	Application of regulations	Extension of opting-out period
8.	Eligibility for pension membership	Determination of pension contribution rate
9.	Medical examination requirement	Medical requirement for re-joiners to the pension scheme
13	Previous service reckonable on payment	Extension of election period beyond 6 months
18.	Voluntary retirement	Period of notice required
19	Compulsory retirement	Postponement of date
20	Compulsory retirement in interest the Force	Officer required to retire efficiency of on completion of 35 years service.
21	Retirement on grounds of disablement	Officer required to retire on grounds of disablement
40	Partners pension	Required period of cohabitation.
41	Adult survivor's pension	Withholding of pension

44	Death Gratuities – dependants of leavers	Payment of gratuity to a dependant
46	Death Grant- dependants of serving officers	Payment of grant to a dependant or Estate
51	Review and cancellation of ill health pensions	Periodic review of such pensions
52	Withdrawal of pension	Where a pensioner is in receipt of a pension and resumes police service
54	Withdrawal of early payment of deferred pension	Where officer ceased to serve under the Conduct Regulations
57	Purchase of increased benefits	Medical requirement and discontinuance of contributions
62	Commutation of ill health pension payable to pension credit member	Commutation of pension in case of terminal illness
63	Death Gratuity – pension credit member	Payment of death gratuity to next-of-kin
70	Appeal against eligibility for pension membership	Time limit for appeal
72	Appeal to board of medical referees'	Time limit for appeal
74	Medical Appeals	Payment of expenses and fees
75	Refusal to be medically examined	Determination of appeal
78	Payment of Transfer Values on leaving	Time limit for application
80	Receipt of Transfer Values	Time limit for payment
82	Payment and duration of awards	Timing of pension payments
83	Payment of beneficiary awards	Payment to person other than beneficiary
Schedule 3		
1.	Transfer election to join New Scheme	Extension of election period

