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British Transport Police Authority
Corporate Governance Code

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Foreword

The British Transport Police Authority is the independent body responsible for ensuring an efficient and effective police force for the railways.

The Authority is an executive Non-Departmental Public Body (NDPB) sponsored by and accountable to the Department for Transport (DfT) and as such must comply with direction and guidance issued by HM Government. Its actions are guided by a Framework Document that has been issued to the Authority by the Secretary of State.

The purpose of this Code is to set out the Authority's approach to Corporate Governance within which the Authority will operate. It has been developed according to the principles of the HM Treasury and Cabinet Office 'Corporate Governance: Code of good practice 2017' which defines governance as:

"...the way in which organisations are directed, controlled and led. It defines relationships and the distribution of rights and responsibilities among those who work with and in the organisation, determines the rules and procedures through which the organisation's objectives are set, and provides the means of attaining those objectives and monitoring performance. Importantly, it defines where accountability lies throughout the organisation." p9

It is expected that the spirit, as well as the letter of the Code shall be followed. In the event of any departure from the Code the Authority adopts the comply or explain principle, meaning that the justification must be clearly and carefully explained in the governance statement accompanying the annual statement of accounts.

The Code is a living document and may be updated in-year, with proposed updates presented to the Authority for approval prior to inclusion. It shall be subject to a formal review at each annual meeting of the Authority.

Ron Barclay-Smith, BTPA Chair

Hugh Ind, BTPA Chief Executive and Accounting Officer

Lucy D'Orsi, Chief Constable and Additional Accounting Officer

Who we are and what we do

Establishment and powers

1. The British Transport Police Authority (“the Authority”) was established by the Railways and Transport Safety Act (2003) (“the 2003 Act”) and became operational on 1 July 2004. The Authority’s primary statutory purpose is to secure the maintenance of an efficient and effective police force for the railways in England, Scotland and Wales. This includes defraying and recovering the costs of the Police Force from the companies who provide and use the rail network.
2. The 2003 Act sets out the statutory powers and responsibilities of the Authority which are to:
 - a. Secure the maintenance of an efficient and effective police force known as the British Transport Police¹
 - b. Ensure the efficient and effective policing of the railways²
 - c. Appoint the Chief Constable, Deputy Chief Constable, Assistant Chief Constables and the Chief Executive and Treasurer³
 - d. Enter into Police Service Agreements with railway operators⁴
 - e. Employ police constables, civilian employees and cadets⁵
 - f. Regulate the government, administration and conditions of service of those employed by the Authority in the service of the police force⁶
 - g. Set a strategy for policing the railway⁷
 - h. Set objectives for the policing of the railway⁸
 - i. Issue an annual Railways Policing Plan⁹
 - j. Set the budget of expected income and expenditure for policing the railways each year, defray the expenses and recover the cost¹⁰
3. The Authority is a body corporate¹¹
4. As the legal entity, the Authority has the legal capacity to enter agreements, assume obligations, incur and pay debts, sue and be sued in its own right and to be held responsible for its actions. All contracts of employment are therefore with the Authority. The Authority may delegate to the Chief Constable and Chief Executive the responsibility to enter agreements or contracts, assume obligations, incur and pay debts, and pursue legal action, on its behalf.
5. A Policing Protocol exists which sets out the ways in which relevant persons should exercise or refrain from exercising functions so as to encourage, maintain or improve working relationships or limit or prevent overlapping or conflicting exercise of functions. The Authority and Chief Constable are not relevant persons within the definition of the Policing Protocol but where appropriate relevant principles of the Protocol have been incorporated into this Code.

¹ Railways and Transport Safety Act 2003 (RTSA 2003) s19

² RTSA 2003 s20

³ RTSA 2003 s21, 23 & 27 Schedule 4 Part 2 s11 (a&b)

⁴ RTSA 2003 s33(1)

⁵ RTSA 2003 s24, 26 & 27

⁶ RTSA 2003 s36

⁷ RTSA 2003 s55

⁸ RTSA 2003 s50

⁹ RTSA 2003 s52

¹⁰ RTSA 2003 s33 (3&4)

¹¹ RTSA 2003 s18

6. The Chief Constable is responsible for maintaining the King's Peace and has direction and control over the Force's staff.
7. The Chief Constable is accountable to the law for the exercise of police powers, and to the Authority for the delivery of efficient and effective policing, management of resources and expenditure by the Force.
8. The Chief Constable is responsible to the public and accountable to the Authority for:
 - a. leading the Force in a way that is consistent with the Code of Ethics and the attestation made by all constables on their appointment and ensuring that it acts with impartiality;
 - b. appointing the Force's officers and staff
 - c. the deputy and assistant chief constables and their police staff equivalents will be appointed through a joint panel and on agreement between the Authority and Chief Constable
 - d. having regard to the Policing Plan and Strategy in force at the time in performance of her/his functions;
 - e. assisting the Authority in planning the force's budget;
 - f. notifying and briefing the Authority of any matter or investigation on which the Authority may need to provide public assurance either alone or in company with the Chief Constable;
 - g. entering into collaboration agreements with other chief constables, policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of the Authority and any relevant policing body;
 - h. managing all complaints against the force, its officers and staff, except in relation to the Chief Constable, Deputy Chief Constable and Assistant Chief Constables, and ensuring that the Authority is kept informed in such a way as to enable the Authority to discharge its statutory obligation in relation to complaints in a regular, meaningful and timely fashion. Serious complaints and conduct matters must be passed to the Independent Office for Police Conduct (IOPC) or Police Investigations & Review Commissioner (PIRC) for Scotland in accordance with legislation;
 - i. exercising direction and control in such a way as to have access to all necessary information and staff within the Force; and
 - j. acting as additional accounting officer in accordance with the current additional accounting officer memorandum in place.
9. The direction and control of the Chief Constable includes:
 - a. the ability to issue a warrant to an attested officer with which that officer may exercise her/his police powers;
 - b. decisions in relation to the appointment and dismissal of officers and staff in accordance with paragraph 8(b).
 - c. decisions concerning the configuration of policing resources (or) the decision whether, or whether not, to deploy police officers and staff;
 - d. total discretion to investigate or require an investigation into crimes and individuals as he or she sees fit;

- e. decisions taken with the purpose of balancing competing needs whilst having regard to priorities and objectives set by the Authority;
 - f. operational decisions to reallocate resource to meet immediate demand; and
 - g. the allocation of officers' specific duties and responsibilities within the force
 - h. area whilst having regard to the strategic objectives set by the Authority¹².
10. This list is not exhaustive and is by way of illustration only.
11. The operational independence of the police is a fundamental principle of British Policing. It is expected that the professional discretion of the police service and oath of office give surety to the public that this shall not be compromised¹³.
12. The Chief Constable remains operationally independent and it is the will of Parliament and Government that the office of constable shall not be open to improper political interference¹⁴.
13. The Authority and Chief Constable must work together to safeguard the principle of operational independence, while ensuring that neither party is fettered in fulfilling their statutory role. The context of operational independence is not defined in statute, and as Her Majesty's Inspectorate of Constabulary (HMIC) has stated, by its nature, is fluid and context-driven. The relationship between the Authority and the Chief Constable is defined by the Authority's legal mandate to hold the Chief Constable to account both as part of her/his statutory duty to have regard to the Strategy and Policing Plan and as an employee; primary legislation and common law already provide the framework that underpins operational independence and the Office of Constable¹⁵
14. The Authority must not fetter the operational independence of the police force and Chief Constable who leads it¹⁶ however in order to enable the Authority to exercise the functions of their office effectively they will need access to information and officers and staff within their force. Such access to any information must not be unreasonably withheld or obstructed by the Chief Constable and/or fetter the Chief Constable's direction and control of the force¹⁷.
15. In order to respond to the strategic objectives set by the Authority and the wide variety of challenges faced by the police every day, the Chief Constable is charged with the direction and control of the Force and day-to-day management of the British Transport Police Fund (BTPF) assets and resources as defined in the scheme of delegation¹⁸.
16. The Chief Constable is required to ensure that the Authority is regularly informed of her/his decisions and operational activity in a timely manner so that the Authority can hold the Chief Constable to account for the totality of policing in the Force area, including the operational delivery of the police service. The direction and control of the Chief Constable does not just remain under the scrutiny of the Authority but is open to investigation by the IOPC within the parameters of their terms of reference¹⁹.
17. Requiring accountability is a legitimate part of the relationship between the Authority and the Chief Constable where the overriding principle must be that all actions are taken in the wider public interest. The establishment and maintenance of effective working relationships between the

¹² Policing Protocol Order 2011 (PPO 2011) s33

¹³ PPO 2011 s30

¹⁴ PPO 2011 s12 (part)

¹⁵ PPO 2011 s36

¹⁶ PPO 2011 s18

¹⁷ PPO 2011 s19

¹⁸ PPO 2011 s37

¹⁹ PPO 2011 s34

Authority, Chief Constable and Chief Executive is fundamental. It is expected that the principles of professionalism, openness and trust will underpin the relationships between all parties and all parties will do their utmost to make the relationships work²⁰.

18. The Authority may require the Chief Constable to submit a report on specified matters connected with the performance of her/his functions²¹.
19. The Authority is a publicly accountable body which together with the Chief Constable will need to establish effective working relationships in order to deliver policing of the railways. Where differences occur they will be resolved locally between the Authority and Chief Constable. Professional advice may be offered by HMICFRS.
20. It is perhaps most important of all to remember that the Authority and Chief Constable are working towards a common goal - to deliver efficient and effective policing to ensure a safe, secure and reliable transport system.

Membership

21. The Authority Members are appointed by the Secretary of State for Transport. Members are drawn from people who have experience of:
 - a. the rail industry;
 - b. railway staff;
 - c. the travelling public; and
 - d. others with designated experience
22. Members are not, however, intended to be representatives of those interests.
23. There are also Members with knowledge of the interests of persons in England, Scotland and Wales, in the case of the latter two appointed in consultation with Scottish Ministers and the Welsh Assembly respectively. In the Authority, Members work together and act as a single corporate body.

Chair

24. The Chair has particular responsibility to provide effective and strategic leadership to the Authority.
25. The Chair, with the support of the Chief Executive, will ensure that all Authority Members, when taking up office, are fully briefed on the terms of their appointment, and their duties, rights and responsibilities.
26. The Chair will undertake an annual appraisal with each Authority Member in the final quarter of each financial year to coordinate with the board effectiveness evaluation. The focus of these appraisals will be board effectiveness, individual contribution over the past 12 months, training needs analysis and future focus. The Chair shall agree objectives for each member following these discussions. The appraisal shall also be used as a base for the Chair's report to the Secretary of State on the Member's reappointment.
27. The Chair should address the developmental needs of the Authority as a whole with a view to enhancing its effectiveness. Resources should be provided for developing and refreshing the

²⁰ PPO 2011 s8

²¹ RTSA 2003 s56(3)

knowledge and skills of Members.

28. The Chief Constable and the Chief Executive are to work closely with the Chair to ensure the role and responsibilities of the Authority are discharged.

Members of the Authority

29. Members each have a corporate and collective responsibility to ensure that the Authority properly discharges its functions. In doing so, each Member is required to attend all Police Authority meetings and the meetings of those Committees and Groups to which they have been allocated. In addition to attendance at formal Authority and Committee meetings, the Authority may agree that Members should take on additional roles to assist in furthering the Authority's objectives.
30. Members will receive a letter each August following the board evaluation which will cover any resulting changes. The purpose of the letter will be to confirm their committee memberships and portfolio allocations for the year. This letter will identify training requirements and provide a breakdown of their 30 days for the year.
31. Members of the Authority are required to comply with the Cabinet Office's Code of Conduct for Board Members (Annex 2) which follows the Nolan Principles of Public Life. The Code requires that in undertaking their duties, Members demonstrate and act with probity and transparency.
32. For details on terms and conditions for Members see the Framework Document at Annex 3.

Executive Roles

Chief Executive to the Authority

33. The Authority appoints a Chief Executive with responsibilities similar to those of the head of a local authority's paid service under section 4 of the Local Government and Housing Act 1989.
34. The Chief Executive is the principal advisor to the Authority and leads and directs the Authority staff ensuring the Authority achieves its objectives.

Chief Constable of British Transport Police

35. The Authority appoints a Chief Constable whose powers and duties are similar to any other Chief Constable. In addition, the Chief Constable is required to have regard to Codes of Practice issued by the Secretary of State for Transport, the Home Secretary and the Authority.

Chief Financial Officer to the Authority

36. The Authority appoints a Chief Financial Officer who fulfils the role of Treasurer, with the responsibility for ensuring the proper management of the Authority's finances.
37. The Chief Financial Officer also provides independent financial advice to the Authority in all aspects of its activity, including strategic planning, policy making and budgetary matters.
38. The Chief Financial Officer also fulfils the role of Deputy Chief Executive assuming the powers of the Chief Executive in their absence. The arrangements for covering the role of Accounting Officer are detailed in the Accounting Officer memorandum at Annex 6.

Director of Finance and Commercial Services

39. The Director of Finance and Commercial Service (or, where that position is vacant, the Chief Constable's nominee) is to work closely with the Chief Financial Officer to ensure that the BTPF is properly administered and financial regulations are observed and kept up to date.
40. The Chief Executive and Chief Constable will jointly agree in writing when it is deemed appropriate for either the Chief Financial Officer or Director of Finance and Commercial Services to have executive financial delegation to agree matters under the scheme of financial delegation for a specific panel/board constituted under the direction and control of the Chief Constable or Chief Executive respectively.
41. For a detailed list of the specific responsibilities of the Chief Financial Officer and Director of Finance and Commercial Services see Annex 4 Financial Management.

The Accounting Officer

42. The Chief Executive has been appointed as the Accounting Officer for the BTPF by the Principal Accounting Officer of the DfT. The Chief Constable has been appointed as an Additional Accounting Officer by the Chief Executive with the agreement of the Principal Accounting Officer of the DfT. The responsibilities of both the Chief Executive and Chief Constable as Accounting Officers are in accordance with the principles set out in HM Treasury's Managing Public Money. The Accounting Officer Memorandums and Principles for Engagement can be found at Annex 6.

How we deliver

Accountability, Openness and Transparency

43. The Authority demonstrates its accountability and commitment to openness and transparency to:
 - a. Parliament through;
 - i. the Authority's annual report which is laid before Parliament
 - ii. annual auditing of the Authority's accounts by the National Audit Office (NAO)
 - iii. periodic reviews conducted by the Department for Transport.
 - b. Stakeholders through;
 - i. opening our meetings to the public
 - ii. delivery of our statutory duties, including setting performance targets and strategy for the police force and assessing progress
 - iii. publishing our meeting papers, minutes and policy information, to provide key information about our activities, how we undertake them and the decisions we make
 - iv. consulting with our stakeholders both in writing and through workshop sessions.
44. The high-level Committee structure is set out in the next section. For a detailed description of how the Committees work refer to the Authority's Annual Business Cycle.

Police Authority

Purpose

45. To secure the maintenance of an efficient and effective police force for the railways.
46. The Authority will operate according to recognised precepts of good corporate governance in business:
 - a. Leadership – articulating a clear vision, Strategy and Plans, including setting risk appetite and managing risk.
 - b. Effectiveness – bringing a wide range of experience to bear, including through offering rigorous challenge and scrutinising performance
 - c. Accountability – promoting transparency through clear and fair reporting
 - d. Sustainability – taking a long-term view about what the Authority is trying to achieve and what it is doing to get there

Reporting

47. The Authority will publish all open papers and minutes on its website.

Responsibilities

48. The full Authority meets to perform its purpose of securing the maintenance of an efficient and effective police force for the railways through the following areas²²:
 - a. Strategic Clarity – setting the vision and mission with a focus on long-term capability with all activities directly or indirectly contributing towards the strategy.
 - b. Commercial sense – approving the distribution of responsibilities, setting the scheme of delegation, ensuring sound financial management, scrutinising the allocation of financial and human resources to achieve the plan, setting the risk appetite and ensuring controls are in place.
 - c. Cultural focus – setting the vision for the culture of the organisation and ensuring clear, consistent and comparable information is provided to measure this and address any cultural concerns arising
 - d. Talented People – ensuring the chief officer team has the capability to deliver and plan to meet current and future needs.
 - e. Results Focus – setting the Annual Railways Policing Plan and monitoring progress against this and the Strategy.
 - f. Management Information – ensuring clear, consistent comparable performance information is provided to the Authority and used to drive improvements.
 - g. Professional standards – ensuring that matters are dealt with according to statute and policy and challenging non-compliance.
49. The Full Authority retains total responsibility for governance, taking all decisions unless specifically delegated to a Committee and enshrined in its terms of reference.
50. The key statutory decisions which the Authority takes are to:
 - a. Set a rolling Strategy covering a minimum of three years
 - b. Set an annual Railways Policing Plan
 - c. Set the budget of expected income and expenditure for policing the railways each year
 - d. Approve the Annual Statement of Accounts
 - e. Approve the annual PSA charges

²² The six areas are described in the Corporate Governance in central government departments: Code of Good Practice 2017. The inclusion of an explicit cultural focus bullet point followed the Governance Review in 2016.

- f. Approve the internal audit strategy

Meetings

51. The Authority will meet at least six times a year. The Chair of the Authority may convene additional meetings, as they deem necessary. The quorum of Authority meetings is half of all Members plus one.

Membership

52. The membership will be all members of the Authority²³. Executive Team and Force colleagues will join as agreed with the Chair.

Audit and Risk Assurance Committee

Purpose

53. This statutory committee supports the Authority and Accounting Officer by reviewing the comprehensiveness and reliability of assurances on governance, risk management, the control environment and the integrity of financial statements.

Reporting

54. The Audit and Risk Assurance Committee will present a summary of key points to the Authority after each meeting and minutes for noting.
55. The Audit and Risk Assurance Committee will perform an annual assessment of their performance, timed to input into the Governance Statement, summarising the work it has done during the year in relation to its Terms of Reference and Annual Work Plan.

Responsibilities

56. The Audit and Risk Assurance Committee will advise the Authority and Accounting Officer on:
 - a. the strategic processes for risk, control and governance and the Governance Statement;
 - b. the accounting policies, the accounts, and the annual report, including the process for review of the accounts prior to submission for audit, levels of error identified, and management's letter of representation to the external auditors;
 - c. production and approval of the Management Assurance Return (MAR)
 - d. the planned activity, results of both internal and external audit and HMICFRS;
 - e. adequacy of management's response to issues identified by audit activity, including external audit's management letter;
 - f. assurances relating to the corporate governance requirements for the organisation;
 - g. anti-fraud, bribery and corruption and whistleblowing processes and arrangements for investigations

²³ Appointed by the Secretary of State in accordance with Schedule 4, Part 1, Paragraph 1.

- h. monitor and assess compliance with and performance against statutory duties
- i. Assurances related to financial reporting, including understanding significant changes to accounting policies
- j. Assurances over the ethical standards, professionalism, integrity and conduct of employees
- k. Assurances over data, systems and information

57. The Audit and Risk Assurance Committee may:

- a. Approve the annual external audit plan
- b. Approve the internal audit plan
- c. Approve the HMICFRS Inspection plan
- d. Review and approve minor amendments to the strategic risk register, risk appetite and other risk documents as set by the Full Authority and propose significant amendments (e.g. additional & emerging risks) to the Full Authority for approval.

Milestones

58. In line with the annual work plan,

- a. Annual report and Accounts, including the Governance Statement and audit opinions, to the June meeting
- b. Management Assurance Return to the March meeting
- c. Data assurance statement
- d. At least one strategic risk deep dive

Access

59. The Head of Internal Audit and the representative from the external audit will have free and confidential access to the Chair of the Audit and Risk Committee.

Meetings

60. The Audit and Risk Assurance Committee will meet at least 4 times a year. The Chair of the Committee may convene additional meetings, as they deem necessary.

61. The Authority or Accounting Officer may ask the Audit and Risk Assurance Committee to convene further meetings to discuss particular issues on which they want the Committee's advice.

Chair and Deputy Chair

62. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Full Authority.

Quorum

63. Half of committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

64. The membership of this Committee will be up to five members of the Authority. Executive Team and Force colleagues will join as agreed with the Chair.

Appointments, Remuneration and Appraisal Committee

Purpose

65. To make BTP Chief Officer Group and other senior appointments within the BTPA Executive, to oversee that effective succession planning arrangements are in place, in line with the BTPA's statutory responsibilities and to review and approve remuneration recommendations made by the Authority's People and Culture Committee.

Reporting

66. A digest of key issues arising at each meeting will be circulated to the Full Authority for information. The minutes of each meeting will be reported to the next meeting of the Full Authority, with any reports or issues requiring the attention of the Full Authority highlighted by the Chair of the Committee.

Responsibilities

67. Orderly succession of senior appointments both within the BTPA Executive and the BTP Chief Officer team, in order to maintain an appropriate balance of skills and experience;
68. acting on behalf of the Authority and seeking Secretary of State approval where required, make the appointment of BTP Chief Officers and the Chief Executive and Chief Financial Officer. This includes approval of recruitment processes, remuneration packages and contracts of employment;
69. acting on behalf of the Authority, working with the Chief Constable, to agree Chief Officer secondments to and from BTP and temporary promotions expected to last beyond 6 months;
70. to consider and approve packages on termination for employees of Chief Officer rank and in respect of senior positions in the BTPA Executive. This includes discretionary awards and payments, discretionary pension enhancements and ex gratia payments.
71. To review and approve any recommendations made by the People and Culture Committee in respect of pay awards for the BTP and BTPA officers and staff.
72. To receive and review annual appraisals for BTP Chief Officers and Directors of equivalent rank, and for the BTPA CEO and Treasurer.

Milestones

73. Annual performance and development review in June/July.

Meetings

74. The Appointments, Remuneration and Appraisal Committee will meet at least once a year to consider

end of year appraisals and pay recommendations. The Chair of the Committee will convene additional meetings, as they deem necessary.

Chair and Deputy Chair

75. The Chair and Deputy Chair of the Board.

Quorum

76. Half of committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

77. Four Members of the Full Authority.

Scottish Railways Policing Committee

78. The full terms of reference for this Committee can be found at Annex 8 below is a summary of the key aspects of the Committee's governance.

Purpose and scope

79. The committee will provide oversight of the development of plans and policies, scrutinising policing performance against agreed plans and statutory requirements, and ensuring agreed improvements recommended by external inspections and reviews are implemented.

80. The Committee provide assurance to the Authority SPA and Scottish Ministers on the delivery of railway policing in Scotland.

81. In performing its functions, the Committee will have regard to the UK-wide police priorities and set and reviewed by the Authority, and police priorities set and reviewed by the Scottish Government.

82. These terms of reference have been agreed by the Authority and SPA and are endorsed by Scottish ministers.

83. A copy of these terms of reference has been laid before each House of Parliament and the Scottish Parliament.

Responsibilities

84. To keep under review the delivery in Scotland of the BTP Strategic Policing Plan, Police Service Agreements and other documentary agreements relating wholly or mainly to Scotland and report progress, including concerns and observations, to the full Authority.

85. To recommend to the full Authority the Scottish railways Policing Plan (hereinafter referred to as the plan), ensuring due regard has been taken to policing priorities set by the Scottish Government, Strategic Plan set by the SPA and Police Scotland, Police Scotland's annual policing plan and that effective consultation has informed the development of the Plan.

86. To scrutinise progress and performance against the plan and to recommend to the full Authority any

improvement required.

87. To scrutinise BTP's public and stakeholder engagement work
88. To consider the effectiveness of interoperability between BTP and Police Scotland and recommend any improvements to the full Authority and the SPA.
89. To make recommendations and provide oversight on performance standards of railway policing in Scotland taking cognisance of stakeholder engagement and make recommendations to the full Authority on any changes required.
90. To provide visibility and oversight of the funding as it applies to rail provider(s) operating in Scotland, with a view to achieving best value and to recommend any changes to the full Authority.
91. In carrying out its functions, to take into account relevant data and research available in relation to policing, including independent evidence and benchmarking information from across the UK and internationally.
92. To review recommendations from the Government Internal Audit Agency, Her Majesty's Inspectorate of Constabulary in Scotland and other organisations with an inspection, audit or evaluation remit in relation to railway policing in Scotland and ensure that action is taken within the agreed timescales, subject to approval by the full Authority.

Meetings

93. The Committee will meet quarterly. Meetings are to be scheduled to coincide with the Authority's planning cycle.
94. Meetings will usually be held in Scotland.

Membership

95. The membership of this Committee will be five members of the Authority. Executive Team and Force colleagues will join as agreed with the Chair. All meetings of the Committee are open to be observed by members of the public and media, with exception of meetings or parts of meetings where business is to be conducted in private.

