**Office of the Police and Crime Commissioner for Hampshire**

**Decisions Policy**

**Document control**

**Policy Owner:**

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**Available on:**

| **Location** | **Hyperlink** |
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| Website: | Link to P C C’s website:  [Hampshire PCC - Decisions](https://www.hampshire-pcc.gov.uk/transparency/decisions) |
| Folders: | Link to Decisions folder within O P C C folders:  <https://forcesserip.sharepoint.com/:f:/r/sites/filehcopcc/Transparency/Decisions?csf=1&web=1&e=timTLi>  [PCC Decisions](file:///Z:/Office%20of%20the%20Police%20%26%20Crime%20Commissioner/PCC%20Decisions)  Link to Policy and Procedures folder within O P C C folders:  <https://forcesserip.sharepoint.com/:f:/r/sites/filehcopcc/Transparency/Decisions/Policy%20and%20Procedure/Decisions%20Policy?csf=1&web=1&e=bf1Jae> |

**Related documents:**

Scheme of Delegation; P C C Decisions - Process guide

**Quality Reviewer(s):**

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| 7.0 | Nadia Siouty-Burke | Programme Office Manager | All |
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**Groups/individuals who have overseen and contributed to development of this policy:**

Standards and Compliance; O P C C Programme Office

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| 1.0-4.0 | Not available | Not available | Not available |
| 5.0 | June 2014 | Richard Andrews | Not available |
| 6.0 | July 2017 | James Payne | Not available |
| 7.0 | April 2020 | O P C C Programme Office | Changes to document structure, content and format to reflect a review of the process to ensure it continues to reflect current practice and is fit for purpose. |
| 7.1 | August 2020 | O P C C Programme Office | Changes to format to ensure the document meets accessibility regulations. |
| 7.2 | August 2020 | O P C C Programme Office | Further changes to format to ensure the document meets accessibility regulations. |
| 7.3 | Jun 2021 | O P C C Programme Office | Minor changes to reflect current practice, recommendations from a recent internal audit and a change in P C C. |
| 8.0 | April 2022 | O P C C Programme Office | Change in approach to decision making as required by the P C C. |

**Dissemination list:**

| **Name** | **Role title / Department / Organisation** |
| --- | --- |
| O P C C staff | Not required – published on P C C website |
| HC staff | Not required – published on P C C website |

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**Appendix A** – P C C Decisions – Process guide (for internal use only)

# Introduction

1.1 Carrying out the functions of the Police and Crime Commissioner (the ‘P C C’) requires the making of a wide range of decisions. These include decisions of a strategic nature, and/or for the commitment of significant resources, to matters of a more routine nature on day to day business.

1.2 This Decisions Policy has been created to clarify the policy intentions of the P C C in relation to decision making, the levels of formality that apply to making different kinds of decisions and the roles and expectations of all those involved.

# Policy statement

2.1 The policy intention is to ensure that decisions in the exercise of the P C C’s functions are made in a way in which the communities of Hampshire and the Isle of Wight have confidence and in particular that:

* decisions are informed and transparent, subject to effective scrutiny and which assist in the management of risk;
* those making decisions are provided with information that is relevant and timely, giving clear explanations of technical issues and their implications;
* professional advice on legal and financial matters is available and recorded where decisions have material legal or financial implications; and
* processes are flexible and proportionate, avoiding unnecessary steps and bureaucracy that add little or no value.

# Version history

3.1 This latest version of the Policy (Apr-22) reflects some minor changes in the approach to decision making introduced following election of a new P C C in May-21.

# Scope of this policy

4.1 The Decisions Policy applies in full to those Decisions made by the P C C that are of a strategic or policy nature, or which involve the commitment of significant resources, or which are of fundamental importance to the corporate governance framework and (in any of those cases) do not fall within the powers of senior officers under the ‘Scheme of Delegation’:

Link to ‘[Scheme of Delegation and Consent’ document:](https://www.hampshire-pcc.gov.uk/wp-content/uploads/2020/02/Scheme-of-Delegation-and-Consent-v4.0.pdf)

[Hampshire PCC website - Policy and Governance](https://www.hampshire-pcc.gov.uk/transparency/policy-and-governance)

Or (internally):

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4.2 Decisions should set the vision, policy, strategic direction and context within which consequential decisions can then be made and actions taken by officers in accordance with their delegated authority under the Scheme of Delegation.

