

Report to: Police Authority
Agenda item: 4
Date: 24 March 2020
Subject: Urgency Procedures and Emergency Provision
Sponsor: Chief Executive
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For: Information

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1. Purpose of paper

- 1.1 This paper recognises that at this extraordinary time some decisions will need to be made quickly. The paper expands on the urgency procedure that is contained in the Code of Governance to ensure that all parties have a clear understanding of the requirements for compliance.

2. Urgency Procedures

- 2.1 Where the Chief Constable requires a decision to be taken that is outside of his managerial or financial delegations as described in the Code of Governance, the Scheme of Financial Delegation gives him authority to incur emergency expenditure/virement up to £125k but requires that he regularise this position by consulting the Chair and Chief executive before or very soon after such a decision¹.
- 2.2 It is always preferable that the Chief Constable consult the Authority beforehand, where possible. The Chief Executive and Chair will be readily available by phone to be consulted on any such relevant time critical decisions in respect of the Covid 19 response. Under the Scheme of Delegation the Chief Executive has authority to incur emergency spend up to £250k, with Authority approval required for anything over this.
- 2.3 Members are asked that in the interests of expediency the Chair be delegated authority to take time critical decisions on emergency spend/virement on behalf of the Authority and report back promptly

¹ Code of Governance Main Body paragraph 8.39

afterwards. Time critical decisions are considered to be matters where a decision is required within 48 hours.

- 2.4 Where matters are urgent but there is over 48 hours in which a decision can reasonably be taken without detriment to staff or service these will be dealt with under the urgency procedure as described in Annex 5 Procedural Standing Orders² within the Code of Governance, which is as follows:
- The officer of the Force or Authority requiring the decision will prepare a report as far as is reasonably practicable as if he or she were reporting to the full Authority.
 - The Chief Executive shall draw the matter to the attention of the Members who will discuss by telephone or exchange views by email, as is reasonably practicable in the circumstances. Following this consultation, the Chief Executive in consultation with the Chair and, if appropriate, the Chief Constable, shall make a decision on the matter.
 - Any decisions made under the urgency procedure shall be recorded in writing. The Chief Executive will keep a proper record of this progress and copies of the report and the decision will be circulated to Members as is reasonably practicable. The action should be approved by the Authority.

3. Emergency provision

- 3.1 In the event that emergency financial provision is required the Framework Document³ states that the DfT provides the Authority with separate grants for specific (ring-fenced) purposes. It will issue a grant as and when the Authority needs it on the basis of a written request. The Authority will provide evidence that the grant was used for the purposes authorised by DfT. The Authority shall not have uncommitted grant funds in hand, nor carry specific grant funds to another financial year.
- 3.2 Therefore, should the position arise that further funding is required to deal with the current crisis there is provision for emergency funding from the DfT.

4. Resilience

- 4.1 In the event that key decision makers become incapacitated for a period of time formal arrangements are place to pass delegations to deputies. In the first instance these would be:
- the Deputy Chair for the Chair
 - the CFO for the CEO
 - the Deputy Chief Constable for the Chief Constable

² Code of Governance, Annex 5 Procedural Standing Orders, paragraph 24

³ Annex 3 paragraph 16.3

5. Recommendations

- 5.1 Members delegate authority to the Chair to approve covid 19 response related spend over £250k where a decision is required within 48 hours. The Chair to report back to the Authority within 24 hours of any such decision being taken.
- 5.2 Members to note the contents of this report.