Reporting

96. A summary report will be provided by the secretariat to the Chief Executives of each Authority after each Committee meeting.

Membership and attendees

97. The Committee will comprise the Chair ("the Committee Chair") and no more than four other members. The Chair will be the Scotland member for the Authority or such other member of the Authority as nominated by the Chair of the Authority. The Chair of the Authority will consult and obtain approval of Scottish Ministers prior to appointing a Committee Chair.
98. The Committee will include up to two co-opted members from the SPA and up to two members from the Authority. The Chair of each Authority will be responsible for the nomination of Committee members, and Committee members will be agreed by the respective boards.

Strategy and Planning Committee

Purpose

99. This Committee's role is to ensure an integrated approach to the development of the Medium-Term Financial Plan (MTFP), Strategic Plan, Policing Plan(s) and annual budget.

Reporting

100. A digest of key issues arising at each meeting will be circulated to the Full Authority for information. The minutes of each Committee meeting will be reported to the next meeting of the Full Authority, with any reports or issues requiring the attention of the Full Authority highlighted by the Chair of the Committee.

Responsibilities

101. To produce a draft Strategy and Medium-Term Financial Plan for consideration by the Full Authority
102. To set out the desired culture and behaviours in alignment with the Strategy
103. To consider relevant perspectives in the forthcoming macro-environment in which the Authority operates ('horizon scanning') including political, economic, socio-cultural, technological, environmental, legal and ethical perspectives; and making recommendations to peer Committees and/or the Full Authority.
104. To monitor progress against Strategic Plan objectives.
105. To oversee development of subordinate strategies including those relating to people, equality and diversity
106. To prepare the Policing Plan(s) in line with the Strategy and stakeholder requirements
107. Advising on the preparation of the annual budget
108. To ensure effective consultation with stakeholders in the preparation of the Strategy, MTFP/budget, and Policing Plan.
109. Reviewing the annual Police Service Agreement (PSA) charges and providing the Authority and Accounting Officer with an Annual Report, timed to support finalisation of the annual Police Service Agreement (PSA) charges, summarising and explaining any significant movements for individual PSA holders understanding the reasons for any significant movements.
110. Business case approvals in line with delegation limits set out in the Code of Governance.
111. Examining post completion reports for all capital and major revenue schemes approved by the Authority in accordance with the scheme of delegation
112. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Milestones

113. The Committee will recommend a Strategic Plan to the Full Authority approval no less than every three years.
114. The Committee will recommend the Annual Budget and Medium-Term Financial Plan(s) to the December meeting of the Full Authority for approval.
115. The Committee will recommend Policing Plan(s) to the March meeting of the Full Authority for approval.
116. The Committee will provide an annual report to the Full Authority regarding Police Service Agreement charges.

Meetings

117. The Strategy and Planning Committee will meet at least quarterly ahead of Authority meetings. The Chair of the Committee may convene additional meetings, as they deem necessary.

Chair and Deputy Chair

118. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Board.

Quorum

119. Half of Committee membership (where overall membership is an odd number, the quorum figure is rounded up e.g. membership of five = quorum of three.)

Membership

120. Six Members of the Full Authority.

People and Culture Committee

Purpose

121. On behalf of the Authority, oversee and appraise BTP's approach towards matters pertaining to people, culture, leadership and behaviours.

Reporting

122. A digest of key issues arising at each meeting will be circulated to the Full Authority for information. The minutes of each committee meeting will be reported to the next meeting of the Full Authority, with any reports or issues requiring the attention of the Full Authority highlighted by the Chair of the committee.

Responsibilities

123. To be proactive in providing advice and guidance on the strategic direction of the overall People Strategy and the policies designed to achieve it. Including advice on the effective management of the key risks BTP is seeking to manage in the context of realising its People Strategy.
124. To oversee, provide advice and guidance on the strategic direction of the Reward Strategy, ensuring that it remains effective at attracting and retaining a high-quality workforce which is also affordable.
125. To review annual pay claims for officers and staff taking account of how these fit with the wider Reward Strategy and to recommend any pay awards for approval by the Appointments, Remuneration and Appraisal Committee.
126. To consider and approve all changes to terms and conditions that fall under the Police Regulations 2003 and all departures from the Police Regulations, including changes made to the Police Regulations that the organisation chooses not to adopt.
127. To encourage innovation with respect to employment matters whilst satisfying itself as the legal employer of police staff and officers, of compliance with relevant employment legislation;
128. To receive advice from and provide support to the Director of People and Culture in relation to matters of Authority interest and provide a forum for input, discussion and feedback on contemporary people practice;
129. To consider external and internal developments and drivers which are relevant to the success of, and which inform, the strategic people priorities, including but not limited to outputs from arrangements for sentiment testing employee attitudes and opinions;
130. To monitor BTP's key performance indicators with regard to agreed strategic People objectives, including but not limited to recruitment, retention, progression, training and management of attendance.
131. To have oversight of Force leadership training and behaviours.
132. To receive the high-level outputs from the annual talent management process.
133. To have oversight of legitimacy with respect to the representation, equality and diversity of BTP's workforce;
134. To have oversight of the implementation of the Wellbeing, Health and Safety Strategy and policy compliance; including review of an annual assurance report; reporting by exception, including but not restricted to, resourcing, availability of competent advice, risk assessments, and training; and quarterly trend/statistical reporting on wellbeing, health and safety;
135. To consider reputational, cultural and financial implications of professionalism matters reported by exception, including from the perspective of a public lens. This may include high profile complaints, appeals/reviews, grievances, employment tribunals and civil claim cases.
136. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Milestones

- 137. Staff & Officer pay award recommendations in July.
- 138. Annual Wellbeing, Health and Safety Report for recommendation to Full Authority.

Meetings

- 139. The People and Culture Committee will meet at least four times a year. The Chair of the Committee may convene additional meetings, as they deem necessary.

Chair and Deputy Chair

- 140. The Chair, Deputy Chair and members of the Committee shall be appointed by the Chair of the Authority.

Quorum

- 141. Half of the committee membership (where overall membership is an odd number, the quorum is rounded up e.g. membership of five = quorum of three).

Membership

- 142. Up to five Members of the Full Authority.

Performance and Delivery Committee

Purpose

- 143. This Committee holds the Force to account for its operational and business performance and delivery of its current annual plans by aligning review and challenge of financial inputs with that of operational outputs.

Reporting

- 144. A digest of key issues arising at each meeting will be circulated to the Full Authority for information. The minutes of each Committee meeting will be reported to the next meeting of the Full Authority, with any reports or issues requiring the attention of the Full Authority highlighted by the Chair of the Committee.

Responsibilities

- 145. Assessing financial reports, including performance against annual and medium-term financial plans and ensuring the effective review by the Authority of financial performance
- 146. Assessing progress against delivery and spend on capital projects and major revenue schemes

approved by the Authority in accordance with the scheme of delegation

147. To assess and provide supportive challenge on BTP's operational and organisational performance and efficiency against criteria which are defined in the rolling strategic plan and Policing Plan(s) refreshed annually to include operational and organisational, KPIs and outputs from external inspections.
148. To have oversight of 'Legitimacy' with respect to BTP's use of its policing powers and service delivery,
149. To have oversight of other business as usual operational indicators such as the use of Stop and Search and use of force
150. Oversee BTP compliance with legislative requirements and guidance with respect to referral of cases to the IOPC, complaint and conduct handling and custody facilities.
151. Request and consider information from BTP, BTPA, stakeholders and other sources to support scrutiny activities in terms of internal and external comparison and benchmarking of performance
152. Deep dive(s) of any risks referred to the Committee from the Audit and Risk Assurance Committee.

Meetings

153. The Performance and Delivery Committee will meet at least quarterly ahead of Authority meetings. The Chair of the Committee may convene additional meetings as they deem necessary.

Chair and Deputy Chair

154. The Chair and Deputy Chair of the Committee shall be appointed by the Chair of the Board.

Quorum

155. Half of Committee membership (where overall membership is an odd number, the quorum figure is rounded up e.g. membership of five = quorum of three.)

Membership

156. Up to five Members of the Full Authority

Working Groups

157. Working groups may be established as and when required in-year. The terms of reference for these groups shall be subject to approval by the full Authority. The Authority will review its working groups annually as part of its Board Effectiveness Evaluation.

Executive Review Group

158. The Executive Review Group is an Executive-level group that will convene when necessary in advance of Committee and Full Authority meetings to review reports in advance of their submission to Members.

Responsibilities

159. The Executive Review Group will quality assure papers and provide feedback to ensure that all relevant information is provided to enable the Authority and its committees to make high quality decisions in a timely fashion.
160. The Executive Review Group has no delegated decision-making powers nor does it have the remit to prevent paper from going to the Authority or a committee.

The Role of the Chair

161. The role of committee chair involves:
- a. facilitating meetings;
 - b. ensuring adherence to the comply or explain principle; and
 - c. ensuring that the Committee obtains and considers all appropriate information.

Member Portfolios

162. All Authority Members shall have the opportunity to assume responsibility for a portfolio. Portfolios may range from alignment with a BTP sub-division or chief officer to a specific policing theme. The purpose of portfolios is to provide Members with a forum within which they can have general oversight of the wide range of BTP's operational and organisational activities.

The Authority's Business Cycle

163. The Authority has agreed an annual business cycle for its work to help it ensure that it maintains focus on key work streams in a timely and efficient way.

Consultation

164. The Authority shall develop a consultation plan which will be aligned with that of the Chief Constable to discharge its duties and functions under section 62 of the 2003 Act.
165. In discharging its duties and functions the Authority is required to consult those listed in section 62(1) of the Act, basing its decisions on:
- a. the requirements of passengers and staff and other rail users in relation to personal security and policing
 - b. the professional advice from the Chief Constable
 - c. the commercial and operational challenges of the rail and train operating companies and their priorities for policing;
166. With this knowledge, as an independent body, the Authority then makes its own judgements about how to secure an efficient and effective police force which it reflects in its Strategy, Policing Plan and budget decisions.

Managerial and Financial Framework

167. The Authority has established the BTPF²⁴ into which all monies received shall be paid²⁵. The Authority retains overall responsibility for all strategically important issues affecting the direction and finances of the Authority with the support of the Strategy and Planning Committee.

Responsibilities of Chief Executive & Chief Constable: Financial

168. As Accounting Officer and Additional Accounting Officer respectively the Chief Executive and Chief Constable must be able to assure Parliament and the public of high standards of probity in the management of the BTPF. The Chief Executive as Accounting Officer must also sign the:

- Accounts
- Annual Report
- Governance Statement

169. The Chief Executive assigned to the Chief Constable responsibilities relating to all expenditure and activities by BTP within the agreed budget and specific revenue or capital projects as defined in the Scheme of Delegation. The Chief Executive's responsibilities relate to the income for the Authority and BTP and the expenditure of the Authority's own budget. The only exception being where income is received from third parties for specific projects, this will be approached as if it were a contract with responsibility for the income dependent on the value of the project in accordance with the scheme of financial delegation.

170. The responsibilities of the Chief Constable and Chief Executive are to be interpreted broadly. In summary they include but are not limited to, ensuring that they discharge their responsibilities efficiently and effectively in accordance with the Authority's Strategy and plans. The responsibilities are described in the Accounting Officer and Additional Accounting Officer Memorandums which can be found at Annex 6.

171. The Authority is to comply with the Delegated Expenditure Limits set by the Department for Transport²⁶. The Chief Executive as Accounting Officer is responsible for ensuring these are included in the Authority's Scheme of Delegation²⁷.

172. The Authority must also consult the Chief Constable each financial year before setting a budget.

Responsibilities of Chief Financial Officer: Financial

173. The Chief Financial Officer is the Treasurer and has the responsibility for ensuring the proper management of the BTPF.

174. The Authority must also consult the Treasurer each financial year before setting a budget.

Responsibilities of Force Director of Finance and Commercial Services: Financial

175. The Force Finance Director is to work closely with the Authority's Finance Director to ensure that the BTPF is properly administered and financial regulations are observed and kept up to date,

²⁴ Schedule 4, Part 3, s16-18

²⁵ Schedule 4, Part 3, s29

²⁶ See annual Delegated Expenditure Limit letter

²⁷ See Scheme of Financial Delegation at Annex 5

Responsibilities of Chief Executive & Chief Constable: Managerial

176. The Authority is responsible for the recruitment, retention, development and motivation of its directly appointed staff including the Chief Constable, Chief Executive and the Chief Financial Officer. The Authority and Chief Constable are jointly responsible for the recruitment, retention, development and motivation of the Deputy Chief Constable, Assistant Chief Constables, and their staff equivalents. The Authority delegates these responsibilities to the Chief Constable for all others under her/his direction and control.
177. The Authority requires the Chief Executive and Chief Constable, in their respective areas of responsibility, to ensure that:
- a. the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit: there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;
 - b. the level and structure of staffing, including grading and number of staff, shall be appropriate to the functions and the requirements of efficiency, effectiveness and economy;
 - c. the performance of staff at all levels is satisfactorily appraised and the performance measurement systems are reviewed from time to time;
 - d. staff shall be encouraged to acquire the appropriate professional, management and other expertise necessary to achieve the Authority's objectives;
 - e. adequate grievance and disciplinary procedures are in place;
 - f. reporting of wrongdoing and whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place;
 - g. proper consultation with staff and their elected representatives takes place on key issues affecting them;
 - h. appropriate arrangements are in place for compliance with legislative requirements with respect to staff under the Chief Executive and Chief Constable's respective direction and control;
 - i. a code of conduct for staff is in place based on The College of Policing's Code of Ethics; and
 - j. the collective pay and grading structure, and terms and conditions of service (including pensions) as determined by the Authority, are approved where necessary by the Department for Transport and/or the Treasury.
178. The Authority retains the power of decision with respect to pay and terms and conditions of service for officers and staff. In accordance with Section 46 of the 2003 Act, for police officers there shall be a Conference to which all questions of rates of pay, hours of duty and conditions of service of transport police shall be referred. The Conference will be chaired by the Chief Executive and will usually be held annually. These decisions will be recorded in Regulations made under section 36 to 40.

Responsibilities of Authority Chief Financial Officer: Managerial

179. As Treasurer of the BTPF, the Authority Chief Financial Officer is responsible for the proper processes and controls in place for the management of money.

Medium Term Financial Forecast and Budget

180. The Authority shall determine and maintain a medium-term financial forecast. This will set out its expectations and intentions in relation to the gross revenue income to the BTPF and expenditure for the next five years²⁸.

181. Not later than the end of March in any year for the forthcoming financial year, the Authority will:

- a. set for the forthcoming year a gross revenue budget for Authority including all sources of income to the BTPF;
- b. agree the gross expenditure budget for the Authority;
- c. determine the charges to be paid by PSA holders;
- d. agree a three year capital expenditure programme; and
- e. agree the delegated expenditure limit with the DfT.

182. The Authority may hold reserves to be applied towards expenses relating to a future period, in accordance with the Authority's policy on reserves. The Authority reserves the right to amend the policy as required.

183. The Chief Executive and the Chief Constable will be individually and collectively responsible and accountable for ensuring that all expenditure whether against the revenue budget or the capital programme is properly authorised and accounted for and that no expenditure or commitments are entered into unless authorised within the rules laid down in this governance code or by decision of the Authority.

184. During the course of the financial year the Chief Executive and Chief Constable will report to the Authority at least quarterly on expenditure against the budget and the capital programme, highlighting any variances from the planned phased expenditure and proposing and seeking authorisation for the treatment of such variances.

185. Virement thresholds are detailed in the Scheme of Financial Delegations (Annex 7) and the detailed conditions can be found in Annex 4 (Financial Management). Virement will not be possible in respect of expenditure for which specific government funding has been granted.

186. The Chief Executive may arrange with the Chief Constable for any or all of his financial functions to be fulfilled by the financial staff under the Chief Constable's direction and control. In doing so formal but straightforward agreements are to be drawn up to ensure that all responsibilities and service levels are clearly defined and agreed (Annex 6 Accounting Officer Memorandums and Principles for Engagement).

Collaboration

187. The 2011 Police Reform and Social Responsibility Act amended sections 22A to 23I of the Police Act 1996, which relate to police collaboration arrangements. These arrangements apply to the Authority and BTP.

²⁸ RTSA 2003 Schedule 4, Part 3, Paragraph 20(a)

188. The amendments introduced new legal duties for police forces and authorities to;
- a. Work together (and with policing partners) to keep collaboration opportunities under review
 - b. Collaborate where it is the interests of efficiency and effectiveness of their own, or another, force
189. The Authority has the overriding authority to determine questions of efficiency and effectiveness and must approve relevant collaboration agreements. Any collaboration agreements are to be made with the Chief Constable and Authority jointly²⁹.
190. The Authority must be included in consultation and discussion at the development/formative stage of any proposed collaboration; similarly the Chief Constable must be consulted by other forces/authorities if collaboration proposals potentially affect officers/staff under his direction and control.
191. Chief officers party to a collaborative agreement must each agree that the collaboration is in the interests of at least one of the other parties. This benefit need not be to their own force/police body.
192. The Authority and the relevant local policing body must also agree that the collaboration is in the interests of at least one of the other parties. Again, this benefit need not be to their own force/police body.
193. In reviewing collaboration opportunities forces and police bodies should take into account:
- a. Whether the issue is a 'special demand' (when they should use mutual aid legislation instead)
 - b. The likely impact of the proposals on the efficiency or effectiveness of their own or another force/body
 - c. Whether the proposals relate to discharging the functions of (or by) a police force
 - d. How costs/benefits will be shared between parties and arrangements for making/receiving any related payments
 - e. Arrangements for collaborative procurement should be set out in an agreement – this should also take into account EU rules on police procurement – legal advice may be advisable on this aspect
 - f. Any existing agreements which may be affected/superseded
 - g. Whether external (non-police) parties are involved (covered by other legislation)
 - h. Processes by which variations to, and exits from, agreements must be agreed by all parties
194. Any refusal to be a party to a collaboration agreement must be reasonable and be articulated. There is currently no statutory right of appeal against a refusal to enter a collaborative agreement.

Capital and Major Revenue Schemes

195. The regulations governing capital and major revenue schemes are detailed in the Financial Regulations FR3 (Annex 4). Thresholds as set down in the scheme of financial delegation (Annex 7) shall apply to the approval of schemes and variations to schemes.

Procurement

²⁹ Police Act 1996 s22a(3) which specifically covers BTP and the Authority by virtue of s23l(3)

196. The Force Finance Director will establish and maintain Regulations governing the acquisition of goods and services from third parties. These will be agreed first by the Chief Constable and then by the Chief Executive and will be mandatory.

197. The Authority requires that these regulations conform to best practice as promulgated by the Office of Government Commerce and/or Chartered Institute of Purchasing and Supply. They must enable the Authority to ensure value for money in all its purchases and contracts and at the same time ensure that goods and services provided by third parties are of the required standard and quality. It is imperative that the process of purchasing and contracting is itself efficient, effective and supportive of business needs.

Scheme of managerial delegations

198. The Chief Constable is authorised to take any action or make a decision associated with the day to day running of the Force and the furtherance of the strategies, policies and objectives of the Authority so long as all such actions or decisions:

- a. have regard to such strategies policies and objectives and, insofar as they incur expenditure, are within the Authority's budget or capital programme as appropriate;
- b. do not create new or change existing policies that have been agreed by the Authority; and
- c. are also authorised within the scheme of delegation being within the limits of the financial authority delegated to him.

199. The Chief Executive is authorised to manage and direct the work of the Authority in accordance with its Strategy, plans, budgets and policies. Specifically, the Chief Executive is authorised to take any action or make a decision associated with the day to day running of the Authority and the furtherance of its strategies, policies and objectives so long as all such actions or decisions:

- a. have regard to with such strategies, policies and objectives and insofar as they incur expenditure are within the Authority's budget or capital programme as appropriate;
- b. do not create new or change existing policies that have been agreed by the Authority; and
- c. are also authorised within the scheme of delegation as within the limits of the financial authority delegated to him.

200. The Chief Constable and Chief Executive may delegate their responsibilities to members of their staff but in doing so they retain ultimate accountability for any decisions taken. In the absence of the Chief Constable her/his duties and responsibilities may be exercised by the Deputy Chief Constable. In the absence of the Chief Executive his duties and responsibilities may be exercised by the Authority Finance Director as Deputy Chief Executive.

201. In acting within these delegations, the Chief Constable and Chief Executive and others acting on their behalf should always consult and keep the Chair fully informed on all matters likely to be of concern to Members of the Authority.

Scheme of Financial Delegations

202. The intention behind this scheme is to ensure the proper and timely conduct of the

Authority's business. The decisions authorised under this scheme will be final decisions to proceed and they will commit the Authority.

203. The scheme assumes that through the budget and capital programme and related policies a framework has been created within which individual projects are authorised and progressed. Some of these projects will be of such value or strategic importance that the Authority decides not to delegate authority.
204. Generally, projects having been included and authorised in the capital programme or budget, can be finally authorised under delegated authority and it is these that this scheme is primarily concerned with. It is recognised that projects funded by third parties, or from a commutation of revenue to capital, may be authorised in addition to those that were included in the capital scheme, in accordance with the scheme of financial delegation virement thresholds.
205. Emergencies of varying kinds, particularly with an operational force like BTP, may arise from time to time that could not have been foreseen. The scheme gives the Chief Constable authority to incur expenditure in such circumstances. To regularise the position the Chief Constable shall consult the Chair and Chief Executive as Accounting Officer before or very soon after such a decision.
206. The scheme can be found at Annex 7 and it should be noted that all financial amounts are inclusive of VAT.

Police Service Agreements and Charging

207. The Authority has the power to enter into PSAs and enhanced PSAs (EPSAs) with railway operators, and owners of railway property who, in connection with which, provide railway services³⁰.
208. The Authority must aim to ensure that the amount of contribution to the BTPF made by each customer in a financial year approximately reflects the nature and extent of the functions likely to be undertaken in that year in accordance with the customer's PSA³¹. This is achieved through the use of a charging model, which combines carefully selected data sources to defray the expenses in accordance with this requirement. The Governance Statement for charges to PSA Holders sets out and formalises the governance arrangements that apply to the calculation and allocation of costs to PSA holders, both for the statutory policing function and the enhanced police services.
209. The Medium-Term Financial Forecast satisfies the requirement of the Authority to estimate the likely ratio of customer contributions to the BTPF before and in relation to each consecutive period of five financial years³².

Pensions

210. The Authority has the power to vary the terms of the pension schemes operated for the police officers and staff. The Authority may, with the consent of the Secretary of State, arrange for the establishment of a new pension scheme for the benefit of officers or staff.
211. The Authority will scrutinise and monitor all major decisions regarding the investments of the scheme.

³⁰ Section 33

³¹ Section 33(4)(b)

³² Schedule 4, Part 3, Section 20

212. The Authority will review the triennial valuations for all current pension schemes and ensure that prudent assumptions are made in line with actuarial advice. It will ensure that appropriate measures are taken in order to satisfy the regulations set out by both the pensions Regulators and the Trustees of the Railways Pension scheme.

Risk Management and Controls

Risk Management

213. The Chief Constable and the Chief Executive will agree and recommend a risk strategy and risk appetite on an annual basis to the Audit and Risk Assurance Committee for recommendation to the Authority. A Joint Risk Register which identifies evaluates and describes mitigation and management measures in relation to all the key internal and external strategic risks to the Authority and Force listed will be maintained. Operational risk registers should also be maintained with structures in place for risks to escalate and de-escalate throughout the risk hierarchy.
214. The Strategic Risk Register will be reported and discussed quarterly at the Audit Committee before any significant matters and recommendations are taken to the Full Authority. Once a year, the Authority will review the full risk register, risk appetite and organisation-wide risk documents then delegate these to ARAC for approval. Internal Audit will separately advise the Chief Executive and Chief Constable as Accounting Officers and the Audit and Risk Assurance Committee of their opinion on the accuracy and sufficiency of the registers and the efficacy of the proposed mitigation and management measures.
215. Risk profiles will be provided to all Authority Committees and Working Groups to guide Members to consider the highest strategic risks and underlying risk drivers.
216. An escalation mechanism for remitting governmental risks to the DfT is included in the Framework Document.

External Audit and Governance Statement

217. The Authority shall ensure that arrangements are in place for the Comptroller and Auditor General to receive a copy of the financial accounts for the BTPF for each financial year as soon as reasonably practicable after the end of each year to examine, certify, report on and lay before both Houses of Parliament³³.
218. Having received assurance from the Chief Constable, as the Additional Accounting Officer, in accordance with his responsibilities under the Scheme of Delegation, the Chief Executive as Accounting Officer is to confirm the adequacy of all internal control systems and report on the same to the Comptroller and Auditor General. This Governance Statement will be prepared in accordance with Treasury and NAO guidance and will be reported to the Audit and Risk Assurance Committee.