4.3 Without limitation, examples of Decisions to which the Decisions Policy applies, including subsequent amendments, are as follows:

**Table 1 Examples of Decisions to which the Decisions Policy applies**

| **Business area** | **Example** |
| --- | --- |
| **Strategy** | * Police and Crime Plan * Medium term financial strategy * Reserves strategy * Estate strategy * Treasury management strategy * Commissioning strategy * Communications and engagement strategy * Appointment of Deputy Commissioner, Chief Constable and Statutory Officers * Equality strategy * Risk management strategy |
| **Governance** | * Scheme of Delegation * Financial regulations and Contract Standing Orders * Audit strategy and plans * Annual governance statement * Approval of accounts |
| **Estate management** | * Acquisition and disposal of surplus premises |
| **Finance and procurement** | * Setting the precept and annual budget * Approving the capital programme * Prudential borrowing and affordable borrowing limits * Purchase of equipment and software |

4.4 Where a Decision falls within the powers delegated to nominated officers, the general principles of the Scheme of Delegation require (para 2.5 of the Scheme) that those decisions are recorded and available for inspection, and the P C C consulted or informed as required by the Scheme of Delegation. While the Decisions Policy does not apply to such decisions, the Chief Executive may nevertheless require it to be followed when they are of the view that the decision is sufficiently complex or sensitive that it would justify a more formal record of the decision being made. Where this is not the case, it is nevertheless the responsibility of the officer to ensure that the decision, with reasons, is documented in sufficiently clear and proportionate form.

# Policy ownership

5.1 The Chief Executive of the Office of the Police and Crime Commissioner for Hampshire (the ‘O P C C’) is responsible for overall management of the policy and its supporting process, on behalf of the P C C. The process itself is managed on a day-to-day basis by the O P C C’s Programme Officer Manager, accountable to the Chief Executive.

# Who this policy applies to

6.1 The Decisions Policy applies to all staff and teams within the  
O P C C. It also applies to Constabulary staff seeking Decisions from the P C C.

# Key definitions relevant to the policy

**Table 2 Key definitions relevant to the policy**

| **Term** | **Definition** |
| --- | --- |
| **Decision** | A decision within the description set out in section 4.1 - 4.3 above. |
| **Decision Request** | The document (based on a standard template) explaining the background to, and reasons for, the Decision sought. Published, if appropriate, on the P C C’s website.  The ‘Decision Record’ is the 1-2 front page summary of the Decision Request which is signed by the P C C (or delegated authority) and published (if suitable). |
| **Decisions process** | The process as set out in the separate process guide, for managing Decisions. |