Management Assurance Return (MAR)

219. The MAR was developed by the DfT in 2009-10 following the consolidation of whole government accounts. This tool is used by DfT to gain assurance from all of its arms' length bodies, on specific issues of internal governance and internal control.

³³ Schedule 4, Part 3, 17-17A

220. The Authority is required to submit a MAR in accordance with the DfT timetable each year. The MAR is reviewed by the internal auditors, Audit and Risk Assurance Committee and Chief Constable as Additional Accounting Officer. Following assurance from each of the above named parties the MAR is signed by the Chief Executive as Accounting Officer.

Internal Audit

221. The Authority is required to make arrangements for internal audit under the framework agreement with the DfT. The Internal Audit arrangements are fulfilled by the DfT internal audit team.

Information Management

222. In accordance with FR20 both the Authority and Force must ensure that they are compliant with the relevant legislation in this area, e.g. the Freedom of Information and Data Protection Acts, but also the Government Information Assurance Standards and Security Policy Framework. Annual assurance reports on information management compliance shall be provided by BTP to the Audit and Risk Assurance Committee.

His Majesty's Inspectorate of Constabulary, Fire and Rescue Services

223. BTP may be inspected by HMIC either through agreement with the HMICFRS or on the request of the Secretary of State³⁴. Inspection reports are received and reviewed by the Audit and Risk Assurance Committee with progress against action plans delegated from the Audit and Risk Assurance Committee to the relevant committee of the Authority.

224. As the legal employer of the officers and staff under the direction and control of the Chief Constable, the Authority is legally responsible for ensuring, so far as reasonably practicable, the health, safety and welfare at work of these individuals³⁵. The day-to-day health and safety responsibility for officers and staff under the direction and control of the Chief Constable is delegated to the Chief Constable. Compliance is reported to, and assessed by, the Audit & Risk Assurance Committee.

Monitoring and Review Arrangements

Board Effectiveness

225. The DfT has published guidance based on the Treasury document Corporate Governance in Central Government Departments: Code of Good practice 2017. This Guidance requires all arms' length bodies to conduct an evaluation of board, committee and member effectiveness annually with an independent input at least every three years.

226. The Authority is required to report the findings of its board level effectiveness evaluation to the Principal Accounting Officer at the DfT along with a plan for how the Authority will address any identified weaknesses. The evaluation report and action plan must be submitted within 3 months of the evaluation being completed. Progress against the evaluation action plan will be monitored through the bi- monthly sponsorship meetings with the DfT. Managing Public Money also requires that the evaluation be reported in the Annual Governance Statement.

³⁴ Section 63

³⁵ Section 2(1) Health and Safety at Work Act 1974 c.37

227. Board effectiveness evaluations will take place in the final quarter of each financial year and culminate in a report to the June Authority meeting to accommodate the accounts timetable.
228. Committee effectiveness will be evaluated at a high level by the board evaluation, however, each committee will continue to review its terms of reference and effectiveness as part of its development of its work plan for the following year.
229. For information on member appraisals see paragraph 26.

Review of the Code

230. The Code is a living document and may be updated in-year with proposed updates presented to the Authority for approval prior to inclusion. It shall be subject to a formal review at the Authority meeting each year following the completion of the Board Effectiveness Evaluation.

Document Owner
Hugh Ind
Chief Executive
British Transport Police Authority

Annexes

- Annex 1: Statutory Duties
Annex 2: Member Code of Conduct
Annex 3: Framework Document
Annex 4: Financial Management and Regulations
Annex 5: Procedural Standing Orders
Annex 6: Principles for Engagement
Annex 7: Scheme of Financial Delegations
Annex 8: Scottish Railways Policing Committee: Terms of Reference

Revision History

Revision date	Version	Summary of changes	Author
16 April 2010	0.1	Substantial rework from original governance handbook and reviewed by auditors	P. Coen
5 May 2011	1.0	Final version prepared	L. Barrick
17 November 2011	1.1	Updated following changes to Terms of reference and staffing changes at BTP SCT	L. Barrick
18 January 2012	2.0	Updated to reflect changes in terms of reference and staffing	L. Barrick
11 October 2012	2.1	Biennial Review changes	L. Yasin
15 March 2013	2.2-2.7 2.8 3.0	Draft of revised document Significantly revised version following annual review	L. Yasin
22 February 2017	3.1 – 3.8	Significant overhaul following Governance Review Project. Finance sections reviewed by S. Nasim.	L. Yasin/S. Nasim
01 March 2017	4.0	Final updates following final GRWG meeting	L. Yasin/S. Nasim

March 2019	5.0	Review	Head of Governance & Compliance
November 2019	6.0	Added new Cabinet Office Code of Conduct for Board Members and terms of reference for Scottish Railways Policing Committee and other minor revisions	Head of Governance and Compliance
June 2021	7.0	Refresh of language within Code and amendment to Committee terms of references.	Head of Governance and Compliance / Board Secretary
September 2021	8.0	Addition of Appointments, Remuneration and Appraisal Committee; addition of People and Culture Committee; and removal of Appointments and Remuneration Committee.	Board Secretary
June 2022	9.0	Annual refresh of Full Authority / Committee terms of references and Annex 5 (Procedural Standing Orders)	Head of Governance and Compliance / Board Secretary
June 2023	10.0	Annual refresh of Full Authority / Committee terms of references and Annex 5 (Procedural Standing Orders) / Update of Annexes 4, 6 and 7	Head of Governance and Compliance / Board Secretary

Approvals

Approval Date	Version Approved	Approved by	Review Date
26 May 2011	1.0	Police Authority	May 2012
26 January 2012	2.0	Police Authority	January 2013
21 March 2013	3.0	Police Authority	March 2014
28 March 2017	4.0	Police Authority	March 2018
19 March 2019	5.0	Police Authority	March 2020
3 December 2019	6.0	Police Authority	March 2020
23 June 2021	7.0	Police Authority	June 2022
28 September 2021	8.0	Police Authority	June 2022
29 June 2022	9.0	Police Authority	June 2023
28 June 2023	10.0	Police Authority	June 2024

ANNEX 1: The Authority's Statutory Duties

Statutory Duties	Reference	How/Where Fulfilled
Railways and Transport Safety Act 2003		
Part 3 - British Transport Police		
Police Authority		
To establish the BTPA	s18	BTPA was established and came into being on 1 July 2004.
Aim to ensure the efficient and effective policing of the railways	s19	Through the governance structures including the committees, portfolios etc
Police Force		
Secure the maintenance of an efficient and effective police force known as the BTP to police the railways; and	s20	Through the governance structures including the committees, portfolios etc
defray the expenses of the police force so that they approximately reflect the nature and extent of functions likely to be taken in accordance with a customer's PSA	s33(4)(b)	Through the PSA and charging model.
The Authority shall appoint a Chief Constable	s21	See Chief Officer Recruitment SOP and College of Policing Guidance
The Authority shall appoint a Deputy Chief Constable	s22	See Chief Officer Recruitment SOP and College of Policing Guidance
The Authority shall appoint Assistant Chief Constables	s23	See Chief Officer Recruitment SOP and College of Policing Guidance
The Authority shall appoint and employ constables under direction and control of Chief Constable	s24	BTPA has delegated the appointment of constables below the rank of ACC to the Chief Constable but remains the legal employer with the responsibility for the government, administration and conditions of service under sections 50, 51, 52, 84 and 85 of the Police Act 1996
Chief Constable may appoint special constables	s25	The CC has procedures in place to execute this.
Chief Constable may appoint cadets with a view to undergoing training and becoming constables	s26	The CC has procedures in place to execute this.
The Authority shall employ persons to assist the police force - people appointed under this section will be under direction and control of Chief Constable or the Authority	s27	BTPA has delegated the appointment of the police staff, other than those equivalent to chief officers, to the Chief Constable but remains the legal employer with the responsibility for deciding and negotiating terms and conditions of service
With respect to terms and conditions of employment for staff and constables the Authority shall comply with the rules and principles contained in any document issued to them for the purpose by SofS	s29	No such documents have been issued to the Authority since its inception.
Police Service Agreements		
The Authority may enter into PSAs once a draft has been approved by the SofS. The PSA shall include provision requiring the customer to make payment to the Authority. In defraying the expenses of the Authority, including those of the police force, the Authority shall ensure that each year the financial expenses are as nearly as possible equivalent to the income of the Authority.	s33	A new PSA was agreed with the SofS in February 2012 and came into force in 2013. The annual budget will be scrutinised by the Strategy Committee to ensure that the expenses of the Authority and Force are as nearly as possible equivalent to income received in the BTPF.
A PSA holder or the Authority may refer a dispute to the SofS	s35	
Regulation of Police Force		
The Authority may make regulations about the government, administration and conditions of service of constables and other persons employed in the service of the police force generally but also specifically under sections 50, 84 and 85 and schedule 6 of the Police Act	s36	The Authority has made regulations for police officers and staff covering Complaints and Misconduct. Also for police officers only Conduct, Performance and Police Appeals Tribunals Regulations. Regulations mirroring section 50 regulations for BTP officers have not currently been made
The Authority may make regulations about the government, administration and conditions of service of special constables specifically under section 51 of the Police Act 1996	s37	Regulations mirroring section 51 regulations for BTP officers have not currently been made
The Authority may make regulations about the government, administration and conditions of service of cadets specifically under section 52 of the Police Act 1996	s38	Regulations mirroring section 52 regulations for BTP officers have not currently been made
The Authority may make regulations about the British Transport Police Federation. Regulations must be similar to those under section 60 of the Police Act 1996 subject to such modifications as may be necessary to reflect the structure and circumstances of the	s39	No such regulations have been made

police force		
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The Authority may not make regulations under section 36, 37, 38 or 39 unless a draft has been approved by the Chief Constable, Staff Associations and Secretary of State.	s40	This power is not in use as an order prescribing the staff associations has not been made by the SofS
The SofS may direct the Authority to make regulations	s41	No such request has been received since the Authority's inception
A Conditions of Service Conference must be held as part of the process for making any regulations	s46	Conferences are held with the Federation each time regulations are made.
The SofS may issue code of practice relating to the performance by the Authority of any of its functions.	s47	No such code issued
The SofS may issue code of practice relating to the performance by the Chief Constable of any of his functions.	s48	No such code issued
The SofS may make regulations about the treatment by the Authority of a person who is or was a constable of the police force and is or was engaged in service outside of the police force	s49	No such regulations have been made
Planning		
Before the beginning of each financial year the Authority shall set objectives for policing the railways during that year	s50	The Authority discusses the objectives for policing the railway with the Chief Constable and his team and consults stakeholders. The Policing Plan is developed as a result and the detailed work in this area is completed by the Policing Plan Group.
Before the beginning of each financial year the Authority shall issue a plan setting out the proposed arrangements for policing the railways during that year, including the Authority's priorities, the financial resources the Authority expects to have available and the proposed allocation of resources	s52	The Annual Railways Policing Plan is developed through the Policing Plan Group which recommends it to the full Authority where it receives approval.
The Authority shall before the beginning of each consecutive three financial years issue a plan which sets out the Authority's medium term and long-term strategies for policing the railways during that period	s55	The Strategy will be developed through the Strategy and Planning Committee and consultation with stakeholders. The Strategy will be refreshed on an annual basis and at least every three years.
Information		
The Chief Constable shall submit to the Authority a report on the policing of the railways that year as soon as reasonably practicable at the end of each financial year.	s56	The Chief Constable publishes an annual report each year.
The Authority shall publish and send to the SofS a report on the policing of the railways that year as soon as reasonably practicable at the end of each financial year.	s57	The Annual Report is completed with the Accounts each year and submitted to the SofS as soon as reasonably practicable at after the end of the financial year. This is reviewed at the Audit and Risk Assurance Committee who recommend approval to the full Authority.
The SofS may require the Authority or Chief Constable to submit a report on specified matters connected with the performance of its/his functions	s58	All information requests from the SofS are fully complied with.
The Authority shall make, and review from time to time, arrangements to obtain the opinions about the policing of the railways of a specified list of people/organisations and anyone else with an interest in the railways that the Authority sees it fit to consult.	s62	The Authority has a Stakeholder Engagement Strategy.
Inspection		
HMIC shall inspect the police force from time to time	s63	BTPA has a protocol in place with the HMIC and inspection reports are received and progress against action plans assessed through the Audit and Risk Assurance Committee.
The SofS may require BTPA to take specified measures for the purpose of remedying a deficiency identified in the report.	s65	No such directions given to the Authority
Where section 65 has been actioned the SofS may require BTPA to submit an action plan	s66	No such directions given to the Authority
Miscellaneous		
The Authority may provide international advice or assistance, or arrange for the police force to, in relation to a body policing a railway outside of Great Britain	s70	

Schedule 4		
Part 1 - Membership		
The SofS shall appoint members of the Authority and ensure that the number is not lower than 11 nor higher than 17 and an odd number	s1	The Authority forecasts its recruitment to ensure that it is at all times compliant with this section of the Act. Where Members leave unexpectedly causing the Authority to be in breach of this section immediate arrangements are put in place to recruit a replacement.
The constitution of the Authority is listed.	s2	The Authority forecasts its recruitment to ensure that it is at all times compliant with this section of the Act. Where Members leave unexpectedly causing the Authority to be in breach of this section immediate arrangements are put in place to recruit a replacement.
Part 2 - Proceedings		
The Authority shall make a code of practice establishing standards for the conduct of members to be approved by SofS	s9	Annex 2 of the Governance document is the code of conduct. This has been approved by the Secretary of State and is in accordance with the Nolan principles.
The Authority may appoint staff and delegate a function to them. In particular it shall appoint a Treasurer and a Chief Executive.	s10 & 11	The Authority has an executive team headed by the Chief Executive and a Chief Financial Officer who fulfils the role of Treasurer.
The Authority may establish a committee which may include persons who are not members of the Authority	s12	The Authority has a number of committees.
The Authority shall determine its practice and procedure.	s13	The Authority's practice and procedure is enshrined in the Code of Governance and also in its other policies and procedural documents which are published on the website
The Authority shall conduct its proceedings in public, except where private matters are discussed and may exclude a specified person.	s14	The full Authority meetings are open to the public. All committee meetings feed into this and papers and minutes from all meetings are published on the website where they do not contain sensitive material. Redacted versions of sensitive papers are published where possible.
The validity of the proceedings of the Authority not affected by a vacancy, a defect or participation of a member whose membership has lapsed	s15	
Part 3 - Money and Property		
The Authority shall establish a fund to be known as the BTP Fund (BTPF)	s16	The fund has been established
The Authority shall maintain accounts of BTPF and send a copy of accounts for each financial year to the Comptroller and Auditor general as soon as practicable at the end of each financial year	s17	Arrangements are in place with the National Audit Office (NAO) for an annual Audit of the BTPF Accounts. The NAO attend the Audit and Risk Assurance Committee which scrutinise the accounts and recommend their approval to the full Authority.
All expenditure of the Authority to be made by way of payment from BTPF	s18	All expenditure is paid from the BTPF fund and will be scrutinised by the Performance and Delivery Committee (until 1 July 2017 the Finance Committee)
The Authority shall before each financial year set a budget of expected expenditure and income	s19	The annual budget is prepared by the police force in accordance with the direction given in the Medium Term Financial Plan (MTFP) and presented to the Strategy and Planning Committee for support and challenge. It is then recommended to the full Authority for approval in December of each year for the next financial year.
The Authority shall estimate the likely ratio of customers' contributions in accordance with section 33(4)(b) before and in relation to each consecutive period of five financial years	s20	The Authority's Strategy and Planning Committee works with the police force to develop the MTFP following direction from the full Authority as to the direction of travel. The Committee reviews the assumptions underpinning the MTFP and in provides direction before recommending the MTFP to the full Authority. The MTFP cover the control period for the rail industry.
The Authority shall publish arrangements for the making of payments to members	s21	The Member Allowances Scheme includes the required information and is published on the BTPA website. BTPA also publishes member expenses on a monthly basis.
The Authority may make payments to staff or former staff	s22	Staff are paid through the standard payroll system in accordance with their terms and conditions which are approved by the Authority
The Authority may make payments to or in respect of a person who is or has been a constable, cadet or civilian employee of the police force	s23	Constables, cadets and police staff are paid through the standard payroll system in accordance with their terms and conditions which are approved by the Authority
Pensions officers	s24	
The Authority may with the consent of the Secretary of State arrange for the establishment of a pension scheme for the benefit of members or staff	s25	The Authority has both police staff and officer pension funds
The Authority may make pension payments under the schemes to which paragraphs 24 and 25 apply	s26	Employer pension donations are made for officers and staff on a monthly basis.
The Authority may accept money or other property by way of grant, loan or otherwise, from any person	s28	

The Authority may borrow money only from or with the consent of the SofS	s29	
All monies received by the Authority to be paid into the BTPF	s30	All income is paid into the BTPF.
The financial year shall be period of 12 months ending with 31 March	s31	The Authority is the leaseholder for all property used by the police force
Equality Act 2010		
A public authority must, in the exercise of its functions, have due regard to the need to—		
(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;		
(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;		
(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.		
Children's Act 2004		
Part 2 s.11 of the Act places two specific duties upon English police authorities. Police authorities must ensure that:		
their functions are discharged having regard to the need to safeguard and promote welfare of children; and		
any services provided by another person pursuant to arrangements made by the person body in the discharge of their functions are provided having regard to that need.		
Police Act 1996 – for collaboration see below under Police Reform and Social Responsibility Act 2011		
Police Reform Act 2002 (Authority section 26 Agreement with IPCC applies Part 2)		
Handling of complaints, conduct and DSI matters as according to the Act		
It shall be the responsibility of every police authority maintaining a police force to ensure that it is kept informed, in relation to that force, about matters falling within subsection 1 which covers matters which with respect to which any provisions of this Part 2 (Complaints and Misconduct) has effect		
To provide the Commission with all such assistance as the Commission may reasonably require		
Ensure a person appointed under paragraph 16, 17 or 18 of schedule 3 to carry out an investigation is given such assistance or cooperation as they may reasonably require		
Police and Social Responsibility Act 2011		
To have regard to the Strategic Policing Requirement		
Collaboration		
Modern Slavery Act		
Freedom of Information Act 2000		
Data Protection Act 1998		
Health and Safety at Work Act 1974		
Police (Health and Safety) Act 1997		
Police and Fire Reform (Scotland) 2012		
Corporate Manslaughter and Corporate Homicide Act 2007		
Bribery Act 2010		
The Authority may acquire, develop and dispose of property		

IPCC Statutory Guidance		This is assessed as part of the dip sampling conducted by the Integrity and Compliance Committee and as part of the Committee's oversight work. The guidance requirements and related regulations are translated into policies to ensure a clear understanding and aid compliance
HMG Information Assurance Standards		Annual Assurance is provided to the DfT and quarterly assurance
Guidance Documents		
McPherson Report		
Monitor Force's use of stops and searches and publish analysis	Rec 62	A 6 monthly report is received from BTP and a member of Executive staff attends the Force's Stop and Search Forum
Undertake publicity campaigns to raise awareness of stop and search use and public rights	Rec 63	
Cabinet Office and HMT Corporate Governance in Central Government Departments: Code of good practice 2011		
CIPFA Good Governance Standard for Public Services		
Managing Public Money		
HMT Orange Book - Risk Management		
HMT Audit Committee Handbook		Reflected in the Audit Committee terms of reference and constitution
Home Office Guidance		
HMIC Reports		
APCC Guidance		

Foreword

The Government expects all holders of public office to work to the highest personal and professional standards. In support of this, all non-executive board members of UK public bodies must abide by the principles set out in this Code of Conduct. The Code sets out, clearly and openly, the standards expected from those who serve on the boards of UK public bodies and should form part of individual members' terms and conditions of appointment. It also makes clear that harassing, bullying or other inappropriate or discriminatory behaviour is not consistent with what is expected of a board member of UK public bodies and will not be tolerated. Any breach of the Code should be viewed as a breach of the terms of appointment.

The principles set out in this code apply to all non-executive members on the boards of government departments, non-ministerial departments, executive agencies, non- departmental public bodies (NDPBs) and national public corporations.

The Code complements a public body's governing documents (legislation, memorandum and articles of association, royal charter) and any administrative documents (framework agreements, memoranda of understanding) which may set out the responsibilities and obligations of its board members. The Code's provisions must be observed alongside the provisions set out in these documents.

This Code replaces the Code of Conduct for Board Members of Public Bodies issued by the Cabinet Office in 2011. This Code can be found online [here](#).

In the first instance any propriety and ethics issues should be raised with the senior responsible official within your sponsoring department, or the Permanent Secretary as necessary. If additional advice is required, any questions should be directed to the Cabinet Office on: pbpropriety@cabinetoffice.gov.uk.

1. Introduction

As a public office holder, your behaviour and actions must be governed by the principles set out in this Code of Conduct. It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the Code.

2. Key principles of public life

2.1 The key principles upon which this Code of Conduct is based are the Seven Principles of Public Life. These are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

³⁶ Published by Cabinet Office (June 2019)

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

[Read more about the 7 principles of public life.](#)

2.2 These principles should inform your actions and decisions as a board member.

3. General conduct

3.1 Use of Public Funds¹ –

You have a duty to ensure the safeguarding of public funds² and the proper custody of assets which have been publicly funded.

You must carry out these obligations responsibly – that is, take appropriate measures to ensure that the body uses resources efficiently, economically and effectively, avoiding waste and extravagance. It will always be an improper use of public funds for public bodies to employ consultants or other companies to lobby Parliament, Government or political parties.

3.2 Allowances

You must comply with the rules set by the board and the public body regarding remuneration, allowances and expenses. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

3.3 Gifts and Hospitality

You must not accept any gifts or hospitality which might, or might reasonably appear to, compromise your personal judgement or integrity or place you under an improper obligation.

You must never canvass or seek gifts or hospitality.

You must comply with the rules set by the body on the acceptance of gifts and hospitality. You should inform the Chief Executive (or equivalent) of any offer of gifts or hospitality and ensure that,

where a gift or hospitality is accepted, this is recorded in a public register in line with the rules set by the body.

You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring your public office and the public body into disrepute.

3.4 Use of Official Resources

You must not misuse official resources³ for personal gain or for political purposes. Deployment of such resources must be in line with the body's rules on their usage.

3.5 Use of Official Information

You must not misuse information gained in the course of your public service for personal gain or for political purpose.⁴ -

You must not disclose any information which is confidential in nature or which is provided in confidence without authority. This duty continues to apply after you have left the board.

3.6 Political Activity

In your public role, you should be, and be seen to be, politically impartial. You should not occupy a paid party political post or hold a particularly sensitive or high-profile role in a political party. You should abstain from all controversial political activity and comply with the principles set out in Cabinet Office rules on attendance at party conferences⁵ and on conduct during the period prior to elections and referendums, whether local or national.⁶ -

On matters directly related to the work of the body, you should not make political statements or engage in any other political activity.

You should inform the Chair, Chief Executive and/or the parent/sponsor department before undertaking any significant political activity. Subject to the above, you may engage in political activity but should, at all times, remain conscious of your responsibilities as a board member and exercise proper discretion.

If you are an MP, [MEP⁷], member of the House of Lords, member of a devolved legislature, directly elected mayor, local councillor or police and crime commissioner, you are exempt from these requirements. There is no bar on such representatives taking a political party whip relating to their political role. You must exercise proper discretion on matters directly related to the work of the body and recognise that certain political activities may be incompatible with your role as a board member. You should not allow yourself to become embroiled in matters of political controversy.

In your official capacity, you should be even-handed in all dealings with political parties.

3.7 Employment and Appointments

If you wish to take up additional employment or appointments during your term of office, you must inform the Chair and/or the relevant parent department in advance, and allow them the opportunity to comment. Care should be taken if you accept additional public appointments to ensure that you are not being paid twice from the public purse for the same time.

On leaving office, you must comply with the rules of the body on the acceptance of future employment or appointments. Each body should have its own rules on this.

4. Conflicts of Interest

4.1 When accepting an appointment to the public body you should consider if any conflicts of interest arise from your private interests or by virtue of any other roles you hold. You should consider, with advice from the appointing department how these should best be managed, and agree these with the organisation.

4.2 You must ensure that no conflict arises, or could reasonably be perceived to arise, between your public duties⁸ and your private interests, financial or otherwise.

4.3 You must comply with the rules of the body on handling conflicts of interests. As a minimum, these will require you to declare publicly, usually in the body's register of interests, any private financial or non-financial interests of your own, or of close family members, which may, or may be perceived to, conflict with your public duties.⁸ The rules will also require you to remove yourself from the discussion or determination of matters in which you have a financial interest. In matters in which you have a non-financial interest, you should not participate in the discussion or determination of a matter where the interest might suggest a danger of bias.⁹

4.4 It is your responsibility to ensure that you are familiar with the body's rules on handling conflicts of interests, that you comply with these rules and that your entry in the body's public register of members' interests is accurate and up-to-date

5. Responsibilities as a board member, including non-executive chairs

5.1 You should play a full and active role in the work of the body. You should fulfil your duties and responsibilities responsibly and, at all times, act in good faith and in the best interests of the body.

5.2 You should promote an inclusive and diverse culture in the body and your actions should help create an environment where different perspectives and backgrounds are encouraged and valued.

5.3 You should deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability. You must not act in a way that unjustifiably favours or discriminates against particular individuals or interests.

5.4 You must not harass, bully or act inappropriately towards or discriminate towards others. Such behaviour is not consistent with what is expected of you as a board member and will not be tolerated.

5.5 You must comply with any statutory or administrative requirements relating to your post.¹⁰

5.6 You should respect the principle of collective decision-making and corporate responsibility. This means that, once the board has made a decision, you should support that decision.¹¹

5.7 You must not use, or attempt to use, the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.

5.8 You must inform the sponsor department of the body of any bankruptcy, current police investigation, unspent criminal conviction or disqualification as a company director in advance of appointment or should any such instances occur during your appointment.

5.9 You must also inform the sponsor department of the body of any change in your circumstances which results in you becoming bankrupt, subject to a police investigation, convicted of a criminal offence or disqualified from being a company director.

5.10 You have additional responsibilities as the chair of the body in leading the board/body and in ensuring that the principles covered in the Codes of Conduct for Board Members and Staff (where applicable) are upheld.

6. Responsibilities towards employees

6.1 You will treat any staff employed by the body with courtesy and respect. It is expected that employees will show you the same consideration in return.

6.2 You will not ask or encourage employees to act in any way which would conflict with their own Code of Conduct.

7. Social Media

7.1 Social media is a public forum and the same considerations, including the provisions of this Code, apply as would to speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media you should at all times respect confidentiality, financial, legal and personal information.

7.2 Where any personal social media accounts used by you make reference or link to your public role, you should take care to ensure that it is clear in what capacity you are acting.

8. Raising concerns

8.1 You should ensure that the body has an open, transparent and safe working environment where employees feel able to speak up and raise concerns, and complaints procedures are clearly communicated to them.

8.2 If you have a concern about a possible breach of this Code, a concern that you or any staff of the body are being asked to act in contravention of their own code of conduct, or a concern about misconduct or wrongdoing in any other areas, then you have a responsibility to raise that internally with the chair of the body or the Permanent Secretary of the sponsor department as appropriate.

1. For more guidance on how to handle public funds, please refer to [Managing Public Money](#) 
2. This should be taken to include all forms of receipts from fees, charges and other sources. 
3. This includes facilities, equipment, stationery, telephony and other services. 
4. Board members who misuse information gained by virtue of their position may be liable for breach of confidence under common law or may commit a criminal offence under insider dealing legislation. 
5. [Civil servants and party conference guidance](#) 
6. [Election guidance for civil servants](#) 
7. For the period which the UK remains a member of the European Union. 
8. In general, all financial interests should be declared. When considering what non- financial interests should be declared, you should ask yourself whether a member of the public, acting reasonably, would consider that the interest in question might influence your words, actions or decisions. 
9. These are common law provisions. 
10. In the case of a body incorporated under the [Companies Act](#) or the [Companies \(Northern Ireland\) Order](#), you will also be subject to the duties of directors under company law. In the

case of a body that has charitable status, you will also be subject to the duties of trustees under charities law. [↗](#)

11. This does not apply to departmental non-executive board members, whose role is to advise and challenge the board and department. [↗](#)

ANNEX 3: Framework Document

This framework document has been drawn up by the Department for Transport (hereinafter DfT) in consultation with the British Transport Police Authority (hereinafter “the Authority”). This document sets out the broad framework within which the Authority will operate and replaces the previous Management Statement and Financial Memorandum. It should be read in conjunction with the Railways Transport and Safety Act 2003 (“RTSA 2003”). The definitions within the Act apply to this framework. The document does not convey any legal powers or responsibilities. It is signed and dated by the DfT and the Authority. Copies of the document and any subsequent amendments have been placed in the Libraries of both Houses of Parliament and made available to members of the public on the Authority website.

Subject to the legislation noted below, this document sets out the broad framework within which the Authority will operate, in particular:

- The Authority’s overall aim, objectives and targets in support of the sponsor Department’s wider strategic aims and objectives.
- The rules and guidelines relevant to the exercise of the Authority’s functions, duties and powers;
- The conditions under which any public funds are paid to the Authority; and
- How the Authority is to be held to account for its performance.

Purpose of the Authority

1.1 Under the RTSA 2003, the Authority was set up in July 2004 in order to support the strategic aims and current Public Service Agreement of the DfT. The strategic aim of the Authority is to ensure an effective and efficient police force and to oversee the British Transport Police (BTP) force, and set its targets and budget.

1.2 Its statutory duties are to:

- Secure the maintenance of an efficient and effective police force;
- Ensure the efficient and effective policing of the railways;
- Appoint a Chief Constable, Deputy Chief Constable, Assistant Chief Constables, Chief Executive and Treasurer;
- Enter into Police Services Agreements with railway operators;
- Employ police constables, civilian employees and cadets;
- Regulate the governance, administration and conditions of service of those employed by the Authority in the service of the police force;
- Set a Strategy for policing the railway;
- Set objectives for BTP in its role in the policing of the railway;
- Issue an annual Railways Policing Plan; and
- Set a budget of expected income and expenditure for policing the railways each year, defray the expenses and recover the cost.

Governance and accountability

2. The Authority’s legal origins of powers and duties

2.1 The Authority's powers and duties stem from sections 18 to 77 and Schedule 4 to the Railways and Transport Safety Act 2003.

3. Overall objectives

3.1 The Secretary of State has agreed that, subject to 1.2, the objectives of the Authority should be as follows:

- To draw up each year a sustainable budget for the BTP;
- To oversee the operation of the BTP with a view to securing the efficient, cost effective and effective policing service for rail operators and users;
- To ensure that the Chief Constable, Deputy Chief Constable, Assistant Chief Constables are appointed in an effective and timely manner;
- To ensure that appropriate Police Services Agreements are in place with all relevant railway operators and that Police Service Agreements are kept under review to ensure that they remain fit for purpose.

4. Ministerial responsibility

4.1 The Secretary of State for Transport will account for the Authority's business in Parliament.

4.2 The Secretary of State is accountable to Parliament for the activities and performance of the Authority. His or her responsibilities include:

- Issuing directions to the Authority in relation to strategic objectives under Section 51 of the Act;
- Keeping Parliament informed about the Authority's performance;
- Approving the amount of any grant-in-aid or grant to be paid to the Authority, and securing Parliamentary approval where required by this framework document.
- Carrying out responsibilities specified in the founding legislation including appointments to the Authority, approving the terms and conditions of Authority members, issuing rules and principles in relation to the terms and conditions of employment, and laying of the annual report and accounts before Parliament and before the Devolved Assemblies, where required.

4.3 The Secretary of State shall meet with the Chairman of the Authority at least annually, and ensure that the Chairman has right of access to other Ministers where necessary.

5. Sponsor Department's Accounting Officer's specific accountabilities and responsibilities

5.1 The DfT's Accounting Officer (AO) has designated the Chief Executive as the Accounting Officer for the Authority. (The respective responsibilities of the AO and Accounting Officers for NDPBs and other arm's length bodies are set out in Chapter 3 of Managing Public Money which is sent separately to the Authority Accounting Officer on appointment).

5.2 The DfT's AO is accountable to Parliament for the issue of any grant-in-aid to the Authority. The AO is also responsible for advising the responsible minister:

- On an appropriate framework of objectives and targets for the Authority in the light of the DfT's wider strategic aims and current PSA;
- On an appropriate budget in the light of the sponsor Department's overall public

- expenditure priorities; and
- How well the Authority is achieving its strategic objectives and whether it is delivering value for money.

5.3 DfT's AO is also responsible for ensuring arrangements are in place to:

- monitor the Authority's activities on a continuous basis;
- address significant problems in the Authority, making such interventions as are judged necessary;
- periodically carry out an assessment of the risks both to the Department's and the Authority's objectives and activities;
- inform the Authority of relevant government policy in a timely manner; and
- bring concerns about the activities of the Authority to the full Authority, and, as appropriate to the departmental board requiring explanations and assurances that appropriate action has been taken.

5.4 The relevant Sponsorship Team in DfT is the primary contact for the Authority. They are the main source of advice to the responsible minister on the discharge of his or her responsibilities in respect of the Authority. They also support the DfT's AO on his or her responsibilities toward the Authority.

6 Responsibilities of the Chief Executive as the Authority's Accounting Officer

General

6.1 The Chief Executive as Accounting Officer is personally responsible for safeguarding the public funds for which he or she has charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of the Authority. In addition, he or she should ensure that the Authority as a whole is run on the basis of the standards of governance, decision-making and financial management that are set out in Box 3.1 of Managing Public Money.

Responsibilities for accounting to Parliament

6.2 The accountabilities include:

- signing the accounts and all component parts and ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State;
- preparing and signing a Governance Statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts;
- ensuring that effective procedures for handling complaints about the Authority are established and made widely known within the Authority;
- acting in accordance with the terms of this document, Managing Public Money and other instructions and guidance issued from time to time by the DfT, Treasury and Cabinet Office;
- giving evidence, normally with the AO of the DfT, when summoned before the Public Accounts Committee on the Authority's stewardship of public funds.

Responsibilities to the DfT

6.3 Particular responsibilities to the DfT include:

- establishing, in agreement with the DfT, the Authority's corporate and business plans in the light of the DfT's wider strategic aims and current Public Service Agreements;
- informing the DfT of progress in helping to achieve the department's policy objectives and in demonstrating how resources are being used to achieve those objectives; and
- ensuring that timely forecasts and monitoring information on performance and finance are provided to DfT; that DfT is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems, whether financial or otherwise, and whether detected by internal audit or by other means, are notified to DfT in a timely fashion.

Responsibilities to the Authority

6.3 The Chief Executive is responsible for:

- advising the board on the discharge of the Authority's responsibilities as set out in this document, in the founding legislation and in any other relevant legislation, instructions and guidance that may be issued from time to time;
- advising the board on the Authority's and BTP's performance compared with its
- aims and objectives;
- ensuring that financial considerations are taken fully into account by the Authority at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed;
- taking action as set out in paragraphs 3.8.6 of Managing Public Money if the board, or its chairman, is contemplating a course of action involving a transaction which the Chief Executive considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, questionable feasibility, or is unethical.

7. The Authority

7.1 The Chairman and Members of the Authority are appointed by the Secretary of State. Members are drawn from people who have experience of the rail industry, railway staff, and the travelling public, and others with designated experience but they are not intended to be representatives of those interests. There are also Members with knowledge of the interests of persons in England, Scotland and Wales, in the case of the latter two appointed in consultation with Scottish Ministers and the National Assembly for Wales respectively. In the Authority, Members work together and act as a single corporate body.

7.2 The Authority should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control. The board must set up an Audit Committee chaired by an independent non-executive member to provide independent advice. The board is expected to assure itself of the effectiveness of the internal control and risk management systems.

7.3 The Authority is specifically responsible for:

- establishing and taking forward the strategic aims and objectives of the Authority consistent with its overall strategic direction and within the policy and resources framework determined by the Secretary of State;
- ensuring that the responsible minister is kept informed of any changes which are likely to impact on the strategic direction of the Authority or on the attainability of its targets, and determining the steps needed to deal with such changes;
- ensuring that any statutory or administrative requirements for the use of public funds are

complied with; that the board operates within the limits of its statutory authority and any delegated authority agreed with the DfT and in accordance with any other conditions relating to the use of public funds; and that, in reaching decisions, the Board takes into account guidance issued by the sponsor department;

- reviewing regular financial information concerning the management of the Authority and BTP; is informed in a timely manner about any concerns about the activities of the Authority and Force; and provides positive assurance to DfT that appropriate action has been taken on such concerns;
- demonstrating high standards of corporate governance at all times, including by using the independent audit committee to help the Board to address key financial and other risks;
- appoint a chief executive and set performance objectives and remuneration terms linked to these objectives for the chief executive which give due weight to the proper management and use and utilization of public resources.
- in conjunction with the Chief Executive, appoint an Authority Finance Director to be inclusive of the statutory role of Treasurer

The Chairman's personal responsibilities

7.4 The Chairman is responsible to the named minister. Communications between the Authority board and the responsible minister should normally be through the Chairman. He or she is responsible for ensuring that policies and actions support the responsible minister's wider strategic policies and that its affairs are conducted with probity. Where appropriate, these policies and actions should be clearly communicated and disseminated throughout the Authority.

7.5 In addition, the chairman has the following leadership responsibilities:

- formulating the Authority's strategy;
- ensuring that the Authority, in reaching decisions, takes proper account of guidance provided by the responsible minister or the department;
- promotes the efficient and effective use of staff and other resources;
- delivers high standards of regularity and propriety; and
- represents the views of the Authority to the general public.

7.6 The Chairman also has an obligation to ensure that:

- the work of the Authority and its members are reviewed and are working effectively;
- the Authority has a balance of skills appropriate to directing the Authority business, as set out in the Government Code of Good Practice on Corporate Governance;
- Authority members are fully briefed on terms of appointment, duties, rights and responsibilities;
- he or she, together with the other Authority members, receives appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice;
- the responsible minister is advised of the Authority needs when member vacancies arise;
- he or she assesses the performance of individual members once a year;
- there is an Authority Operating Framework setting out the role and responsibilities of the Authority consistent with the Government Code of Good Practice for Corporate Governance
- there is a code of practice for members in place, consistent with the Cabinet Office Code of Conduct for Board members of Public Bodies.

Individual Authority members' responsibilities

7.7 Individual members should:

- comply at all times with the Code of Conduct for Board Members of Public Bodies and with the rules relating to the use of public funds and to conflicts of interest;
- not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations;
- comply with the Authority's rules on the acceptance of gifts and hospitality, and of business appointments;
- act in good faith and in the best interests of the Authority.

Time Commitments

7.8 Authority Members are currently expected to give the following time to Authority business:

Chair	60 days per year
Deputy Chair	50 days per year
Members	30 days per year

7.9 Duties which qualify for remuneration are set out in Section 4 of the Members Allowances scheme but in summary include;

- Attendance at full Authority and Committee meetings
- Preparation time for meetings
- Consultation events/meetings
- Other meetings with officers/representatives from the Force

Member Appraisal

7.10 A Member shall receive an annual appraisal from the Chair relating to objectives that will have been agreed by the Member and the Chair at the beginning of the year. The appraisal shall be used as a base for the Chair's report to the Secretary of State in the event of the Member's reappointment for a further term.

Member Dismissal

7.11 A Member can be dismissed by the Secretary of State if:

- they are absent for three consecutive meetings without permission from the Authority;
- they are convicted of a criminal offence;
- the Secretary of State is satisfied that the Member is unable, unfit or unwilling to discharge his or her functions as a Member (whether because of illness or otherwise); or
- they are the subject of a bankruptcy restrictions order, a disqualification order under the Company Directors Disqualification Act 1986 or an order under section 429(2)(b) of the Insolvency Act 1986

Member Resignation

7.12 A Member of the Authority may resign by sending three months written notice to the Secretary of State which must be copied to the Authority.

Member Development

7.13 The Chair should address the developmental needs of the Authority as a whole with a view to enhancing its effectiveness. Resources should be provided for developing and refreshing the knowledge and skills of Members. Member development will come under the remit of the relevant committee dealing with HR issues.

8. Annual report and accounts

8.1 The Authority must publish an annual report of its activities together with its audited accounts after the end of each financial year. The Authority shall provide the DfT with its finalised (audited) accounts by 30 June each year in order for the accounts to be consolidated within the DfT's accounts unless prevented by reasons outside its control.

8.2 The annual report must:

- cover any corporate, subsidiary or joint ventures under its control;
- comply with the Treasury's Financial Reporting Manual (FRM);
- outline main activities and performance during the previous financial year and set out in summary form forward plans.

8.3 Information on performance against key financial targets is within the scope of the audit and should be included in the notes to the accounts. The report and accounts shall be laid in Parliament and made available on the Authority's website, in accordance with the guidance in the FRM. A draft of the report should be submitted to the DfT at least two weeks before the proposed publication date. The accounts should be prepared in accordance with the relevant statutes and specific accounts direction issued by the DfT as well as the FRM.

9. Internal audit

9.1 The Authority shall:

- establish and maintain arrangements for internal audit in accordance with the
- Treasury's Public Sector Internal Audit Standards (PSIAS) (<http://www.gov.uk/government/publications/public-sector-internal-audit-standards>);
- ensure the DfT is satisfied with the competence and qualifications of the Head of Internal Audit and the requirements for approving appointments in accordance with PSIAS;
- set up an audit committee of its board in accordance with the Code of Good Practice for Corporate Governance and the Audit and Risk Assurance Committee Handbook;
- forward the audit strategy, periodic audit plans and annual audit report, including the Authority's Head of Internal Audit opinion on risk management, control and governance as soon as possible to the DfT; and
- keep records of, and prepare and forward to the DfT an annual report on fraud and theft suffered by the Authority and notify the DfT of any unusual or major incidents as soon as possible.

9.2 Subject to security clearance the DfT's internal audit service has a right of access to all documents, including where the service is contracted out.

10. External audit

10.1 The Comptroller & Auditor General (C&AG) audits the Authority annual accounts and lays them before Parliament, together with his report. In the event that the Authority has set up and controls subsidiary companies, it will ensure that the C&AG is appointed auditor of those company

subsidiaries that it controls and/or whose accounts are consolidated within its own accounts. The Authority shall discuss with the DfT the procedures for appointing the C&AG as auditor of the companies.

10.2 The C&AG:

- will consult the DfT and the Authority on whom – the NAO or a commercial auditor – shall undertake the audit(s) on his behalf, though the final decision rests with the C&AG;
- has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, held by another party in receipt of payments or grants from the Authority;
- will share with the DfT information identified during the audit process and the audit report (together with any other outputs) at the end of the audit, in particular on issues impacting on the DfT's responsibilities in relation to financial systems within the Authority;
- will, where asked, provide departments and other relevant bodies with Regulatory Compliance Reports and other similar reports which departments may request at the commencement of the audit and which are compatible with the independent auditor's role

10.3 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which the Authority and Force have used their resources in discharging their functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National Audit Act 1983. In addition, the Authority and Force shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavours to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

Right of access

10.4 Subject to security clearance the department has the right of access to all Authority records and personnel for any purpose including, for example, sponsorship audits and operational investigation.

Management and financial responsibilities

11. Managing Public Money and other government-wide corporate guidance and instructions

11.1 Unless agreed by the DfT and, as necessary, HM Treasury, the Authority shall follow the principles, rules, guidance and advice in Managing Public Money, referring any difficulties or potential bids for exceptions to the Sponsorship Team at DfT in the first instance. A list of guidance and instructions with which the NDPB should comply is in Appendix 1.

11.2 Once the budget has been approved by the Authority (see 15) and subject to any restrictions imposed by statute, the responsible minister's instructions and this document, the Authority shall have authority to incur expenditure approved in the budget without further reference to the DfT, on the following conditions:

- The Authority shall comply with the delegations set in out in Appendix 2. These delegations shall not be altered without the prior agreement of the sponsor department;
- the Authority shall comply with Managing Public Money regarding novel, contentious or repercussive proposals;
- inclusion of any planned and approved expenditure in the budget shall not remove the

need to seek formal DfT approval where any proposed expenditure is outside the delegated limits or is for major new schemes not previously agreed;

- the Authority shall provide the DfT with such information about its operations, performance individual projects or other expenditure as the DfT may reasonably require.

12. Corporate governance

Board appointments - the chairman and board members

12.1 The Authority chairman and board members are appointed for a period of years by the responsible minister. Such appointments will comply with the Commissioner on Public Appointments Code of Practice for Ministerial Appointments to Public Bodies

Board appointments – the Chief Executive

12.2 The Chief Executive is appointed by the Authority in accordance with RTSA 2003 Schedule 4, Part 2 para 11b

Composition of the board

12.3 Schedule 4 to the Railways and Transport and Safety Act 2003 sets out the statutory requirements which apply to the composition of the Authority Board. In addition, and in line with the government's Code of Practice on Corporate Governance (<http://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments>), the Board will consist of a chairman and members who have a balance of skills and experience appropriate to directing the Authority's business.

13. Risk management

13.1 The Authority and BTP shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy, in accordance with the Treasury guidance Management of Risk: Principles and Concepts (http://www.hmtreasury.gov.uk/orange_book.htm). It should adopt and implement policies and practices to safeguard itself against fraud and theft, in line with the Treasury's guidance on tackling fraud (http://www.wenarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf.pdf). It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter into a contract or to give grant or grant-in-aid.

13.2 The Chief Constable and the Chief Executive will create and maintain a strategic risk register. This will identify evaluate and describe mitigation and management measures in relation to all the key risks listed. The Register will be reported and debated quarterly at the Audit Committee before going to the Full Authority where any significant matters and recommendations for escalation to the DfT (whether resulting from consequential risk to the DfT or owing to further mitigation requiring the support of DfT) will be raised and debated and the register approved. Internal Audit will separately advise the Chief Executive and Chief Constable as Accounting Officers and the Audit Committee of their opinion on the accuracy and sufficiency of the register and the efficacy of the proposed mitigation and management measures.

13.3 The Authority Chief Financial Officer will brief the sponsorship team as soon as possible after the escalation decision is taken. Escalated risks will be monitored through the bi-monthly sponsorship meetings.

Governance Statement

13.4 As Accounting Officer the Chief Executive has to confirm the adequacy of all internal control systems and report on the same to the Comptroller and Auditor General. This Governance Statement will be prepared in accordance with Treasury guidance.

14. Strategic and policing plans

14.1 Every three years the Authority shall prepare a strategic plan covering three years ahead. The plan shall reflect the Authority's statutory duties and, within those duties, the priorities set from time to time by the responsible minister (including decisions taken on policy and resources in the light of wider public expenditure decisions). The plan shall be copied to the Secretary of State. The Plan will be reviewed at the end of the first and second year.

14.2 The first year of the strategic plan, amplified as necessary, shall form the policing plan. The policing plan shall be updated to include key targets and milestones for the year immediately ahead and shall be linked to budgeting information so that resources allocated to achieve specific objectives can readily be identified by the DfT. Subject to any commercial considerations, the strategic and policing plans should be published by the Authority on its website and separately be made available to staff.

14.3 The following key matters should be included in the plans:

- key objectives and associated key performance targets for the forward years, and the strategy for achieving those objectives;
- key non-financial performance targets;
- a review of performance in the preceding financial year, together with comparable outturns for previous years, and an estimate of performance in the current year;
- alternative scenarios and an assessment of the risk factors that may significantly affect the execution of the plan but that cannot be accurately forecast; and
- other matters as agreed between the DfT and the Authority.

15. Budgeting procedures

15.1 Each year the Authority shall set an annual budget, taking into account any specific directions issued by the Department, and provide a statement of such budget to the Department (the agreed net budget). The Department shall send to the Authority each year a statement of any planned changes in policies affecting the Authority.

15.2 When setting its budget, the Authority shall have regard to any impact on the Department's DEL and shall restrict such impact to limits agreed with the Department.

15.3 The approved annual policing plan will take account both of approved funding provision and forecast receipts, and will include a budget of estimated payments and receipts together with a profile of expected expenditure and of draw-down of any DfT funding and/or other income over the year.

16. Grant-in-aid and any ring-fenced grants

16.1 Grant-in-aid provided by the DfT for the year in question will be voted in the DfT's Supply Estimate and be subject to Parliamentary control.

16.2 The grant-in-aid will normally be paid in instalments on the basis of written applications

showing evidence of need. The Authority will comply with the general principle, that there is no payment in advance of need. Cash balances accumulated during the course of the year from grant-in-aid or other Exchequer funds shall be kept to a minimum level consistent with the efficient operation of the Authority. Grant-in-aid not drawn down by the end of the financial year shall lapse. Subject to approval by Parliament of the relevant Estimates provision, where grant-in-aid is delayed to avoid excess cash balances at the year-end, the DfT will make available in the next financial year any such grant-in-aid that is required to meet any liabilities at the year end, such as creditors.

Emergency provision

16.3 Where the DfT provides the Authority with separate grants for specific (ring- fenced) purposes – such as funding for exceptional emergency work associated with a rail crash or terrorist incident - it will issue the 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 the DfT. The Authority shall not have uncommitted specific grant funds in hand, nor carry specific grant funds over to another financial year.