# Roles and responsibilities

**Table 3 Roles and responsibilities**

| **Role** | **Summary of responsibilities** |
| --- | --- |
| **Police and Crime Commissioner** | The person with overall responsibility for the Decisions Policy and for making the Decision. |
| **Chief Executive** | The statutory officer (Monitoring Officer) authorised to make Decisions on behalf of the Police and Crime Commissioner in accordance with the ‘Scheme of Delegation and Consent’. Also responsible for the correct operation of the Decisions process (as described in this policy). |
| **Chief Finance Officer – O P C C** | The statutory officer authorised to make Decisions (on financial and related matters) on behalf of the P C C in accordance with the ‘Scheme of Delegation and Consent’.  Also a member of the Decision Request Consultees group that advises the P C C on the financial implications of a Decision. |
| **Chief Officer** | Member of Hampshire Constabulary’s (‘the Constabulary’) Chief Officer team. |
| **Constabulary SPOC** | A staff member of the Constabulary designated by the Chief Constable to act on her behalf in ensuring the Decisions process is followed, in relation to Decisions sought by officers/staff of the Constabulary, including where these arise from the deliberations of internal Constabulary boards. |
| **Deputy Police and Crime Commissioner** | Where appointed, authorised to make Decisions on behalf of the Police and Crime Commissioner in accordance with the ‘Scheme of Delegation and Consent’.  Also a member of the Decision Request Consultees group. |
| **Requester** | The person who drafts and submits the Decision Request (using the standard template), briefs the P C C and secures their approval of it.  Responsible for ensuring that sufficient time (in order to meet operational milestones) has been allocated to making the Decision, *i.e.* from the date it is submitted to eventual approval. |
| **O P C C Programme Office Manager** | The person responsible for day-to-day co-ordination and oversight of the Decisions process. Accountable to the Chief Executive.  Also a member of the Decision Request Consultees group. |
| **O P C C Programme Office** | The team designated by the Chief Executive to co-ordinate day-to-day operation of the Decisions process. Accountable to the O P C C Programme Office Manager. |
| **Deputy Monitoring Officer** | The person responsible for assessing the legal implications of a Decision Request (on behalf of the Chief Executive) and advising the P C C as appropriate.  A member of the Decision Request Consultees group. |
| **Head, Communications and Engagement** | The person responsible, as part of the Decisions consultation process, for assessing the communications and engagement implications of a Decision Request. Attends Decisions briefings (where required) to advise P C C as appropriate. Provides advice on timing of publication of approved Decisions, where this is required. |
| **Decision Request consultees** | A group of individuals responsible for assessing and commenting on each Decision Request, comprising members of the O P C C Senior Leaders Team plus other stakeholders. |
| **Personal Assistant to P C C** | The person responsible for managing the diaries of the P C C and Deputy P C C and for scheduling Decisions briefing meetings. |
| **O P C C Senior Leaders Team (S L T)** | A forum for presenting draft Decisions for early sight / comment / management sponsorship, *etc*. S L T members also comprise Decision Request consultees group. |
| **Hampshire Police and Crime Panel** | The group charged with responsibility for scrutinising and supporting the P C C for Hampshire. The Panel reviews the P C C’s key decisions made under the Decisions process as part of its quarterly meetings. |

# Decisions process

## Process overview

9.1.1 Anyone seeking a Decision (as defined in Section 4.3 above) from the PCC can submit it at any point throughout the year as and when required. It is submitted to a central point, i.e. the Programme Office, who will log and circulate it for consultation to the O P C C Senior Leaders Team and other key stakeholders. This provides an opportunity to review and comment on each Decision Request prior to it being presented to the P C C thus providing the  
P C C with assurances that the Decision has been widely circulated.

9.1.2 The Requester will ensure any requests/suggestions for changes are incorporated where appropriate into the version submitted to the P C C for approval.

The Requester will then brief the PCC personally on the Decision Request. This provides the opportunity for the individual/team requesting the Decision to make the case for the Decision to the   
P C C in person.

9.1.3 There may be instances when Decisions are required to circumvent normal processes. These are managed at the discretion of the Chief Executive and/or the P C C. See section 11.

9.1.4 All decisions will be signed by the P C C; however, in some cases signing may be delegated by the P C C to the Deputy Police and Crime Commissioner or Chief Executive in accordance with the delegated powers set out in the Scheme of Delegation and Consent.

9.1.5 An accessible copy of each Decision signed by the P C C is published on the P C C’s website in accordance with statutory requirements.

## Decisions process guide

9.2.1 **Appendix A** provides the internal use only guide for operating the process supporting the Decisions Policy.

# Publication

10.1 The Elected Local Policing Bodies (Specified Information) (Amendment) Order 2011 (2011/3050) came into force on 16 January 2012. The original Order was subsequently amended by two further Orders (2012/2479 and 2013/1816). The Order (as amended) specifies information which must be published by elected local policing bodies.

10.2 The Order requires the P C C as an elected local policing body to publish, as soon as practicable, a record of each decision of significant public interest arising from the exercise of the elected local policing body’s functions, whether made by the body at or as a result of a meeting or otherwise.

10.3 In accordance with the above, Decision Requests will normally be published in full on the O P C C website, except where, and to the extent that, they contain information which is regarded as confidential or exempt from publication. The Decisions process guide at **Appendix A** provides guidance on publishing Decision Requests on the P C C’s website.

10.4 Information is **confidential** where it has been received from a Government Department or other source upon terms (however expressed) which forbid the disclosure of it to the public, or where its disclosure to the public is prohibited by or under any enactment or by the order of a court.