17. Reporting performance to the DfT

17.1 The Authority shall operate management, information and accounting systems that enable it to review in a timely and effective manner its financial and non- financial performance against the budgets and targets set out in the strategic and policing plans. The Authority shall inform the DfT of any changes that make achievement of objectives more or less difficult. It shall report financial and non- financial performance, including performance in helping to deliver ministers' policies, and the achievement of key objectives at its regular meetings with the appointed DfT officials. The Authority's performance shall be formally reviewed by the DfT twice a year. The responsible minister will meet the chairman and chief executive at least once a year.

Providing monitoring information to DfT

17.2 As a minimum, the Authority and force shall provide the DfT with information monthly, normally at the time of submitting a claim for grant in aid if one is being made, that will enable the DfT satisfactorily to monitor:

- the Authority's cash management;
- its draw-down of grant-in-aid;
- forecast outturn by resource headings;
- other data required for the Combined On-line Information System (COINS)

The Authority/DfT working level liaison arrangements

17.3 Officials of the DfT Sponsorship Team will liaise regularly with the Authority officials to review financial performance against plans, achievement against the Authority targets and the Authority's expenditure against its DEL and AME allocations. The Sponsorship Team will also take the opportunity to explain wider policy developments that might have an impact on the Authority through regular sponsorship meetings and day to day contact.

18. Delegated authorities

18.1 The Authority's delegated authorities are set out in Appendix 2. The Authority shall obtain the DfT's prior written approval before:

- entering into any undertaking to incur any expenditure which is not provided for in the Authority's annual budget as approved by DfT.
- incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications;
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by DfT;
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required; or
- carrying out policies that go against the principles, rules, guidance and advice in *Managing Public Money*.

19. The Authority staff

Broad responsibilities for the Authority staff

19.1 Within the arrangements approved by the responsible minister and the Treasury the Authority will have responsibility for the recruitment, retention and motivation of staff. The broad responsibilities toward its staff are to ensure that:

- the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit: there is no discrimination on grounds of gender, marital status, sexual orientation, race, colour, ethnic or national origin, religion, disability, community background or age;
- the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness;
- the performance of its staff at all levels is satisfactorily appraised and the Authority performance measurement systems are reviewed from time to time;
- its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve the Authority's objectives;
- proper consultation with staff takes place on key issues affecting them;
- adequate grievance and disciplinary procedures are in place;
- whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place;
- a code of conduct for staff is in place based on the Cabinet Office's Model Code for Staff of Executive Non-departmental Public Bodies https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/80082/PublicBodiesGuidance2006_5_public_body_staffv2_0.pdf.

Staff costs

19.2 Subject to its delegated authorities, the Authority shall ensure that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

Pay and conditions of service

19.3 The Authority staff are subject to levels of remuneration and terms and conditions of service (including pensions) within the general pay structure approved by DfT and, where necessary, the Treasury. The Authority has no delegated power to amend these terms and conditions. In considering the Authority staff matters, the DfT will have regard to Chapter 5 of the Cabinet Office Guide to Public Bodies that provides guidance on staff issues in public bodies ().

19.4 If civil service terms and conditions of service apply to the rates of pay and non-pay allowances paid to the staff and to any other party entitled to payment in respect of travel expenses or other allowances, payment shall be made in accordance with the Civil Service Management Code (<https://www.gov.uk/government/publications/civil-servants-term-and-conditions>) except where prior approval has been given by the DfT to vary such rates. By virtue of the Railways and Transport Safety Act 200338 membership of or employment by the Authority is not employment in the civil service of the State.

19.5 Staff terms and conditions should be set out in an Employee Handbook, which should be provided to the DfT together with subsequent amendments.

19.6 If the Authority operate a performance-related pay scheme that shall form part of the staff annual aggregate pay budget approved by the DfT or the general pay structure approved by the DfT and the Treasury, whichever is applicable].

19.7 The travel expenses of Authority members shall be tied to the rates allowed to senior staff of the Authority. Reasonable actual costs shall be reimbursed.

19.8 The Authority shall comply with the EU Directive on contract workers – the Fixed- Term Employees (Prevention of Less Favourable Treatment) Regulations.

Pensions, redundancy and compensation

19.9 The Authority staff shall normally be eligible for a pension provided by its own scheme. Staff may opt out of the occupational pension scheme provided by the Authority, but that employers' contribution to any personal pension arrangement, including stakeholder pension shall normally be limited to the national insurance rebate level.

19.10 Any proposal by the Authority to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office, requires the prior approval of the DfT on a case by case basis. Proposals on severance must comply with the rules in chapter 4 of Managing Public Money.

20. Review of the Authority status

20.1 The Authority will be reviewed every five years. The next review will be due in 2019.

21. Arrangements in the event that the Authority is wound up

21.1 The DfT shall put in place arrangements to ensure the orderly winding up of the Authority. In particular it should ensure that the assets and liabilities of the Authority are passed to any successor organisation and accounted for properly. (In the event that there is no successor organisation, the assets and liabilities will revert to the DfT). To this end, the DfT shall:

- ensure that procedures are in place in the Authority to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body;
- specify the basis for the valuation and accounting treatment of the Authority's assets and liabilities;
- ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for

external audit, and that funds are in place to pay for such audits. It shall be for the C&AG to lay the final accounts in Parliament, together with his report on the accounts;

- arrange for the most appropriate person to sign the closing accounts. In the event that another NDPB takes on the role, responsibilities, assets and liabilities, the succeeding NDPB AO should sign the closing accounts. In the event that the DfT inherits the role, responsibilities, assets and liabilities, the DfT's AO should sign.

21.2 The Authority shall provide the DfT with full details of all agreements where the Authority or its successors have a right to share in the financial gains of developers. It should also pass to the DfT details of any other forms of claw-back due to the Authority.

22. Review of this Framework Document

22.1 The Framework Document is to be reviewed annually and any amendments discussed at the sponsorship meetings.

LIST OF APPENDICES TO THE DOCUMENT

Appendix 1 – List of government-wide corporate guidance instructions

Appendix 2 – List of delegated authorities

Appendix 3 – checklist of actions for the Authority

Appendix 4 – checklist of actions for the Secretary of State

Signed on behalf of the DfT Date

Signed on behalf of the Authority Date

APPENDIX 1: Compliance with government-wide corporate guidance and instructions

The Authority shall comply with the following general guidance documents and instructions:

- this document;
- Appropriate adaptations of sections of Corporate Governance in Central Government Departments: Code of Good Practice
- <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments> ;
- Code of Conduct for Board Members of Public Bodies http://www.civilservice.gov.uk/wp-content/uploads/2011/09/code-of-conduct_tcm6-38901.pdf
- Code of Practice for Ministerial Appointments to Public Bodies <http://publicappointmentscommissioner.independent.gov.uk/wp-content/uploads/2012/02/Code-of-Practice-2012.pdf>
- Managing Public Money (MPM);
- Public Sector Internal Audit Standards, <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>;
- Management of Risk: Principles and Concepts: ; <https://www.gov.uk/government/publications/orange-book>
- HM Treasury Guidance on Tackling Fraud, http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf ;
- Government Financial Reporting Manual (FReM), <https://www.gov.uk/government/publications/government-financial-reporting-manual>;
- Fees and Charges Guide, Chapter 6 of Managing Public Money;
- Departmental Banking: A Manual for Government Departments, annex 5.6 of Managing Public Money;
- relevant Dear Accounting Officer letters <https://www.gov.uk/government/collections/dao-letters> ;
- Regularity, Propriety and Value for Money, http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hm-treasury.gov.uk/psr_governance_valueformoney.htm;
- The Parliamentary and Health Service Ombudsman's Principles of Good Administration <http://www.ombudsman.org.uk/improving-public-service/> ombudsmansprinciples;
- Consolidation Officer Memorandum, and relevant DCO letters;
- relevant Freedom of Information Act guidance and instructions (Ministry of Justice);

- [Model Code for Staff of Executive Non-departmental Public Bodies (Cabinet Office) https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/80082/PublicBodiesGuide2006_5_public_body_staffv2_0.pdf];
- other relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts;
- other relevant instructions and guidance issued by the central Departments;
- specific instructions and guidance issued by the sponsor Department;
- recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and relevant to the ALB.

Annex 4: Financial management

1. Introduction & purpose:

1.1 To enable the BTP and the Authority to effectively achieve its aims and objectives, a set of sound financial management policies are in place and it is important that the Chief Constable and Chief Executive work collaboratively to ensure they are strictly adhered to.

1.2 The purpose of this document is to set out the financial responsibilities of the Chief Executive, Chief Constable, Force Director of Finance and Commercial Services (or where the post is vacant, the Chief Constable nominee) and Authority Chief Financial Officer to the extent that they are not covered in respective Delegation Letters / Accounting or Additional Accounting Office Memorandums.

1.3 For this reason, these Financial Regulations should not be seen in isolation, but rather in conjunction with these, as well as the Framework Document and guidance such as HM Treasury's Managing Public Money and the Green Book. Nothing in this Annex is intended to override the requirements of HM Treasury's Managing Public Money.

2. Responsibilities:

2.1 The Chief Executive as Accounting Officer receives a delegation letter from the Department of Transport (DfT) outlining their delegated authority and overarching role and responsibility with regard to setting a capital programme and revenue budget to cover the requirements of the Authority and the Force and managing income and expenditure with support of the Authority's Chief Financial Officer and the Force's Chief Constable and Finance Director.

2.2 The Chief Executive appoints the Chief Constable as an Additional Accounting Officer, issuing them with a delegation letter outlining their delegated authority, in particular with regard to managing the budget and expenditure of the Force.

2.3 As well as the relevant delegation letter, the Financial Regulations are supported by a Scheme of Financial Delegation (annex 7) that specifies the limit(s) upon the authority delegated to each of the Chief Executive and the Chief Constable. The financial regulations are set out below, with links:

A. Financial Management, Planning and Control

[A1: Annual Accounts](#)

[A2: Revenue Budget and Reserves](#)

[A3: Capital and Major Revenue Schemes](#)

[A4: Virement](#)

B. Systems and Procedures:

[B1: Salaries, wages, pensions, gratuities and expenses](#)

[B2: Orders for Goods & Services](#)

[B3: Payment of Accounts & Government Procurement Cards](#)

[B4: Income](#)

[B5: Systems and Financial Systems](#)

[B6: Taxation](#)

C. Management of risk & Resources

[C1: Property, Fixed Assets and other Assets](#)

[C2: Banking Arrangements](#)

[C3: Insurance and Risk Management](#)

[C4: Internal Audit](#)

[C5: Anti-Fraud](#)

[C6: External Audit](#)

[C7: Anti Money Laundering](#)

[C8: Compensation payments](#)

[C9: Gifts and Hospitality](#)

[C10: Loans and sponsorship](#)

[C11: Intellectual Property](#)

[C12: Third party assets](#)

D. External Arrangements

[D1: Joint working arrangements](#)

Annual Accounts

Annual Accounts: Key Responsibilities	
Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> Draw up timetable for final accounts preparation in consultation with the external auditor and Authority Chief Financial Officer including preparation and review of different sections, DfT reporting requirements on Consolidation Pack and presenting accounts to Audit and Risk Assurance Committee and the Authority
	<ul style="list-style-type: none"> Consistently apply suitable accounting policies, complying with any specific accounts direction by DfT, the FReM and other legislation
	<ul style="list-style-type: none"> Make judgements and estimates on a reasonable basis
	<ul style="list-style-type: none"> Advise the Authority Chief Financial Officer of any proposed changes to the accounting policies, assessing any financial implication

Revenue and Capital Budget and Reserves

The revenue and capital budget shall be prepared in accordance with the requirements set out in HMT Managing Public Money and any DfT instructions and in two parts:

- the budget for the Force, managed by the Chief Constable; and
- the budget for the Authority retained by the Executive and managed by the Chief Executive

Revenue Budget: Key Responsibilities	
Chief Executive and Chief Constable	<ul style="list-style-type: none"> Prepare a medium term financial plan (5 year plan), recommending to the Authority effective financial and budget planning for the short, and medium term, ensuring it: <ul style="list-style-type: none"> reflects the Authority's consultations including efficiency plans plans for all known commitments, proposals for changes, or the introduction of new services, taking account of affordability presents a range of alternative financial planning scenarios based on assessed financial risk
Chief Constable	<ul style="list-style-type: none"> submit at least quarterly revenue and capital budget monitoring reports to the Authority with benefits tracking reporting (or its appropriate Committee).
	<ul style="list-style-type: none"> ensure accurate forecast of staffing levels, advising the Authority on budget provision to cover estimated staffing levels.

	<ul style="list-style-type: none"> ensure that total spending for policing remains within the overall resource allocation, affordability and DfT budget delegations. Alert Chief Executive of over/under spend and propose solutions.
	<ul style="list-style-type: none"> ensure that the revenue budget and capital programme proposals reflect the priorities outlined in the Policing Plan and Strategy.
Chief Executive	<ul style="list-style-type: none"> approve (in consultation with the Authority) revenue budget's and capital programme's general format, as proposed by the Chief Constable
	<ul style="list-style-type: none"> securing proper arrangements for the management of the Authority's revenue and capital budget, considering where appropriate, to adopt similar arrangements to those set out in these Financial Regulations more widely
	<ul style="list-style-type: none"> submit at least quarterly budget monitoring reports to the Authority (or its appropriate Committee).
	<ul style="list-style-type: none"> in consultation with the Chief Constable, establish a reserves policy, including a reasonable operational reserve for the Chief Constable
Authority	<ul style="list-style-type: none"> approve the medium term financial plan (5 year plan) ensuring it reflects effective financial and budget planning for the short and medium term and approve by the end of March of each year the total budget for the following financial year including the level of charges to be defrayed to the PSA holders.
Authority Chief Financial Officer and Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> annually recommend a reserves policy to the Authority ahead of revenue and capital budget approval

Capital and Major Revenue Schemes

Once a capital project is included within the 5 -year capital programme, the details of each scheme shall be the subject of a further and final approval. An evaluation, including a financial appraisal, shall be undertaken and reported in respect of all capital and major revenue schemes over £50k which shall include the business case for the scheme. For such schemes, expenditure necessary to produce a proper evaluation ahead of approval may be incurred, in accordance with Procurement or Contract Standing Orders. The amount spent should be proportionate and affordable and in line with HMT guidance including HMT Guide to developing Business Cases which details what should be included at the various business case stages. Any spend above necessary would not meet HMT Managing Public Money.

All evaluations shall be undertaken in line with project appraisal guidelines which fulfil Government accounting and policy requirements (including HMT Managing Public Money and Green Book), and shall include, inter alia, affordability, value for money and calculations to show the Net Present

Value (NPV) and Internal Rate of Return (IRR) for each scheme as appropriate.

It is vital that both financial and procurement authority are obtained prior to a Project being started. Financial authority ensures the project has a good business case and funds are available to the project. Procurement authority ensures the best commercial terms and contracts are in place with suppliers.

Capital and Major Revenue Schemes: Key Responsibilities	
Authority Chief Financial Officer and Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> create a joint report to accompany the evaluation and business case for schemes requiring Authority approval.
Chief Constable	<ul style="list-style-type: none"> prepare a 5-year capital programme and capital budget for Authority approval which reflects the priorities outlined in the Policing Plan and Strategy, forming the basis of discussions with DfT for allocation
	<ul style="list-style-type: none"> approve business cases for schemes that fall below the value for reporting to the Authority and annual business cases for rolling, replacement or refurbishment schemes
	<ul style="list-style-type: none"> in consultation with the Chief Executive, monitor capital and major revenue schemes and submit to the Authority: <ul style="list-style-type: none"> exception reports where a decision is required or to make Members aware of circumstances; and a post completion assessment report for all schemes approved by the Authority (including through life operating costs) excluding replacement schemes

Virements and Budget Transfers

Virement thresholds are detailed in the Scheme of Financial Delegations (Annex 7). A virement describes moving funds for a different purpose than originally budgeted (virements for government funded expenditure are not possible). A budget transfer describes moving funds for the same purpose, but changing its budget terms. Both are subject to adhering to Authority policy and aligning with Strategy and Policing Plan’s objectives without materially prejudicing the achievement of them.

Virements and Budget Transfers: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> authorise virements/budget transfers within thresholds and the amount set out in the Scheme of Financial Delegation that align with policy and do not increase net totals for revenue and capital budgets

Chief Executive	<ul style="list-style-type: none"> authorise virements/budget transfers within thresholds and the amount set out in the Scheme of Financial Delegation that align with policy and do not increase net totals for revenue and capital budgets
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Salaries, wages, pensions, gratuities and expenses

Salaries, wages, pensions and gratuities: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> In relation to police officers and police staff, the Chief Constable shall ensure that payments of all salaries, wages and emoluments due to employees and the collection of amounts due from officers are in accordance with the relevant salary scales, wage rates and conditions of service and police terms and conditions approved by the Authority and the Police Regulations.
	<ul style="list-style-type: none"> ensure secure and reliable payment of valid salaries, overtime, pensions, compensation and other emoluments due to existing and former employees, maintaining the necessary records and subject to any statutory provisions to the contrary, recover any overpayments
	<ul style="list-style-type: none"> ensure tax, superannuation and other deductions are made correctly and paid over at the right time to the relevant body and ensure full compliance with prevailing employment legislation including that relating to tax, superannuation, pensions and sickness benefit.
	<ul style="list-style-type: none"> pay all valid travel and subsistence claims being wholly, necessarily and exclusively incurred in the course of duties or financial loss allowance
	<ul style="list-style-type: none"> decide whether to make an imprest advance to an officer for expenses
	<ul style="list-style-type: none"> pay salaries, wages, pensions and reimbursements by the most economical means
	<ul style="list-style-type: none"> ensure payroll transactions are processed only through the payroll system
	<ul style="list-style-type: none"> ensure that full records are maintained of payments in kind and properly accounted for in any returns to the HMRC
	<ul style="list-style-type: none"> ensure detailed Financial Instructions for dealing with payments to employees, to be agreed with the Authority Chief Financial Officer, are produced and signed and these shall be issued to all appropriate employees
Chief Executive	<ul style="list-style-type: none"> shall undertake the same responsibilities for staff of the Executive with regard to travel and subsistence.

Orders for Goods and Services

Orders for Goods and Services: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> issue official orders through appropriate, approved channels for all work, goods or services to be supplied, except for utilities
	<ul style="list-style-type: none"> where urgent, oral orders can be placed and confirmed with a written order within 2 working days
	<ul style="list-style-type: none"> ensure all orders are appropriate and there is approved revenue or capital budget, which expenditure (including VAT) is accurately recorded against
	<ul style="list-style-type: none"> ensure payment is made only when goods and services have been received at the correct price, quantity and quality accordingly to the properly certified order
	<ul style="list-style-type: none"> ensure VAT is recovered where appropriate
	<ul style="list-style-type: none"> ensure arrangements are efficient, economical and effective and comply with DfT and Managing Public Money requirements
	<ul style="list-style-type: none"> ensure separation of duties between ordering and payment

Payment of Accounts & Government Procurement Cards

Government Procurement Cards are only to be used for expenses that are wholly, exclusively and necessarily incurred as a direct result of carrying out official police business. Government Procurement Card holders are responsible to order and pay for goods in accordance with the Government Procurement Card policy.

Payment on Accounts & Government Procurement Cards: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> ensure financial procedures are in place with adequate separation of duties, with consultation with Force Finance Director, adhering to related policies from DfT and the Authority and in accordance with the Late Payment of Commercial Debts (Interest) Act 1988
Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> keep Government Procurement Card policy and associated procedures up to date
Government Procurement Cards holders	<ul style="list-style-type: none"> to reconcile the statements and receipts in a timely manner

Income

Income: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> ensure income is identified, collected, recorded and receipted promptly and banked correctly without delay and with adequate separation of duties.
	<ul style="list-style-type: none"> retain an aged debtors listing and ensure all outstanding income is pursued until it is determined, in accordance with the scheme of delegation, as uneconomic to pursue, at which time make arrangements to write off
	<ul style="list-style-type: none"> ensure voluntary/unofficial funds are identified, collected and recorded correctly, and kept separate to BTP funds
Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> ensure bank reconciliations and other key control accounts are reconciled on a timely and accurate basis and that sample testing is undertaken to ensure compliance
Chief Executive	<ul style="list-style-type: none"> ensure Police Service Agreements are in place and kept under review
	<ul style="list-style-type: none"> ensure charges for services provided are in accordance with the terms of the relevant Police Services Agreement, otherwise on the basis of recovering the full costs involved as per legislation and Managing Public Money
	<ul style="list-style-type: none"> ensure charges for services provided are in accordance with the terms of the relevant Enhanced Police Services Agreement, otherwise on the basis of recovering the full costs involved as per Managing Public Money
Authority	<ul style="list-style-type: none"> approve annual PSA holder charges calculated by BTPA
	<ul style="list-style-type: none"> ensure Enhanced Police Service Agreements are in place and kept under review to ensure that they remain fit for purpose and comply with any overall policy
	<ul style="list-style-type: none"> approve procedures for writing off debts as part of the overall control framework of accountability and control

Grant in aid

Grant in aid: Key Responsibilities

Chief Constable	<ul style="list-style-type: none"> ensure arrangements are in place to ensure that no grant in aid is received in advance of need
	<ul style="list-style-type: none"> ensure arrangements in place to ensure that grants received for specific purposes are used for the purpose for which they were provided and that appropriate records are maintained to demonstrate compliance with the conditions of the grants

Property, Fixed and other Assets

Property, Fixed and other Assets: Key Responsibilities	
Chief Executive	<ul style="list-style-type: none"> ensure secure custody of the title deeds of all property in the BTP Fund's ownership
Chief Constable	<ul style="list-style-type: none"> maintain an inventory of all properties leased or occupied by the Force
	<ul style="list-style-type: none"> maintain records of BTP's fixed assets
	<ul style="list-style-type: none"> arrange periodic physical checks of equipment and stores against relevant records by officers other than those responsible for their custody and control
	<ul style="list-style-type: none"> maintain a register or inventory of valuable, attractive and/or portable assets
	<ul style="list-style-type: none"> ensure sound arrangements exist for security, issue and movement of assets including cash and valuable documents
	<ul style="list-style-type: none"> specify limits of cash or other holdings, which shall not be exceeded without prior permission
	<ul style="list-style-type: none"> other than land and buildings, ensure (unless inappropriate) selling assets is by public auction or competitive tender
	<ul style="list-style-type: none"> in consultation with the Force Finance Director, may dispose of redundant equipment with no net book nor market value to charitable organisations
	<ul style="list-style-type: none"> ensure Fixed Asset write offs are within the limits set out in the Scheme of Financial Delegation

Banking Arrangements

Banking Arrangements: Key Responsibilities

Chief Constable	<ul style="list-style-type: none"> subject to approval from the Chief Executive, oversee the Force's banking arrangements and open or close any account
	<ul style="list-style-type: none"> ensure banking arrangements adhere to Managing Public Money's requirements and follows HMT's 'Departmental Banking: a Manual for Government Departments' and that the arrangements safeguard public funds, are efficient, economical and effective
	<ul style="list-style-type: none"> ensure imprest and advance accounts are used appropriately for petty cash and other expenses
	<ul style="list-style-type: none"> ensure effective controls for all banking arrangements including systems such as BACS and CHAPS
Chief Executive	<ul style="list-style-type: none"> determine principles in consultation with Force Finance Director and DfT when covert accounts need to be managed or created
Authority	<ul style="list-style-type: none"> approve requests to change banker

Insurance and Risk Management

Insurance and Risk Management: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> arrange insurance cover which adheres to the Authority approved policy
	<ul style="list-style-type: none"> comply with the requirements of the insurers, including maintaining appropriate records, dealing with claims, and supplying information promptly as and when required
	<ul style="list-style-type: none"> maintain effective risk management arrangements in accordance with Authority policies and maintain a strategic risk register which will identify evaluate and describe mitigation and management measures in relation to all the strategic risks listed.
	<ul style="list-style-type: none"> discuss with the insurers any proposed response to potential claimants and will not, without the specific agreement of the insurers, enter into any correspondence (beyond acknowledging receipt of the claim) or discussion with the claimant(s) or their representatives. No liability is to be admitted except through the insurer.
Chief Executive	<ul style="list-style-type: none"> maintain effective risk management arrangements in accordance with Authority policies and maintain a strategic risk register which will identify evaluate and describe mitigation and management measures in relation to all the strategic risks listed.

Systems and Financial Systems

Staff shall not use systems for unauthorised access, disclose passwords or use any passwords allocated to other people, or load or download software which has not been authorised by the Chief

Constable; and any attempts to do so or other breaches of this Regulation shall be reported to the Data Protection Officer. All employees of the Authority have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive, or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the BTP Fund.

Systems and Financial Systems: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> vary existing systems or commission new systems subject to consultations with the Force Finance Director and Internal Audit at the development stage as well as prior to implementation
	<ul style="list-style-type: none"> ensure computerised financial systems (including any integration, interface, and interoperability) are secure, accompanied by up to date written instructions and comply with legislation such as the requirements of the Data Protection Act 1984 as subsequently amended and the Government Information Assurance Standards
	<ul style="list-style-type: none"> ensure adequate internal controls exist and accounting records are properly maintained, retained over the timeframe required for audit and tax purposes, held securely and segregated
	<ul style="list-style-type: none"> ensure secure yet accessible back ups are in place for important systems

Internal Audit

Internal Audit: Key Responsibilities	
Audit and Risk Assurance Committee	<ul style="list-style-type: none"> agree and monitor a programme of work for Internal Audit to carry out.
	<ul style="list-style-type: none"> consider matters referred to them to consider disclosure of information deemed unsuitable by the Chief Constable
	<ul style="list-style-type: none"> in consultation with the Chief Constable or the Chief Executive, request Internal Audit undertake an urgent investigation into a specific area where this is considered to be warranted by special circumstances and amend the audit programme accordingly
Internal Audit service	<ul style="list-style-type: none"> have the right to access any document, information or explanation from any officer or member. Refer matters where information is

	<p>considered unsuitable for sharing to the Audit and Risk Assurance Committee</p>
	<ul style="list-style-type: none"> submit internal audit reports to the Chief Constable, Chief Executive and Audit and Risk Assurance Committee
Chief Constable	<ul style="list-style-type: none"> respond orally or in writing the action intended to address any recommendations and implement agreed actions within a reasonable time frame and be held to account by the Audit and Risk Assurance Committee

Taxation

Taxation: Key Responsibilities	
Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> ensure timely completion of HMRC returns, regarding PAYE and VAT claims, and that due payments adhere with statutory requirements.
	<ul style="list-style-type: none"> ensure that the correct VAT liability is attached to all income due and that all VAT receivable on purchases complies with HMRC regulations
	<ul style="list-style-type: none"> shall provide details to the HMRC regarding the construction industry tax deduction Scheme
Chief Constable	<ul style="list-style-type: none"> ensure the completion of VAT claims, receipts and payments are made in accordance with statutory requirements.

Anti-Fraud

Anti-Fraud: Key Responsibilities	
Chief Executive	<ul style="list-style-type: none"> maintain a register of staff with any links or personal interests with suppliers/contractors, maintaining a segregation of duties if there is a conflict of interest, for staff of the Executive
	<ul style="list-style-type: none"> ensure Authority's policy relating to accepting gifts, loans of property and sponsorship is strictly adhered to for staff of the Executive
Chief Constable	<ul style="list-style-type: none"> ensure appropriate anti-fraud and whistleblowing procedures are in place to comply with any anti fraud and whistle blowing polices approved by the Authority

	<ul style="list-style-type: none"> maintain a register of staff with any links or personal interests with suppliers/contractors, maintaining a segregation of duties if there is a conflict of interest
	<ul style="list-style-type: none"> notify the Chief Executive, DfT, Chair of Audit and Risk Assurance Committee (who shall notify internal audit and external audit) of any frauds, corruption, financial irregularity and unusual or major incidents as soon as possible
	<ul style="list-style-type: none"> ensure Authority's policy relating to accepting gifts, loans of property and sponsorship is strictly adhered to
	<ul style="list-style-type: none"> in consultation with the Authority Chief Financial Officer and the Force Finance Director, determine scope of any internal enquiries or investigations
	<ul style="list-style-type: none"> shall keep records of, and prepare and forward to the Chief Executive an annual report on fraud and theft suffered by the Force

External Audit

Both the Authority and the Force will, from time to time, be subject to audit, inspection or investigation by external bodies such as the External Auditors, HMIC and HM Revenue and Customs, who have statutory rights of access to all documents, facilities and information necessary for audit and inspection purposes.

External Audit: Key Responsibilities	
Chief Executive and Chief Constable	<ul style="list-style-type: none"> respond to issues arising from external audits
	<ul style="list-style-type: none"> implement agreed actions within a reasonable time frame and be held to account by the Audit and Risk Assurance Committee

Anti Money Laundering

To be alert to the possibility that the Force might become the subject of an attempted money laundering transaction, suspicious cash deposits in any currency in excess of £10,000 (or equivalent) should be reported to the National Crime Agency (NCA).

Anti Money Laundering: Key Responsibilities	
Authority Chief Financial Officer	<ul style="list-style-type: none"> as the nominated Money Laundering Reporting Officer, decide whether a particular transaction gives rise to a suspicion or concern and therefore should be reported to the NCA if over £10,000.

Authority Chief Financial Officer and Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> ensure that within their respective organisations they undertake appropriate checks to ensure that all new suppliers and counterparties are bona fide
All officers and staff of the Authority and Force	<ul style="list-style-type: none"> to inform the Authority Chief Financial Officer if they receive information which may result in them knowing or having reasonable grounds for knowing or suspecting money laundering, fraud or use of the proceeds of crime.

Compensation Payments

Thresholds can be found in the Scheme of Financial Delegations (Annex 7).

Compensation Payments: Key Responsibilities	
Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> approve non-significant compensation claims in line with Scheme of delegation

Claims will be considered non-significant if:

- they do not involve a high-profile claimant including National Police Chiefs' Council rank police officers
- there is no particular public interest in the case
- there is no real risk that the Authority or the Chief Constable will be exposed to serious public criticism, or serious weaknesses in the organisation's policies and procedures will be revealed.
- it is not in the nature of a test case
- it does not fall under any exception as per HM Treasury's Managing Public Money of DfT delegation

Gifts and Hospitality

Gifts and Hospitality: Key Responsibilities	
Authority Chief Financial Officer and Deputy Chief Constable	<ul style="list-style-type: none"> ensure all gifts of money and other property received by anyone within the Authority or Force are properly recorded in the financial statements ensure registers are maintained for the Authority and Force recording all gifts of money and other property
Chief Constable	<ul style="list-style-type: none"> refer all gifts above £10,000 to the Authority for approval

Head of Professional Standards	<ul style="list-style-type: none"> • issue advice and guidance on the acceptance of gifts and hospitality
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Loans and sponsorship

The total value of loans and sponsorship accepted should not exceed a maximum equivalent value of 1% of the Force annual Net Budget Requirement.

Loans and sponsorship: Key Responsibilities	
Authority Chief Financial Officer and Deputy Chief Constable	<ul style="list-style-type: none"> • ensure all sponsorship and loans of other property received by anyone within the Authority or Force are properly recorded in the financial statements
Authority or Chief Constable	<ul style="list-style-type: none"> • may accept loans and sponsorship from any source which has genuine, well-intentioned reasons for wishing to support specific police projects, recognising they may expect some publicity or acknowledgement in return. This is acceptable provided that it does not detract from the purpose of the supported project

Intellectual Property

Any intellectual property created by an officer or member of staff of the BTPA or the BTP during the course of their employment is deemed to belong to the BTPA or the BTP and not the officer or member of staff. Examples of intellectual property are the creation of specific pieces of computer software, particular inventions or written solutions to managerial or operational problems.

In the event that the BTPA or the BTP decides to commercially exploit intellectual property, matters should only proceed after taking appropriate legal advice to ensure that the BTPA or the BTP's rights in the intellectual property are properly protected by patents for example.

Intellectual Property: Key Responsibilities	
Authority Chief Financial Officer and Force Director of Finance and Commercial Services	<ul style="list-style-type: none"> • ensure satisfactory and appropriate accounting arrangements are adopted relating to Intellectual Property • consult Chief Executive as to the overall governance arrangements and legal issues

Third Party Assets

Third Party Assets: Key Responsibilities	
Chief Constable	<ul style="list-style-type: none"> • exercise a duty of care and safeguard third-party assets or private property of an individual (e.g. a suspect in custody)

	<ul style="list-style-type: none"> determine procedures for the safekeeping of third-party assets, other than a member of staff, under her/his guardianship or supervision and ensure that these procedures are drawn to the attention of all appropriate officers and members of staff.
All officers and staff	<ul style="list-style-type: none"> notify the Chief Constable in the case of loss or diminution in the value of such private property.

Joint working arrangements

Public bodies are increasingly encouraged to provide seamless service delivery through working closely with other public bodies, local authorities, agencies and private sector providers.

In all joint working arrangements the following key principles must apply:

- before entering into the agreement, a risk assessment must be prepared
- such agreements must not impact adversely upon the services provided by the Authority or Chief Constable.
- project appraisal is in place to assess the viability of the project in terms of resources, staffing and expertise, all arrangements are properly documented, regular communication is held with other partners throughout the project in order to achieve the most successful outcome and audit and control requirements are satisfied
- accounting and taxation requirements, particularly VAT, are understood fully and complied with and an appropriate exit strategy has been produced
- financial management and controls including reporting should be exercised over externally funded projects

ANNEX 5: Procedural Standing Orders

Introduction

Procedural standing orders regulate the conduct of the Authority's business so that fair and accountable decisions can be made.

The Authority

Extraordinary Meetings of the Authority

1. An extraordinary meeting of the Authority may be called at any time by the Chair. A minimum of five Members may request a meeting in writing to the Chair who shall not unreasonably refuse additional meetings. No business may be discussed other than the business that led to the need for an extraordinary meeting.

Membership and Members' rights

2. All Members are entitled to attend full meetings of the Authority and to speak and vote unless they have been suspended from office. Any Member may request to attend any meeting of a committee/group, whether or not he or she is a Member of that committee/group and may not unreasonably be refused. If they are not a Member of that committee/group they may speak with the permission of the Chair, but not vote.
3. Any Authority Member has the right of access to Ministers on any matter which he or she believes raises important issues relating to his or her duties as an Authority Member. In such cases, the agreement of the rest of the Authority should normally be sought and the Chair should be used as the intermediate stage for consultation with Ministers. Members should endeavour to resolve all matters internally.

Co-opted Members

4. In accordance with the Act the Authority will not appoint co-opted Members.

Business at Authority meetings

5. The agenda for each meeting of the Authority shall be prepared by the Chief Executive in consultation with the Chair of the Authority. The Chief Executive and the Chair shall consult with the Chief Constable as appropriate and agree the submission of such reports from the Force to the Authority as requested by the Chief Executive, Chief Constable or Chair.
6. Members may place items on agendas but they must be received in writing by the Chief Executive 25 working days before the meeting. Items may be accepted between 25 and 15 working days before the meeting at the discretion of the Chief Executive. Items will not be accepted less than 15 working days before a meeting.
7. Reports shall be submitted to the Chief Executive for despatch not later than seven calendar days before the meeting. Papers received after the seven day deadline will not be circulated without the agreement of the Chairman.
8. Where any Member is unable to attend a meeting for which he or she is a Member, they may:
 - (a) send written comments on any items or reports to the Chief Executive who will make them known to the Chairman of the Meeting and which will be relayed to the meeting when the item or report to which they relate are being discussed;
 - (b) participate in the meeting by way of a telephone or video link conference call, provided

that at least three days' notice has been given to the Chief Executive of their intention to do so, and the Chairman of the meeting has agreed to this method of participation. Any such attendance will be counted for the purpose of recording any votes and shall be included in the numbers relating to the quorum of the meeting.

Quorum of the Authority

9. The quorum for meetings of the Authority shall be half the number plus one of Authority Members. The quorum for meetings of the Authority will need to include at least one Member from each knowledge group³⁷.
10. Outside of the Authority Membership, the Authority Senior Management Team and the Chief Officer Team, attendance at Authority meetings will be limited with policy leads from the Authority and BTP attending only for the duration of items that fall within their policy area.

Authority Minutes

11. The minutes of the proceedings of a meeting of the Authority shall be considered and approved at the next suitable meeting of the Authority.
12. Minutes should include the names of those present at meetings and all decisions taken. Approved minutes must be kept available for inspection by Members and the public for six years after the date of meeting. Minutes of Public Meetings will be made available on the Authority's web site.
13. The Chair shall determine the sense of the meeting; if necessary, a proposition can be determined by show of hands or, at the discretion of the Chair, by secret ballot.
14. Names and votes of Members shall not normally be recorded in minutes, but Members can request that abstention or dissent is recorded.
15. In the case of an equality of votes the Chair, or other person presiding at the meeting, shall have a second or casting vote.

The Authority Chair

16. The Chair will chair all Authority meetings, if he or she is present. In the absence of the Chair, meetings will be chaired by the Deputy Chair (if appointed) or by another Member chosen by a simple majority of Members present.
17. If the Deputy Chair is presiding at the meeting in the absence of the Chair, he or she may exercise any power or duty of the Chair of the Authority.
18. In the absence of the Chair or Deputy Chair (if appointed) or in other circumstances with the consent of the Chair, another Member may act as Chair in every capacity, both at Authority meetings and at other times.
19. The Chair should ensure that the Authority meets at appropriate intervals, and that the minutes of meetings and any reports to the Secretary of State accurately record the decisions taken and, where appropriate, the views of the individual Authority members.
20. The Chair is responsible for representing the views of the Authority to the public.

³⁷ Representative groups are the Members with experience of providing railway services, Members with experience of the interests of people travelling by railway, and independent Members.

21. The Chair should ensure that new Authority Members are appropriately and properly briefed on appointment (and their training needs considered), and provide an assessment of their performance, on request, when Members are considered for re- appointment to the Authority.
22. In the event of disruptive or abusive behaviour, the Chair may require any person or persons to leave a meeting of the Authority.
23. The Chair may adjourn and reconvene a meeting at any time.

Decisions between Scheduled Meetings

24. If, between scheduled meetings of the Authority and/or its Committees if the Chair of the Full Authority / relevant Committee has decided, on the advice of the Chief Executive, that a decision in advance of the next scheduled meeting is necessary, then the Authority and/or its Committee may take a decision in one of the following ways:
 - 24.1 A virtual or in-person meeting called at short notice;
 - 24.2 A quorum of Members, including the Chair, considering the decision via correspondence and confirming their support;
25. Underpinning the procedure for decisions between scheduled meetings are the following principles:
 - 25.1 Issues requiring decision by Members should be submitted to a scheduled meeting in the first instance, unless in the opinion of the Chair in consultation with the Chief Executive this would impose an unreasonable delay on timely decision-making.
 - 25.2 The Force and/or Authority Executive will provide a report, as far as is practicable, as if the decision were being reported to a scheduled meeting of the Authority/Committee.
 - 25.3 Members will be given, as far as is practicable, one calendar week to consider the decision, acknowledging there may be occasions where an unforeseen issue requires decision against a shorter deadline.
 - 25.4 Any decision made between scheduled meetings will be reported in writing to the next scheduled meeting of the Authority or relevant Committee for information.

The Committees

Appointment of Committees, Groups and Panels

26. The Authority shall appoint Committees including an Audit and Risk Committee. The Authority may appoint such other Committees, Groups and Panels as it considers appropriate for the efficient and effective discharge of the Authority's functions.
27. No Committee, Group or Panel may take decisions on behalf of the Authority unless the Authority has expressly granted that power under that body's terms of reference.
28. Notwithstanding the quorum of Committees, Groups or Panels, casual vacancies arising in the membership of a Committee or Group may be filled and substitute Members may be appointed by the Chair.

Committee Chair

29. The Authority Chair will appoint the Chair of a Committee who shall be a standing Member of that Committee. The Authority Chair may chair any Committee with the exception of the Committee dealing with audit matters.

Meetings to be held

30. Committee meetings shall be held on such days and at such times decided by the Authority, or by the Committee Chair.
31. Additional meetings of the Committee may be convened by its Chair at any time.

Terms of Reference for Committees

32. The terms of reference will be agreed by the Authority normally in June each year. The terms of reference for the committees may be amended throughout the year with the approval of the Authority.
33. The agenda for a meeting of a Committee shall be prepared by the Chief Executive in consultation with the Chair of the Committee.

Quorum of Committees

34. The quorum of Committees shall be half of the Members all of whom must have full voting rights.

Committee Minutes

35. Committee minutes will be circulated to all Members of the Authority.

Public access to meetings and papers General Access Policy

36. Authority meetings will be held in public, except at such times as the Authority is considering information that is protectively marked according to the Government Protective Marking Scheme. All Authority reports, excluding those with a protective marking, will be available to the public on the Authority's website, including the minutes of the meeting once formally approved.
37. Meetings will be advertised on the Authority website and will be held at a time and place which would encourage interested parties to attend.
38. If a member of the public or press disturbs or disrupts a meeting, the Chair should warn of the consequences first and if it continues the Chair shall order his or her removal from the meeting. The Chair can also adjourn the meeting for a period considered expedient.
39. The Authority may also pass a resolution to exclude the press and public from all or part of a meeting if publicity would be prejudicial to the public interest because the business being transacted is subject to protective status or exempt as defined by the Freedom of Information Act (FOIA) 2000 or Data Protection Act 1998.
40. Committee meetings will be held in private but papers and minutes will be published on the website, in accordance with the Authority's FOI Publication Scheme. Those papers subject to protective marking will need to undergo a public interest test, unless they meet the criteria for an absolute exemption under the FOIA 2000 in which case they will not be released.

Protected Information

41. The status of a report or agenda item shall be clearly identified according to the Government Protective Marking Scheme at the time that the report is submitted to the Authority Executive for despatch.

Protected information may include:

- a) information relating to action taken or to be taken in connection with the prevention, investigation or prosecution of crime or which would be significant value to those individuals targeted by the Force in that, amongst other things, it would tend to provide information about the methods or capacity of the Force beyond such information which is properly in the public domain;
- b) information which has national security implications;
- c) information containing personal details of identifiable individuals;
- d) information of a commercially sensitive nature relating to financial contracts;
- e) information which, by statute or court order, may not be published;
- f) information relating to any consultation or negotiations, or contemplated consultations or negotiations, in connection with any matter of staff relations, terms of employment, or conditions of services arising between the Authority and/or the Chief Constable and any employee of the Authority; and
- g) information which a claim to legal professional privilege could be maintained in legal proceedings.
- h) any other categories of information which the Chair and the Chief Executive consider would be in the interests of the Force to keep confidential.

42. In resolving to exclude material from publication in accordance with these standing orders, the Authority shall specify and publicly minute the reasons for its decision by listing the type of confidential information as outlined in SO 39 above.

Disagreements on the status of protected documents

43. The Authority may decide that it wishes to deal with a report in public session, or to make it available to the public. However, it shall not do so without giving the author an opportunity to address the Authority in private session to explain why they consider that the information should retain a protective marking.

Questions from the Public at Authority Meetings

44. Members of the public may ask questions of the Authority, which are relevant to its business, functions or responsibilities. The Chief Executive must receive the question not less than ten working days before the meeting of the Authority.

45. A person may ask no more than two questions in a rolling 12 month period.

46. The Chief Executive will have the discretion to refuse a question in consultation with the Chair or, in their absence the Deputy Chair. If a question is refused the Chief Executive shall write and outline the reason(s) for this decision. The letters shall be copied to all Authority Members before the meeting. The reasons why a question may be refused may include the following (although it should be noted that this is not an exhaustive list):

- a) The question cannot be answered satisfactorily without the disclosure of exempt information (as defined in the Access to Information or Freedom of Information legislation)
- b) The question has already been answered by another means and contains no issues of wider public interest that require a public answer
- c) The question contains a number of different questions, in which case the Chief Executive will ask for an amended question to be submitted (the amended question is still subject to the listed exemptions and must still be submitted at least ten working days before the meeting for an answer to be provided, if submitted after this timeframe it may not be answered until the next meeting of the Authority)
- d) The question is similar to, or on a similar theme to, a question asked by someone else in the preceding three months.

47. Questions shall be included on the agenda for the meeting. The Chief Executive will respond to any questions either orally or in writing on behalf of the Authority. Following the response the person who asked the question may speak for a maximum of three minutes. If any clarification is sought regarding the answer this will be given to the person within ten working days of clarification being sought.

48. To ensure that the business of the Authority is not disrupted a maximum of 20 minutes will be allowed for public questions and answers.

Variations to Standing Orders

Suspension of Standing Orders

49. A resolution may be passed to suspend Standing Orders in specific instances where it is deemed to be in the interest of the Authority. The resolution must be agreed by a majority vote.

Amending and revoking Standing Orders

50. Any changes to these Standing Orders may be agreed at the Annual Meeting, or at any ordinary meeting of the Authority.

Interpretation of Standing Orders

51. The ruling of the Chair as to the interpretation or application of these Standing Orders shall be final.

ANNEX 6: Principles for Engagement

1. Scope & Purpose

1.1 This document is in place to recognise the breadth of services and information sharing the Authority and BTP rely on each other for in fulfilling their respective duties and responsibilities. The purpose of this document is to formally set out a framework for engaging with one another in this context, and in doing so, the importance of reflecting principles of trust, openness and transparency.

1.2 In order for both BTP and the Authority to serve as an enabler for both organisations in their respective duties it is critical that the two act in partnership, recognising the Authority requires sufficient independence to be an effective oversight body and that the Chief Constable has operational independence.

1.3 The Authority will regularly ask BTP for data and information, required to enable the Authority to fulfil its statutory duties as an oversight body, and often to provide information to wider Government or appropriate third parties e.g. actuary. The Authority relies on BTP to engage with these in an open, transparent and timely manner.

1.4 Many of these requirements are known and the Authority will engage with BTP with sufficient notice when responding to these. Where the Authority receives requests for information with little notice, often due to their nature, the Authority asks that BTP prioritises providing the data required as appropriate to support the Authority respond effectively and on time.

1.5 BTP provide a number of corporate and transactional services on behalf of the Authority, such as invoicing and provision of IT equipment and support. For the purpose of these services, the Authority will be regarded as a business unit alongside wider BTP business units and therefore subject to the same service levels and processes, except where there is an agreed reason for why these do not apply. Where needed, BTPA should attend training from BTP to ensure a consistent approach. The assumptions underpinning the engagement regarding these corporate services is outlined below.

2. Corporate Services

2.1 In practice, when providing corporate services to the Authority, BTP will by default apply the same policy for a given activity as those that apply to other business units within the Force itself. These services are outlined below, with a link to the applicable policy. There will be some instances where the Authority is subject to a slightly different process or carries an exemption in some part and where known, these are outlined below.

2.2 Services and link to the policy portal are set out below:

- [Finance](#)
- [Payroll](#)
- [Recruitment](#)
- [Health and Safety](#)
- [Technology](#)
- [Commercial](#)
- [Contract Management](#)
- [Estates](#)
- [Communications](#)
- [Legal & regulatory](#)

2.3 Exceptions to these policies that exist for the Authority are set out below:

- Recruitment – including where BTPA have a statutory duty
- Finance – approval of BTPA budget and forecasting by the Authority
- Communications – BTPA website and communications

3. Information requirements

3.1 BTP and the Authority will also work collaboratively to share information. There is a range of supporting material that codifies how BTP and BTPA will work together to in a number of specific areas, and in particular financial management. These documents are both internal and external facing and include the following:

- Individual Service Level Agreements (SLAs) between BTP and the Authority for those activities for which there is a case for and that benefit from having one (for example PSA Charging Model and PSD)
- BTPA Chief Executive and BTP Chief Constable delegation letters, setting out the role and responsibilities as Accounting Officer and Additional Accounting Officer respectively and approvals required from DfT, Cabinet Office and HM Treasury
- The Code of Governance including Annex 4: Financial Management of the Code of Governance, setting out financial regulations and responsibilities in more detail
- Other external guidance and material, including but not limited to HM Treasury's Managing Public Money, the Financial Reporting Manual (FReM) and Cabinet Office Controls.

3.2 Appendices A and B contain the Accounting Officer Memorandum and Additional Accounting Officer Memorandum respectively.