10.5 Information is **exempt from publication** where it falls within one or more of the following categories and, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information:

* + Information relating to any individual.
  + Information which is likely to reveal the identity of an individual.
  + Information relating to the financial or business affairs of any particular person (including the authority holding that information).
  + Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the body or a Minister of the Crown and employees of, or office holders under, the authority.
  + Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
  + Information which reveals that the authority proposes:

(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or

(b) to make an order or direction under any enactment.

* + Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Note: “authority” means the O P C C and/or Hampshire Constabulary.

10.6 Where the whole of a Decision Request is not for publication, the appropriate protective marking classification will be stated in the header, and the reasons given in the appropriate paragraph of the Request. Where part of a Decision Request is not for publication, the confidential or exempt information should be included in a confidential appendix, along with the appropriate protective marking and reasons. The remainder of the Decision Request should be published in the normal way.

# Urgent Decisions

11.1 Where, due to reasons beyond the reasonable control of the Requester, a Decision is required in circumstances where compliance with the normal timeframe of the Decisions process would risk compromising the position of the P C C and/or Chief Constable, the Chief Executive may authorise an abbreviated procedure to be used, whereby (1) the timeframe is reduced and/or (2) the Decision is made as soon as practicable. In all other respects the Decisions process will be followed. The reasons for urgency will be stated in the Decisions Request.

Examples of urgent Decision includes those for operational reasons, those required to deal with an emerging issue/risk/opportunity, or for any other instance the P C C deems as a priority.

11.2 To ensure the achievement of the policy intention, the use of the urgency provisions should be kept to a minimum.

# Equality impact analysis

12.1 The policy is not likely to have any particular impact on people with protected characteristics under the Equality Act 2010.

12.2 Decision Requests and supporting documentation made available to the general public on the O P C C website will be available in an accessible form (in accordance with Accessibility Regulations 2018).

# Data protection implications

13.1 There are no specific General Data Protection Regulations (G D P R) implications associated with this policy.

# Training

14.1 No specific training is required to ensure the policy is implemented. The policy and its supporting process and procedures are managed by the O P C C Programme Office and fully documented to ensure that anyone within the O P C C can follow it.

# Dissemination and implementation

15.1 The O P C C Programme Office is responsible for dissemination of the Decisions Policy, include an updates to it. It is disseminated in a number of ways:

Published on the P C C’s website:

[Hampshire PCC website - PCC Decisions](https://www.hampshire-pcc.gov.uk/transparency/decisions)

Published on Hampshire Constabulary’s intranet:

[Hampshire Constabulary intranet site - PCC Homepage](http://intranet/Intranet/PCC/)

The Decisions Policy and supporting process guide is also available from the O P C C’s shared folder on SharePoint for policies and procedures, available to all O P C C staff:

HC – O P C C File Centre > Transparency > Decisions > Policy and Procedure

15.2 The O P C C Programme Office is responsible for maintaining the master version held under the P C C Decisions folder.

15.3 There are no specific training requirements for the Decisions policy and supporting process since any Requesters are guided through the process at all times by the O P C C Programme Office and require no prior knowledge of the process.

# Monitoring

16.1 Monitoring is a key means for providing assurance to the governing body and stakeholders that the organisation’s systems are working.

16.2 Periodically, the ‘Southern Internal Audit Partnership’ conducts an internal audit of ‘the P C C’s decision making and accountability’ on behalf of the Joint Audit Committee. See below:

[Joint Audit Committee](https://www.hampshire-pcc.gov.uk/transparency/scrutiny/joint-audit-committee)

(https://www.hampshire-P C C.gov.uk/transparency/scrutiny/joint-audit-committee)

Such audit findings are presented to O P C C and Hampshire Constabulary senior management and the Joint Audit Committee for consideration.

16.3 The O P C C undertakes its own informal internal reviews periodically to ensure that the policy and process remains fit for purpose. It may also review the policy and process when a new  
P C C is elected.

# Review

17.1 This policy will be reviewed every two years, or earlier if there are significant changes in either O P C C or national policies. All aspects will be reviewed in the light of changes or amendments to legislation/regulation or policy.