Appendix A

THE BRITISH TRANSPORT POLICE AUTHORITY ACCOUNTING OFFICER MEMORANDUM Issued to the Chief Executive by the Accounting Officer of the Department for Transport

Background

1. The British Transport Police Authority (the Authority) is responsible for setting the budget and raising income under the terms of Police Services Agreements, both for itself and for the British Transport Police (the Force). It is also responsible for its own administration and expenditure. The Force has a large degree of autonomy in the spending of the budget given to it by the Authority, and full independence in policing matters, but it is the role of the Authority to exercise appropriate oversight of the Force, particularly in matters of financial and corporate governance and senior appointments.
2. The Force may by agreement, for reasons of economy and efficiency, provide financial and other services to the Authority. In doing so, it acts as the agent of the Authority but remains responsible for the manner in which it discharges the functions.
3. You have been appointed as the Accounting Officer of the Authority. It is agreed that you will appoint the Chief Constable of the Force as an Additional Accounting Officer.
4. Your responsibilities as the Accounting Officer for the Authority cover:
 - a) servicing and advising the Members of the Authority and implementing their decisions;
 - b) setting a capital programme and revenue budget to cover the requirements of the Authority and the Force;
 - c) calculating and levying charges on holders of Police Services Agreements;
 - d) the management and expenditure of the Authority and the Force;
 - e) the Authority's oversight of the Force; and
 - f) all other requirements within this document.
5. The responsibilities which it would be appropriate for you to assign to the Chief Constable as Additional Accounting Officer are:
 - i. the management and expenditure of the Force;
 - ii. the quality and propriety of any services provided by the Force to the Authority;
 - iii. (in her/his role as Chief Constable) all operational matters relating to policing by the Force; and
 - iv. other requirements within this document as they affect the Force as set out in paragraphs 11, 12, 14, 15 and 17.
6. In appointing an Additional Accounting Officer, you as the principal Accounting Officer retain overall accountability for both the Authority and the Force. It is accepted, however, that the Additional Accounting Officer will have autonomy within her/his areas of responsibility and that you will only intervene if a major issue of propriety, regularity or prudent and economic administration makes it necessary for you to do so. In particular, you will not be accountable for the Chief Constable's decisions on matters of policing.
7. You and the Chief Constable have joint responsibility for the preparation of the Authority's accounts (which include those of the Force)

Main duties

8. As Accounting Officer of the Authority, you have the personal duty of signing the accounts.

By virtue of this duty, you also have the further duty of being a witness before the Committee of Public Accounts (PAC) to deal with questions relating to your responsibilities arising from those accounts or, more commonly, from reports made to Parliament by the Comptroller and Auditor General (C&AG) under the National Audit Act 1983. It is an important principle that, regardless of the source of the funding, you are responsible to Parliament for the resources under your control.

9. Associated with these duties are the further responsibilities that are the subject of the remainder of this letter. It is incumbent upon you to combine these duties with your duties to the Members of the Authority. More detailed guidance on this can be found in *Managing Public Money*.

Responsibilities of the Accounting Officer of the Department for Transport

10. It is the responsibility of the Accounting Officer of the Department for Transport (the Department) to be satisfied that:
 - i. the financial and other management controls applied by the Department are appropriate and sufficient to safeguard public funds and, more generally, that those being applied by the Authority conform with the requirements both of propriety and of good financial management;
 - ii. there is an adequate statement of the financial relationship between the Department and the Authority (in the Framework Document) and that this statement is regularly reviewed; and
 - iii. the conditions attached to grants and loans conform with the terms of the Vote and the Department monitors compliance with those conditions.

General responsibilities

11. Your designation as Accounting Officer reflects the fact that under the Members of the Authority you have responsibility, which only you are in a position to discharge, for the overall organisation, management and staffing of the Authority and the Force, and for their procedures in financial and other matters. You also have responsibility for advising and representing the Authority in its oversight of the Force's conduct in these areas.
12. As Accounting Officer you must ensure that there is a high standard of financial management in the Authority and the Force; that financial systems and procedures promote the efficient and economical conduct of business and safeguard financial propriety and regularity throughout the Authority and the Force; and that financial considerations are fully taken into account in decisions on Authority policy proposals.

Specific responsibilities

13. The essence of your role as Accounting Officer is a personal responsibility for the propriety and regularity of the public finances for which you are answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of all the resources in your charge. As Accounting Officer you must:
 - i. personally sign the accounts, and in doing so accept personal responsibility for their proper presentation as prescribed in legislation or by Ministers;
 - ii. conform with relevant requirements of the Framework Document) and ensure that accounts are drawn up in accordance with any conditions set out in legislation, the Accounts Direction and relevant Treasury guidance;
 - iii. ensure that proper financial procedures are followed and that accounting records are maintained in a form suited to the requirements of management as well as in the form

- prescribed for published accounts;
- iv. ensure that the resources for which you are responsible as Accounting Officer are properly and well managed (see paragraph 15 below) and safeguarded, with independent and effective checks of cash balances in the hands of any official;
 - v. ensure that assets for which you are responsible such as land, buildings or other property, including stores and equipment are controlled and safeguarded with similar care, and with checks as appropriate;
 - vi. ensure that conflicts of interest are avoided, whether in the proceedings of the Members of the Authority or in the actions or advice of its staff, including yourself, or those of the Force; and
 - vii. ensure that, in the consideration of policy proposals relating to the income and expenditure for which you are responsible as Accounting Officer, all relevant financial considerations, including any issues of propriety, regularity or value for money, are taken into account, and brought to the attention of the Members of the Authority.
14. As Accounting Officer you should ensure that effective management systems appropriate for the achievement of the Authority's objectives, including financial monitoring and control systems have been put in place. You should also ensure that managers at all levels:
- i. have a clear view of their objectives, and the means to assess and, wherever possible, measure outputs or performance in relation to those objectives;
 - ii. are assigned well defined responsibilities for making the best use of resources (both those consumed by their own commands and any made available to organisations and individuals outside the Authority or the Force), including a critical scrutiny of output and value for money; and
 - iii. have the information (particularly about costs), training and access to the expert advice which they need to exercise their responsibilities effectively.
15. You must make sure that your arrangements for delegation promotes good management and that they are supported by the necessary staff with an appropriate balance of skills. Arrangements for internal audit, to cover both the Authority and the Force, should accord with the objectives, standards and practices set out in the Treasury Government Internal Audit Manual.

Regularity and propriety of expenditure

16. To the extent that the Authority and the Force are spending funds Voted by Parliament, you have a particular responsibility as Accounting Officer for ensuring compliance with Parliamentary requirements in the control of expenditure, and with any requirements imposed by the Department. A fundamental requirement is that the Voted funds for which you are responsible should be applied only to the extent and for the purposes authorised by Parliament. You must also comply with any conditions which Ministers may apply to any grant, grant in aid or loan. You must ensure that Parliament's attention is drawn to losses and special payments by appropriate notation of the relevant account.
17. You are responsible for ensuring that specific arrangements are in place for the Additional Accounting Officer to obtain approval for expenditure has been obtained from the Department in all cases where it is required, including cases involving pay, pensions and conditions of service. This will include any expenditure not covered by any authorities delegated by the Department to the Authority. As in the case of delegations from the Treasury to departments, delegated authority does not remove the obligation to submit to the Department all proposals which are novel or contentious. You are also responsible for ensuring that adequate machinery exists for the collection and bringing to account in due form of all receipts of any kind connected with the accounts of the Authority.

Advice to the Members of the Authority

18. As Accounting Officer you have particular responsibility to see that appropriate advice is tendered to the Members of the Authority on all matters of financial propriety and regularity relating to the activities of the Authority, and more broadly as to all considerations of prudent and economical administration, efficiency and effectiveness. You will need to determine how and in what terms such advice should be tendered, and whether in a particular case to make specific reference to your own duty as Accounting Officer to justify to the PAC transactions for which you are accountable.

19. The Members of the Authority should act in accordance with the requirements of propriety and regularity (including the provisions of the Framework Document, or any rules in Managing Public Money or elsewhere governing the conduct of the Authority as a non-departmental public body). If the Members or the Chairman contemplate a course of action involving a transaction by the Authority which you as Accounting Officer consider would infringe these requirements, you should set out in writing your objection to the proposal, the reasons for this objection, and your duty to notify the C&AG should your advice be overruled. If the Members or Chairman decide nonetheless to proceed, you should seek a written instruction to take the action in question. You should also inform the Department's Accounting Officer of the position, if possible before the decision is taken or in any event before it is implemented, so that the Department, if it considers it appropriate, can intervene with the Authority and inform the Treasury. If the outcome is that you are overruled, the instruction must be complied with, but your request for the instruction and the instruction itself should be communicated without delay to the C&AG. Provided that this procedure has been followed, the PAC can be expected to recognise that you bear no personal responsibility for the transaction.

20. If a course of action is contemplated which raises an issue not of formal propriety or regularity but relating to your wider responsibilities for economy, efficiency and effectiveness, it is your duty to draw the relevant factors to the attention of the Members of the Authority and to advise them in whatever way you consider appropriate. If your advice is overruled, and the proposal is one which as Accounting Officer you would not feel able to defend to the PAC as representing value for money, you should seek a written instruction before proceeding. The Department's Accounting Officer should be informed of such an instruction, if possible before the decision is implemented. It will then be for the Departmental Accounting Officer to consider the matter, and decide whether or not to intervene. If the outcome is that the difference between yourself and the Members of the Authority nevertheless remains unresolved, the Treasury should be informed and your request for the instruction and the instruction itself should be communicated to the C&AG without undue delay, as in cases of propriety or regularity (see paragraph 19 above).

21. If, because of the extreme urgency of the situation, there is no time to submit advice in writing to the Members of the Authority in either of the eventualities referred to in paragraphs 19 and 20 above before a decision is taken, you must ensure that, if the Members of the Authority overrule the advice, both the advice and the members' instructions are recorded in writing immediately afterwards.

Appearance before the PAC

22. The C&AG may, under the National Audit Act 1983, carry out examinations into the economy, efficiency and effectiveness with which the Authority has used its resources in discharging its functions. As Accounting Officer you may expect to be called upon to appear before the PAC from time to time, normally with the Department's Accounting Officer and if appropriate the Additional Accounting Officer, to give evidence on the reports arising

from those examinations or reports following the annual certification audit, and to answer the PAC's questions concerning expenditure and receipts for which you are the Accounting Officer. You may be supported by one or two other senior officials who may, if necessary, assist in giving evidence.

23. Treasury officials attend PAC hearings, and may be asked to comment on the evidence. The Treasury has the formal responsibility for presenting Estimates to Parliament, for prescribing the form of accounts and the rules set out in *Managing Public Money*, and for promoting good financial management in departments and other public bodies. This goes with the Treasury's central responsibility for the operation of public expenditure control. Parliament has traditionally regarded the Treasury as an ally in controlling expenditure.
24. You will be expected to furnish the PAC with explanations of any indications of weakness in the matters covered under the sub-headings "Specific responsibilities" and "Regularity and propriety of expenditure" above to which their attention has been drawn by the C&AG or about which they may wish to question you as Accounting Officer.
25. In practice, you will normally have delegated authority to others, but you cannot on that account disclaim responsibility or accountability. Nor, by convention, would you decline to answer questions where the events took place before you took up appointment: the PAC may be expected not to press your personal responsibility in such circumstances.
26. The PAC has emphasised the importance it attaches to accuracy of evidence, and the responsibility of witnesses to ensure this, in order to ensure that relevant lines of enquiry may be pursued at its hearings. You should therefore ensure that you are adequately and accurately briefed on matters which are likely to arise at the hearing. You may, however, ask the PAC for leave to supply information not within your immediate knowledge by means of a later note. Should it be discovered subsequently that the evidence provided to the PAC has contained errors; these should be made known to the committee at the earliest possible moment.
27. In general, the rules and conventions governing appearances of officials before Parliamentary committees apply to the PAC, including the general convention that officials do not disclose the advice given to the Members of the Authority. Nevertheless, in a case where you used the procedures (described in paragraph 19 above) concerning a matter of propriety or regularity, your advice, and it's overruling by the Members of the Authority, would be disclosed to the PAC. In a case where your advice had been overruled in a matter not of propriety or regularity but of prudent and economical administration, efficiency or effectiveness (paragraph 20 above), the C&AG will have made clear in the report to the PAC that you were overruled. You should seek to avoid disclosing the advice given to the Members of the Authority, though, subject to their agreement, you should be ready to explain the reasons for their decision.

Absence of an Accounting Officer

28. As Accounting Officer, you should ensure that you are generally available for consultation and that in any temporary period of unavailability due to illness or other cause, or during the normal period of annual leave, there will be a senior official in the Authority who can act on your behalf if required.
29. If it becomes clear to the Members of the Authority that you are so incapacitated that you will be unable to discharge your Accounting Officer responsibilities over a period of four weeks or more, the Department should be notified so that an acting Accounting Officer can be formally designated, pending your return. The same applies if exceptionally you plan an

absence of more than four weeks during which you cannot be contacted.

30. The PAC may be expected to postpone a hearing if the relevant Accounting Officer is temporarily indisposed.
31. Where you are unable by reason of incapacity or absence to sign the accounts in time to submit them to Ministers, the Authority may submit unsigned copies pending your return. If you are unable to sign the accounts in time for printing, the acting Accounting Officer should sign instead.

Appendix B

THE BRITISH TRANSPORT POLICE ADDITIONAL ACCOUNTING OFFICER MEMORANDUM

Issued to the Chief Constable by the Accounting Officer of the British Transport Police Authority

Background

1. The British Transport Police Authority (the Authority) is responsible for setting the budget and raising the income under the terms of Police Services Agreements both for itself and for the British Transport Police (the Force). It is also responsible for its own administration and expenditure. The Force has a large degree of autonomy in the spending of the budget given to it by the Authority, and full independence in policing matters, but it is the role of the Authority to exercise appropriate oversight of the Force, particularly in matters of financial and corporate governance and senior appointments.
2. The Force may by agreement, for reasons of economy and efficiency, provide financial and other services to the Authority. In doing so, it acts as the agent of the Authority but remains responsible for the manner in which it discharges the functions.
3. I have been appointed as the Accounting Officer of the Authority. I am appointing you as an Additional Accounting Officer, to be accountable for the resources which come under your control as Chief Constable.
4. Your responsibilities as an Additional Accounting Officer cover:
 - i. advising the Members of the Authority and implementing their decisions in so far as they relate to the Force;
 - ii. the management and expenditure of the Force;
 - iii. the quality and propriety of any services provided by the Force to the Authority;
 - iv. in your role as Chief Constable, all operational matters relating to policing by the Force; and
 - v. other requirements within this document as they affect the Force.
5. My responsibilities as the Accounting Officer for the Authority cover:
 - i. servicing and advising the Members of the Authority and implementing their decisions in so far as they relate to the Authority;
 - ii. setting a capital programme and revenue budget to cover the requirements of the Authority and the Force;
 - iii. calculating and levying charges on holders of Police Services Agreements;
 - iv. the management and expenditure of the Authority;
 - v. the Authority's oversight of the Force;
 - vi. joint accountability with you for the matters listed in paragraph 4(i)-(iii) and (v) above; and
 - vii. all other requirements within this document.
6. In appointing you as an Additional Accounting Officer, I retain overall accountability for both the Authority and the Force. You will have autonomy within your areas of responsibility and I will only intervene if a major issue of propriety, regularity or prudent and economic administration makes it necessary for me to do so in order for me adequately to fulfil my own responsibilities as Accounting Officer. You have sole responsibility for your decisions on matters of policing.
7. We have joint responsibility for the preparation of the Authority's accounts (which include

those of the Force).

Main duties

8. As an Additional Accounting Officer, you may be called upon to be a witness before the Committee of Public Accounts (PAC) to deal with questions relating to your responsibilities arising from the accounts or, more commonly, from reports made to Parliament by the Comptroller and Auditor General (C&AG) under the National Audit Act 1983. It is an important principle that, regardless of the source of the funding, Accounting Officers are responsible to Parliament for the resources under their control.
9. Associated with these duties are the further responsibilities that are the subject of the remainder of this letter.

Responsibilities of the Accounting Officer of the Department for Transport

10. My responsibility as Accounting Officer derives from my appointment by the Accounting Officer of the Department for Transport (the Department). It is her/his responsibility to be satisfied that:
 - i. the financial and other management controls applied by the Department are appropriate and sufficient to safeguard public funds and, more generally, that those being applied by the Authority conform with the requirements both of propriety and of good financial management;
 - ii. there is an adequate statement of the financial relationship between the Department and the Authority (in the Framework Document), and that these statements are regularly reviewed; and
 - iii. the conditions attached to grants and loans conform with the terms of the Vote and the Department monitors compliance with those conditions

General responsibilities

11. Your designation as an Additional Accounting Officer reflects the fact that as Chief Constable, subject to oversight by the Authority, you have responsibility, which only you are in a position to discharge, for the overall organisation, management and staffing of the Force, and for its procedures in financial and other matters.
12. As Additional Accounting Officer you must ensure that there is a high standard of financial management in the Force; that financial systems and procedures promote the efficient and economical conduct of business and safeguard financial propriety and regularity throughout the Force; and that Members of the Authority are made aware of financial considerations relating to the Force which are relevant to their decisions on policy proposals.

Specific responsibilities

13. The essence of your role as Additional Accounting Officer is a personal responsibility for the propriety and regularity of the public finances for which you are answerable; for the keeping of proper accounts; for prudent and economical administration; for the avoidance of waste and extravagance; and for the efficient and effective use of all the resources in your charge.
14. As Additional Accounting Officer you must, jointly with me as Accounting Officer of the Authority:
 - i. conform with relevant requirements of the Framework Document and ensure that

- accounts are drawn up in accordance with any conditions set out in legislation, the Accounts Direction and relevant Treasury guidance; and
- ii. ensure that proper financial procedures are followed and that accounting records are maintained in a form suited to the requirements of management as well as in the form prescribed for published accounts.
15. In addition, you must individually:
- i. ensure that the resources for which you are responsible as Additional Accounting Officer are properly and well managed (see paragraph 16 below) and safeguarded, with independent and effective checks of cash balances in the hands of any official;
 - ii. ensure that assets for which you are responsible such as land, buildings or other property, including stores and equipment are controlled and safeguarded with similar care, and with checks as appropriate;
 - iii. ensure that conflicts of interest are avoided in the actions or advice of the officers and staff of the Force, including yourself; and
 - iv. ensure that, in the consideration of policy proposals relating to the income and expenditure for which you are responsible as Additional Accounting Officer, all relevant financial considerations, including any issues of propriety, regularity or value for money, are taken into account, and brought to the attention of the Members of the Authority.
16. As Additional Accounting Officer you should ensure that effective management systems appropriate for the achievement of the Force's objectives, including financial monitoring and control systems have been put in place. You should also ensure that managers at all levels:
- i. have a clear view of their objectives, and the means to assess and, wherever possible, measure outputs or performance in relation to those objectives;
 - ii. are assigned well defined responsibilities for making the best use of resources (both those consumed by their own commands and any made available to organisations and individuals outside the Force), including a critical scrutiny of output and value for money; and
 - iii. have the information (particularly about costs), training and access to the expert advice which they need to exercise their responsibilities effectively.
17. You must make sure that your arrangements for delegation promote good management and that they are supported by the necessary staff with an appropriate balance of skills.

Regularity and propriety of expenditure

18. To the extent that the Force is spending funds Voted by Parliament, you have a particular responsibility as Additional Accounting Officer for ensuring compliance with Parliamentary requirements in the control of expenditure, and with any requirements imposed by the Department. A fundamental requirement is that the Voted funds for which you are responsible should be applied only to the extent and for the purposes authorised by Parliament. You must also comply with any conditions which Ministers may apply to any grant, grant in aid or loan. You must ensure that Parliament's attention is drawn to losses and special payments by appropriate notation of the relevant account.
19. You are responsible for ensuring that specific approval for expenditure by the Force has been obtained from the Authority or the Department as the case may be in all cases where it is required, including cases involving pay, pensions and conditions of service. This will

include any expenditure not covered by any authorities delegated by the Authority to the Force. As in the case of delegations from the Treasury to departments, delegated authority does not remove the obligation to submit to the Department all proposals which are novel or contentious. You are also responsible for ensuring that adequate machinery exists for the collection and bringing to account in due form of all receipts of any kind connected with the accounts of the Force.

Advice to the Members of the Authority

20. As Additional Accounting Officer you have particular responsibility to see that appropriate advice is tendered to the Members of the Authority on all matters of financial propriety and regularity relating to the activities of the Force, and more broadly as to all considerations of prudent and economical administration, efficiency and effectiveness. You will need to determine how and in what terms such advice should be tendered, and whether in a particular case to make specific reference to your own duty as Additional Accounting Officer to justify to the PAC transactions for which you are accountable.
21. The Members of the Authority should act in accordance with the requirements of propriety and regularity (including the provisions of the Framework Document , or any rules in Managing Public Money or elsewhere governing the conduct of the Authority as a non-departmental public body). If the Members or the Chairman contemplate a course of action involving a transaction by the Force which you as Additional Accounting Officer consider would infringe these requirements, you should inform me in order that I can consider your objection. Should I concur I will set out in writing our objection to the proposal, the reasons for this objection, and our duty to notify the C&AG should our advice be overruled. Should I not concur I will set out my advice to your objection, my reasons and your duty to notify C&AG should your advice be overruled by the Authority. If the Members or Chairman decide nonetheless to proceed, you should seek a written instruction to take the action in question. You should also inform me of the position, if possible before the decision is taken or in any event before it is implemented, so that, if I consider it appropriate, I can intervene with the Authority and inform the Department's Accounting Officer and, through him, the Treasury. If the outcome is that you are overruled, the instruction must be complied with, but your request for the instruction and the instruction itself will be communicated without delay to the C&AG. Provided that this procedure has been followed, the PAC can be expected to recognise that you bear no personal responsibility for the transaction.
22. If a course of action is contemplated which raises an issue not of formal propriety or regularity but relating to your wider responsibilities for economy, efficiency and effectiveness, it is your duty to draw the relevant factors to the attention of the Members of the Authority and to advise them in whatever way you consider appropriate. If your advice is overruled, and the proposal is one which as Additional Accounting Officer you would not feel able to defend to the PAC as representing value for money, you should, through me, seek a written instruction before proceeding. You should inform me on receipt of such an instruction, if possible before the decision is implemented. It will then be for me to consider the matter, and decide whether or not to concur and advise the authority accordingly. If the outcome is that the difference between yourself and the Members of the Authority nevertheless remains unresolved, I will inform the Department's Accounting Officer and, through him, the Treasury and I will communicate the request for the instruction and the instruction itself to the C&AG without undue delay, as in cases of propriety or regularity (see paragraph 21 above).
23. If, because of the extreme urgency of the situation, there is no time to submit advice in

writing to the Members of the Authority in either of the eventualities referred to in paragraphs 21 and 22 above before a decision is taken, we must both ensure that, if the Members of the Authority overrule the advice, both the advice and the members' instructions are recorded in writing immediately afterwards.

Appearance before the PAC

24. The C&AG may, under the National Audit Act 1983, carry out examinations into the economy, efficiency and effectiveness with which the Authority has used its resources in discharging its functions, and such examinations may on occasion extend to the activities of the Force. As Additional Accounting Officer you may expect to be called upon to appear before the PAC from time to time, normally with the Department's Accounting Officer and with me as Accounting Officer of the Authority, to give evidence on the reports arising from those examinations or reports following the annual certification audit, and to answer the PAC's questions concerning expenditure and receipts for which you are the Additional Accounting Officer. You may be supported by one or two other senior officers or members of staff who may, if necessary, assist in giving evidence.
25. Treasury officials attend PAC hearings, and may be asked to comment on the evidence. The Treasury has the formal responsibility for presenting Estimates to Parliament, for prescribing the form of accounts and the rules set out in *Managing Public Money*, and for promoting good financial management in departments and other public bodies. This goes with the Treasury's central responsibility for the operation of public expenditure control. Parliament has traditionally regarded the Treasury as an ally in controlling expenditure.
26. You will be expected to furnish the PAC with explanations of any indications of weakness in the matters covered under the sub-headings "Specific responsibilities" and "Regularity and propriety of expenditure" above to which their attention has been drawn by the C&AG or about which they may wish to question you as Additional Accounting Officer.
27. In practice, you will normally have delegated authority to others, but you cannot on that account disclaim responsibility or accountability. Nor, by convention, would you decline to answer questions where the events took place before you took up appointment: the PAC may be expected not to press your personal responsibility in such circumstances.
28. The PAC has emphasised the importance it attaches to accuracy of evidence, and the responsibility of witnesses to ensure this, in order to ensure that relevant lines of enquiry may be pursued at its hearings. You should therefore ensure that you are adequately and accurately briefed on matters which are likely to arise at the hearing. You may, however, ask the PAC for leave to supply information not within your immediate knowledge by means of a later note. Should it be discovered subsequently that the evidence provided to the PAC has contained errors; these should be made known to the committee at the earliest possible moment.
29. In general, the rules and conventions governing appearances of officials before Parliamentary committees apply to the PAC, including the general convention that officials do not disclose the advice given to the Members of the Authority. Nevertheless, in a case where you used the procedures (described in paragraph 21 above) concerning a matter of propriety or regularity, your advice, and its overruling by the Members of the Authority, would be disclosed to the PAC. In a case where your advice had been overruled in a matter not of propriety or regularity but of prudent and economical administration, efficiency or effectiveness (paragraph 22 above), the C&AG will have made clear in the report to the PAC that you were overruled. You should seek to avoid disclosing the advice given to the

Members of the Authority, though, subject to their agreement, you should be ready to explain the reasons for their decision.

Absence of an Accounting Officer

30. As Additional Accounting Officer, you should ensure that you are generally available for consultation and that in any temporary period of unavailability due to illness or other cause, or during the normal period of annual leave, there will be a senior officer or member of staff in the Force who can act on your behalf if required.
31. If it becomes clear to me that you are so incapacitated that you will be unable to discharge your Additional Accounting Officer responsibilities over a period of four weeks or more, I will formally designate an acting Additional Accounting Officer, pending your return. The same applies if exceptionally you plan an absence of more than four weeks during which you cannot be contacted.
32. The PAC may be expected to postpone a hearing if the relevant Additional Accounting Officer is temporarily indisposed.

Annex 7: Scheme of Delegations

1. BTPA's Scheme of Delegation

1.1 The table below sets out the financial and procurement approval authority held by the Authority's Chair and Chief Executive with respect to BTPA spend. It provides guidance for and BTP as to the extent of approval required depending on the nature of spend and should be used to identify and proactively engage with the respective approver on a given item of spend.

1.2 [HM Treasury Managing Public Money](#) / DfT / [Cabinet Office approval requirements](#) / [Cabinet Office Contracts Finder](#) should be read in conjunction with this table. The definitions, characteristics of spend covered and requirements differ. BTPA must comply with all.

2. BTP's Scheme of Delegation

2.1 The table below sets out the financial and procurement approval authority held by the Authority's Chair, Chief Executive and Chief Constable with respect to BTPA expenditure. It provides guidance for and BTP and BTPA as to the extent of approval required depending on the nature of spend. It should be used to check and identify the approval requirements for each of the following items, in order to plan for the process involved and proactively engage with the Authority on items that exceed the delegation of the Chief Constable. In addition, where spend carries a high impact / risk or public interest, for example novel approaches that change delivery models, the Chief Constable should consult with the Authority's Chair and Chief Executive even if limits are not reached.

2.2 [HM Treasury Managing Public Money](#) / DfT / [Cabinet Office approval requirements](#) / [Cabinet Office Contracts Finder](#) should be read in conjunction with this table. The definitions, characteristics of spend covered and requirements differ. BTP and BTPA must comply with all.

3. DfT Specific Requirements for both Financial and Procurement Authority

3.1 The table below outlines thresholds and characteristics that define whether BTP and BTPA are required to seek approval from DfT and / or Cabinet Office, in addition to BTP or BTPA approvals outlined in their respective Scheme of Delegations. It provides guidance for BTP and BTPA as to when DfT or Cabinet Office will need to be engaged and it should be used in order to plan for the process involved and likely timescales required in doing so.

ANNEX 7: Scheme of Financial Delegations

All delegated amounts are inclusive of VAT, where applicable.

BTPA's Scheme of Delegation

Approved By	Authority	Chief Exec	Notes
Capital Projects *			<p>* All Project Business Cases must be whole life costs</p> <p>** Funding must be available before a Project is authorised to increase its authority level. Virement limits are cumulative for each project (e.g. if a project has a number of increases to costs it is the total of those increases)</p>
All Projects Business Cases must be whole life costs			
Final Approval for Projects in the Capital programme (which is within the agreed Capital DEL and in the MTFP including cyclical capital spend)	Over £50k	Up to £50k	
Projects exceeding Capital budget will need to gain approval by the original authorising body except where this breaches their level of authority and does not exceed the Capital budget. **	Over £50k	Up to £50k	
Revenue Expenditure			
Revenue spend in the approved Revenue budget			
Emergency spend or Virement (defined as where funds will be used for a different purpose than originally budgeted) but still within overall approved Budget spend (Budget transfer defined as funds used for same purpose but moved to another cost centre)	Over £50k	Up to £50k	
Pay Awards			
Implementation of pay awards for police officers and staff and chief officers in excess of the approved budgeted amount.	Over £25k	Up to £25k	

Approved By	Authority	Chief Exec	Notes
Banking Arrangements			
Invest cash in accordance with an Authority approved policy (except interest on bank balances)	Over £1m	Up to £1m	* Because of tighter restrictions now in place from Cabinet Office/DfT all Redundancy payments must gain Cabinet Office agreement BEFORE any redundancy is offered to staff and must be approved by DfT and submitted through the Chief Executive. Sign off by the Chief Executive/Chief Constable, or persons to whom they have delegated authority, is required prior to submission to Cabinet Office or DfT. # Because of tighter restrictions now in place from DfT all Ex-gratia payments must now be approved by DfT (who will liaise with HM Treasury as appropriate). An ex-gratia payment is a payment made in circumstances where there is no legal obligation to make such a payment. An example of an ex gratia payment would be where a police officer were recompensed for damage done to personal property in the execution of her/his duty or to a member of the public for providing assistance to a police officer in the execution of her/his duty. ** Write offs can be for one off items but must be aggregated if a number are to be written off together. Do not avoid higher authorisation by doing numerous one off write offs.
Individual Redundancy Payments*			
Within approved scheme (chief officers)	All	N/A	
Within approved scheme	Over £50k	Up to £50k	
Outside approved scheme	All	N/A	
Ex-gratia payments #			
Ex-gratia payments to staff or former members of staff only (subject to DfT approval)	All	N/A	
Ex-gratia payments and special payments to third parties	All	N/A	
Contracts for sale of redundant fixed assets			
Acceptance of highest bid after competitive tender	Over £5k	Up to £5k	
Write-offs **			
Tangible & Non Tangible Assets with a book value	Over £5k	Up to £5k	
PSA accounts	Over £50k	Up to £50k	
EPSA accounts	Over £50k	N/A	
Debtor and creditor accounts	Over £5k	Up to £5k	
Payroll & Pensions Accounts	Over £50k	Up to £50k	

Approved By	Authority	Chief Exec	Notes
Procurement Authority * # (All limits are for total Contract Value) All limits are subject to an exception where any contract, regardless of its value, is felt to be of a novel, contentious or repercussive nature as per Managing Public Money			Where the value of a contract is required to increase in value by more than 15%, approval
Acceptance of lowest tender and signing of contracts after competitive tender for revenue and capital contracts	Over £100k	Up to £100k	needs to be sought from the original authorising body except where the new contract value breaches their level of authority then it will go to the next level of approval. It is also important that any changes must be in accordance with the relevant contract clause and the resulting new purchase order cross references the original order.
Acceptance of a bid and signing of contracts after competitive tender for any contract other than the lowest for revenue and capital contracts	Over £50k	Up to £50k	
Acceptance of a bid and signing of contracts for a revenue or capital project contract without competitive tendering	Over £50k	Up to £50k	
Signing of contracts	Over £500k	Up to £500k	

* Contracts including Framework Agreements
Authorisation of Procurement Contracts and Purchases for goods and services after expenditure has been included in the revenue budget or capital programme (subject to E.U. procurement legislation and thresholds)

BTP's Scheme of Delegation

Approved By	Authority	Chief Exec	Chief Constable	Notes
Capital Projects *				* All Project Business Cases must be whole life costs.
Final Approval for Projects in the Capital programme (which is within the agreed Capital DEL and in the MTFP including cyclical capital spend)**	Over £1m	Up to £1m	Up to £500k	The term final approval relates to where the final approval lies after other approvals e.g. a project will go through Force Governance before coming to the Chief Exec or Authority for final approval if the threshold is reached. The Final Approval for projects does not relate to business case stages (e.g. FBC) and it is expected SOC, OBC and FBC come to the relevant place for approval as per the thresholds. Any approval for capital must be affordable and within agreed capital budgets and within DfT capital limit. Any capital project that would breach the DfT capital budget limit must be reported to the Chief Executive who will decide on the approval. This includes the use of reserves where there is no budget delegation.
Projects exceeding the original capital project budget will need to gain approval by the original authorising body for the increase where the total whole life costs (original plus increase in costs) is within the delegation approval. Where any increase would result in the revised whole life costs breaching their level of authority, capital project must then go to the appropriate approval authority. In addition, where the increase is greater than 25% this should be brought to the attention of the Chief Executive who will make the decision as to who needs to approve.	All Projects where expenditure was or is increased above £1m	Up to £1m	Up to £500k	At any time the Chief Constable or Chief Executive may ask the Authority to act as the approval body where they feel greater scrutiny would be beneficial. This delegation limit does not preclude any capital project, regardless of amount, being reviewed by Strategy and Planning Committee as part of its post implementation review remit.
Revenue Expenditure*** Total Revenue spend in the approved Revenue budget				*** Funding must be available for an increase in the amount approved for a project to be authorised.

Emergency spend or Virement (defined as where funds will be used for a different purpose than originally budgeted) but still within overall approved Budget spend this does not include Budget Transfers defined as funds used for same purpose but moved in budget terms and reported 4 weekly	Over £250k	Up to £250k	Up to £125k	Virement limits are cumulative for each project (e.g. if a project has a number of increases to its costs it is the total of those increases). In addition to the delegated virements thresholds a virement is only authorised if its satisfies the following conditions: the revenue budget and capital budget net totals are not increased; the future commitments falling to the Authority are not increased by more than £100k; the transfer does not result in a significant change of policy; the Authority Finance Director has been consulted and gives approval. # Any above agreed wage award payments must be approved by the Authority
Pay Awards #				
Implementation of pay awards for police officers and staff and ACPO officers in excess of the approved budgeted level.	Over £250k	Up to £250k	Up to £125k	

Approved By	Authority	Chief Exec	Chief Constable	Notes
Banking Arrangements				<p>* Because of tighter restrictions now in place from Cabinet Office/DfT all Redundancy payments must gain Cabinet Office agreement BEFORE any redundancy is offered to staff and must be approved by DfT and submitted through the Chief Executive. Sign off by the appropriate BTP/Authority authoriser prior to Cabinet Office or DfT approval.</p> <p>** In accordance with the DfT Delegation letter ALL special payments to staff require HMT approval.</p> <p>*** Consolatory Payments (ex gratia payments) to individuals in respect of incidents which do not involve financial loss. e.g. stress, inconvenience, embarrassment etc. They are a form of special payment, as defined by Managing Public Money (annex 4.13 – Special Payments). Due to the size of the amounts involved, Treasury approval is not required for any payment up to £500, which is not novel, contentious or repercussive, and which is within the delegated authority limit for ex-gratia payments. Given that there is no measure of financial loss in assessing consolatory payments, any such payment over £500 is liable to be novel and contentious by its nature and as such would require Treasury approval in most cases, even if the level of payment is within the delegated authority limit for ex gratia payments for the department or agency concerned.</p>
Invest cash in accordance with an Authority approved policy (except interest on bank balances)	Over £1m	Up to £1m	Up to 500k	
Individual Redundancy Payments*				
Within approved scheme (ACPO)	Over £100k	Up to 100k	N/A	
Within approved scheme	Over £100k	Up to £100k	Up to £50k	
Outside approved scheme	Over £100k	Up to 100k	N/A	
Special severance payments to staff **	All	N/A	N/A	
Ex-gratia payments *				
Ex-gratia payments – Consolatory payments to individuals in respect of incidents which do not involve financial loss ***	Up to £500	Up to £250	Up to £50	
Ex-gratia payments to staff or former members of staff only not covered by the above delegation (subject to DfT and HMT approval)	All	N/A	N/A	
Ex-gratia payments and special payments to third parties	All	N/A	N/A	
Special Payments - Compensation payments are made to provide redress for personal injuries, traffic accidents, damage to property etc. suffered by employees, customers or others	Over £50k	Up to £50k	Up to £10k	
Contracts for sale of redundant fixed assets				
Acceptance of highest bid after competitive tender	Over £250k	Up to 250k	Up to 100k	

Approved By	Authority	Chief Exec	Chief Constable	Notes
Write-offs				<p>Write offs can be for one off items but must be aggregated if a number are to be written off together. Do not avoid higher authorisation by doing numerous one off write offs.</p>
Tangible & Non Tangible Assets with a book value	Over £50k	Up to £50k	Up to £5k	
Debtor and creditor Accounts (including EPSAs)	Over £50k	Up to £50k	Up to £5k	

Payroll & Pensions Accounts	Over £50k	Up to £50k	Up to £5k	<p>Because of tighter restrictions now in place from DfT all Ex-gratia payments must now be approved by DfT. Where a contract needs to be increased in value by more than 15%, approval is to be sought from the original authorising body, except where the new contract value breaches their level of authority, then it will go to the next level of approval. It is also important that any changes must be in accordance with the relevant contract clause and the resulting new purchase order cross references the original order.</p> <p>* Contracts including Framework Agreements</p> <p># Authorisation of Procurement Contracts and Purchases for goods and services after expenditure has been included in the revenue budget or capital programme (subject to E.U. procurement legislation and thresholds)</p>
Procurement Authority * (All limits are for total contract Value) All limits are subject to an exception where any contract, regardless of its value, is felt to be of a novel, contentious or repercussive nature as per Managing Public Money				
Acceptance of lowest tender and signing of contracts after competitive tender for revenue and capital contracts	Over £2m	Up to £2m	Up to £1m	
Acceptance of a bid and signing of contracts after competitive tender for any contract other than the lowest for revenue and capital contracts	Over £1m	Up to £1m	Up to 500k	
Acceptance of a bid and signing of contracts for a revenue or capital project contract without competitive tendering	Over £250k	Up to 250k	Up to 100k	

Finance & Procurement DfT Specific Requirements

DfT Specific Requirements for both Financial & Procurement Authority		
		DfT & Cabinet Office (see link for all thresholds)
Advertising & Marketing (including research)	Up To £10k	DfT above £10k Cabinet Office above £100k (or as updated)
Consultancy expenditure (see definition of Consultancy and note especially prior to any continuous improvement 6Sigma etc consultancy this must be notified to the cabinet office first)	Up to £20k or contract not longer than 9 months or extended less than 3 times.	Over £20k or where the contracts are expected to last longer than 9 months or existing contracts extended taking their total life over 9 months or extended more than 3 times See link for Cabinet Office
Non-operational Property costs (including lease changes, sale & new leases).	Up to £100k	Operational premises exemption will be sought on a case by case basis Non-operational property e.g. FHQ and PSD York require DfT approval over £100k
	DfT /Cabinet Office Authority	
ICT	Over £5m or Over £1m (per system for supporting administration functions)	DfT / Cabinet Office DfT
Recruitment	All recruitment above agreed budgeted establishment. All temporary Contingent labour recruitment	DfT
Procurement of learning, development or training		This is included in the DfT Letter of Delegation, but because THE AUTHORITY is a non-crown NDPB it is not applicable. Confirm on email from Andy Nicholas on 29 June 2012.
Redundancy		Cabinet Office agreement must be secured BEFORE any redundancy is offered to staff.
Procurement		Central Government Departments, including their Arm's Length Bodies (ALBs), must commit volume spend and buy from centrally sourced contracts and approved frameworks for all common goods and service categories covered by central procurement strategies

DfT Specific Requirements for both Financial & Procurement Authority		
Operational excellence – Shared Services		Once the Shared Services strategic operating model and plan is published, Departments and ALBs will be asked to develop a strategy for future delivery of their back office services in line with the cross government model and agree this with their HMT spending teams and Cabinet Office Operational Excellence Team. Departments will also be asked to spend in a way that is consistent with this Shared Services strategies, across all levels of spend.
Moving Services online		Digital by Default approach to all public information and services sets out standards for digital delivery across Government. This will be assured through the new Government Digital Service (GDS), with the authority to agree, commission, and quality to assure all government digital services. This approach to be implemented alongside the Government's ICT strategy and transparency agenda.
Identity Assurance		DfT and its ALBs must agree their alignment plan to the Identity Assurance Strategy with Cabinet Office when developing any on-line or digitally based transactional service; to include the technical design, the service architecture and the standard and certifications requirements.
Major Projects		The Major Projects Authority (MPA) has been set up to oversee the direction of major projects i.e. project that require HMT approval, and projects within delegated limits that are of special interest to the government.
Strategic Supplier Management		Approval by the relevant Crown Representative (CR) is needed for certain proposed spend

ANNEX 8 Scottish Railways Policing Committee Terms of Reference

Definition

British Transport Police Authority	BTPA
British Transport Police	BTP
Police Service of Scotland	PSoS
Scottish Police Authority	SPA

Background

The British Transport Police Authority (BTPA) has been specified as a cross-border public authority in Section 46 of the Scotland Act 2016.

The Scottish Railways Policing Committee is established as a sub-committee of the BTPA under paragraph 12(b) of Schedule 4 of the Railways and Transport Safety Act 2003. The Committee will provide:

- accountability and transparency for railway policing in Scotland;
- oversight and scrutiny of the safe and effective management and delivery of railway policing in Scotland;
- an appropriate mechanism to assess and report to the BTPA in respect of value for money in relation to those elements of the BTPA Fund invested in railway policing in Scotland.

The Committee will operate in accordance with the Memorandum of Understanding agreed between the SPA and BTPA dated 27 June 2019 and as may be subsequently amended.

Purpose and Scope

The committee will provide oversight of the development of plans and policies, scrutinising policing performance against agreed plans and statutory requirements, and ensuring agreed improvements recommended by external inspections and reviews are implemented.

The Committee will provide assurance to the BTPA, SPA and Scottish Ministers on the delivery of railway policing in Scotland.

In performing its functions, the Committee will have regard to the UK-wide police priorities set and reviewed by the BTPA, and police priorities set and reviewed by Scottish Government.

These terms of reference have been agreed by the BTPA and SPA and are endorsed by UK and Scottish Ministers. A copy of these Terms of Reference has been laid before each House of Parliament and the Scottish Parliament.

Responsibilities

1. To keep under review the delivery in Scotland of the BTP Strategic Policing Plan, Police Service Agreements and other documentary agreements relating wholly or mainly to Scotland and report progress, including concerns and observations, to the BTPA Board.
2. To recommend to the BTPA Board the Scottish Railways Policing Plan (hereinafter referred to as the plan), ensuring due regard has been taken of policing priorities set by Scottish Government, strategic plan set by SPA and Police Scotland, Police Scotland's annual policing plan and that effective consultation has informed the development of the plan.
3. To scrutinise progress and performance against the plan and to recommend to the BTPA Board any improvement required.

4. To scrutinise BTP's public and stakeholder engagement work.
5. To consider the effectiveness of interoperability between BTP and Police Scotland and recommend any improvements to the BTPA Board and the SPA.
6. To make recommendations and provide oversight on performance standards of railway policing in Scotland taking cognisance of stakeholder engagement and make recommendations to the BTPA Board on any changes required.
7. To provide visibility and oversight of the funding as it applies to rail provider(s) operating in Scotland, with a view to achieving best value and to recommend any changes to the BTPA Board.
8. In carrying out its functions, to take into account relevant data and research available in relation to policing, including independent evidence and benchmarking information from across the UK and internationally.
9. To review recommendations from Government Internal Audit Agency, Her Majesty's Inspectorate of Constabulary in Scotland and other organisations with an inspection, audit, or evaluation remit in relation to railway policing in Scotland, and ensure that action is taken within agreed timescales, subject to BTPA approval.

Meetings

The Scottish Railways Policing Committee will meet quarterly. Meetings are to be scheduled to coincide with the BTPA annual planning cycle. Prior to the beginning of each calendar year, a provisional schedule of meetings will be approved by the BTPA Board and published on its website. Notice of meetings will be advertised on both the BTPA and the SPA websites. The Chair of the Committee may vary meetings, as deemed necessary. Meetings will usually be held in Scotland. Public meetings will be in venues that are accessible to all people.

All meetings of the Committee are open to be observed by members of the public and media, with the exception of meetings or parts of meetings where business is to be conducted in private. The circumstances in which meetings may be held in private include where:

1. information relating to identified or identifiable individuals (including members of staff) could be disclosed where there is no consent for disclosure and/or where there is a risk of harm to any individual from the disclosure;
2. public discussion of the information may prejudice any police operation or the prosecution of offenders;
3. disclosure of information could prejudice national security;
4. matters to be discussed are the subject of legal proceedings (including misconduct or disciplinary proceedings) or where information to be discussed consists of or includes legal advice provided to either Authority or to a third party;
5. an obligation of confidentiality exists in respect of the information to be discussed;
6. confidential, commercial or financial information not already in the public domain could be disclosed;
7. proposals for significant organisational change, significant changes to the terms and conditions of staff or other sensitive matters are being considered;
8. discussion in public would be likely to inhibit the free and frank provision of advice or the free and frank exchange of views for the purpose of deliberation;
9. other, exceptional, circumstances exist that would justify considering the matter in

private, such circumstances to be agreed by the Committee and included in the minute of the meeting.

Stakeholder engagement

The Committee will scrutinise BTP's public and stakeholder engagement work in Scotland.

The Committee welcomes engagement with the Rail Delivery Group, rail provider(s) in Scotland and with Transport Scotland informally and formally to understand their requirements.

The Committee welcomes engagement with academia to collaborate and develop railway policing in Scotland.

Reporting

A forward-looking work plan for the year will be produced by the Committee, describing objectives, actions and proposed outcomes. This will be agreed by the BTPA with consultation, as necessary, with the SPA.

The agenda for each Committee meeting will be circulated to members at least five days prior to the meeting and will be published on the BTPA and SPA websites, excluding matters to be taken in private as outlined above.

Any member of the Committee may ask for an item to be placed on the agenda of a meeting, this to be done at least 15 days in advance of the meeting. The Chair will consider the request, taking advice from the BTPA Chief Executive as appropriate. If the Chair decides not to include the item on the agenda, the member will be advised and the Committee informed during the Chair's opening remarks.

A draft rolling action log will be available no later than five calendar days after each meeting. Draft minutes will be available to the Committee Chair no later than 14 calendar days after the meeting. Once agreed with the Committee Chair, draft minutes will be circulated to all Board Members of BTPA and SPA noting that they are still subject to formal approval at the next Committee meeting.

A summary report will be provided by the secretariat to the Chief Executives of each Authority after each Committee meeting. This will be used as the basis of reporting to the BTPA and the SPA Boards.

Committee members and BTP representatives may be required to provide evidence to Scottish Parliament Committees.

Membership and Attendees

The Committee will comprise the Chair ("the Committee Chair") and no more than four other Board Members. The Chair will be the Scotland member for the BTPA or such other member of the BTPA as nominated by the Chair of the BTPA. The Chair of the BTPA will consult and obtain approval by Scottish Ministers prior to appointing the Committee Chair.

The Committee will include up to two co-opted members from the SPA and up to two members from the BTPA. The Chair of each Authority will be responsible for the nomination of Committee members, and Committee members will be agreed by respective Boards.

The quorum for the Committee will be three Members including the Chair and must include at least one member from the SPA and at least one member from the BTPA.

All members including the Chair will have voting rights. In the event of a split decision, the Chair

will have a casting vote.

Members of BTPA and SPA staff and BTP and Police Scotland representatives may be invited to attend Committee meetings. The Chairs of each Authority and Chief Executives have standing invitations to attend meetings. Any other Board Member may attend after consultation with the Committee Chair.

The Committee chair may invite representatives from external stakeholders or partner organisations for consideration of specific agenda items or subject areas.

Secretariat

The BTPA will provide secretariat support to the Committee. The Chief Executive of the BTPA will ensure that appropriate support, data and advice are provided to the Committee, and will consult as necessary with the Chief Executive of the SPA.

The Secretariat will be responsible for all arrangements associated with supporting meetings, other than venues for meetings which will be provided by the SPA.

Governance

The Committee, as a sub-Committee of the BTPA, will comply with the BTPA's Code of Governance in all relevant aspects.

Effectiveness and evaluation

The Committee will review progress against the work plan for the year.

The Committee will be open to external evaluation of its work and the extent to which accountability is enhanced for railway policing in Scotland, and against the design principles³⁸ and in accordance with BTPA's legislative framework.

Any changes to these terms of reference or to the operation of the Committee will be made only by mutual agreement between the BTPA and SPA.

The operation and effectiveness of the committee will be kept under the review. It is recognised that this is an administrative arrangement, and as such the committee will consider if further changes could enhance or support its role on an ongoing basis.

A Memorandum of Understanding will be agreed between the BTPA and the SPA to support the work and ethos of the Committee.

Dispute resolution and mediation

Where members are unable to reach agreement on an issue, the dispute will in the first instance be raised for discussion with the BTPA. The Chair of the BTPA will consult the Chair of the SPA as necessary. If required, mediation options will be explored by the BTPA. If disagreement between both Authorities persists, escalation of disputes can be made to relevant sponsor teams in Government and to Ministers.

³⁸ http://www.parliament.scot/S5_JusticeCommittee/Inquiries/20181213SGtoMM-BTP.pdf