



**The Police & Crime Commissioner for  
Wiltshire and Chief Constable of Wiltshire  
Police  
Scheme of Delegation**

## **Contents**

1. Introduction
2. Key Roles of the Police & Crime Commissioner
3. General Principles of the Scheme of Delegation
4. Functions Delegated to the Deputy Police & Crime Commissioner (if appointed)
5. Functions Delegated to the Chief Executive, Office of the Police & Crime Commissioner
6. Functions Delegated to the Chief Finance Officer of the Office of the Police & Crime Commissioner
7. Functions and Responsibilities Chief Finance Officer of Wiltshire Police
8. Legal Functions Delegated to the Deputy Chief Constable, Chief Finance Officer of Wiltshire Police and Chief Executive
9. Other Matters
10. Urgent Matters

## 1. Introduction

This Scheme of Delegation details the key roles of the Police and Crime Commissioner for Wiltshire (PCC) and lists those functions which they designate will be carried out by their respective Deputy Police & Crime Commissioners (where appointed), the Chief Executive, Chief Finance Officer(s) and other staff employed by the PCC. This Scheme also details those areas of business support that are being provided to the PCC by staff who are directly employed by the Chief Constable, under the arrangements outlined in the Memorandum of Understanding agreed between the PCC and the Chief Constable.

This Scheme of Delegation document is part of the governance arrangements outlined in the overarching Scheme of Corporate Governance for the Police & Crime Commissioner for Wiltshire and the Chief Constable of Wiltshire Police and should be read in conjunction with the other governance documents listed in the Scheme of Corporate Governance i.e., Financial Regulations, Budget Book, and the Contract Regulations. (These are all available at [www.wiltshire-pcc.gov.uk](http://www.wiltshire-pcc.gov.uk))

This Scheme provides a framework which makes sure that business is carried out efficiently and effectively, ensuring that decisions are not unnecessarily delayed.

This Scheme does not identify all the statutory duties which are contained in specific laws and regulations.

The Scheme is to be reviewed bi-annually.

The PCC may set out reporting arrangements on any authorised powers.

Powers are given to the Chief Constable by laws, orders, rules, or regulations. Also, national conditions of employment give powers to the PCC or the Chief Constable or, as in the case of police regulations, the Secretary of State for the Home Department.

- Under Section 18(3) (c) of the Police Reform & Social Responsibility Act 2011 ('the Act'), the PCC is specifically prohibited from delegating the functions set out below at subsection (7) of the Act to anyone listed within subsection (6)
- issuing a police and crime plan.
- determining police and crime objectives.
- attending at a meeting of a police and crime panel in compliance with a requirement by the panel to do so.
- preparing an annual report to a policing and crime panel.
- appointing the chief constable, suspending the chief constable, or calling upon the chief constable to retire or resign.
- calculating a budget requirement (see section 43 of the Local Government Finance Act 1992).

The Chief Constable will manage all complaints against officers and staff in the Force, except in relation to the Chief Constable, which will be dealt with by the PCC.

The Chief Constable will ensure that the PCC is kept informed to enable them to discharge their statutory obligations 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.

From 1 February 2020, PCCs were provided with new powers to receive, resolve, and review certain complaints submitted to the Force. The PCC is responsible for holding the Chief Constable, to account in the delivery of the police complaint function (Policing & Crime Act 2017).

The Chief Constable must exercise the power of direction and control conferred upon them by subsection (3) of the Act in such a way as is reasonable to assist the PCC to exercise the commissioner's functions.

The Force will support the PCC in the delivery of the strategy and objectives set out in the Police and Crime Plans.

The Force will provide the PCC with access to information, officers and staff as required.

The Chief Constable will have regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of the Force's national and international policing responsibilities.

## 2. Key Roles of the Police and Crime Commissioner

2.1 The key roles of the Police and Crime Commissioner are to:

- Ensure the provision of an efficient and effective police service for the area
- Set the annual revenue and capital budgets
- Formulate a Council Tax Precept proposal and budget for submission to the Police and Crime Panel
- Allocate funds and the operational use of assets to the Chief Constable
- Appoint and, if necessary, dismiss the Chief Constable.
- Consult with the Chief Constable on appointments and dismissals affecting posts above the rank of Chief Superintendent and police staff equivalent
- Hold the Chief Constable to account on behalf of the public, ensuring that they have regard to the Police and Crime Plan and the Strategic Policing Requirement
- Set the strategic direction and objectives for the Police through the Police and Crime Plan, monitoring the performance of the Force against the agreed priorities
- Scrutinise, support and challenge the overall performance of the Force
- Commission appropriate victim support services
- Put in place secure and appropriate arrangements for managing and dispensing grants from the Community Safety Fund (where in place)
- Produce an annual report
- Have regard to statutory responsibilities, e.g., Freedom of Information Act 2000, UK General Data Protection Regulation (GDPR) and all human rights and equality laws
- Maintain an effective Independent Custody Visiting Scheme for monitoring facilities for people being held in custody
- Provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action
- Have a duty to collaborate with other policing bodies and other emergency services.
- Take a role in the governance of the fire and rescue service where a business case shows there is a case to do so

2.2 The PCC is the legal contracting body who owns all the assets and liabilities, with the responsibility for the financial administration of his/her office and the Force, including all borrowing limits.

2.3 The PCC will receive all funding, including government grant, precept and other sources of income related to policing and crime reduction. All funding for the Force must come via the PCC. How this money is allocated is for the PCC to decide in consultation with the Chief Constable, subject to any grant terms or conditions.

2.4 The PCC will be both scrutinised and supported by the Police and Crime Panel. The Panel has a check and balance role only in respect of the PCC and not the Chief Constable. The Chief Constable is accountable to the PCC for delivering the Police and Crime Plan and for providing an effective and efficient policing service. The Chief Constable is accountable to the law in the exercise of police powers.

- 2.5 The PCC may appoint a Deputy to exercise his/her functions, with the exception of functions listed in sub section (7) (a), (e) or (f) under Section 18 of the Act, (issue a Police and Crime Plan, appoint, suspend or dismiss the Chief Constable and calculating, setting or making a decision on the budget requirement, including setting the precept).
- 2.6 The PCC will be responsible for handling complaints against the Chief Constable with complaints about conduct referred to the IOPC to investigate. The PCC is also responsible for handling the reviews of complaint outcomes investigated by the force. The PCC also has a specific duty to hold the Chief Constable to account for force complaints handling.

### **3. General Principles of the Scheme of Delegation**

- 3.1 The PCC can always require that a specific matter is referred to him/her for a decision and not dealt with under powers of delegation.
- 3.2 This Scheme does not attempt to list all matters which form part of everyday management responsibilities.
- 3.3 Delegations given under this Scheme do not prevent individuals from referring matters to the PCC for a decision if this is thought appropriate, for example, because of sensitive issues or any matter which may have a significant financial implication.
- 3.4 When individuals with delegated functions consider a matter that is outside their area of professional expertise, they must ensure that they consult with officers who have the relevant professional expertise before making any decision.
- 3.5 All key decisions are made by individuals who have delegations under this Scheme and must be recorded under the OPCC decision log, publishing a decision notice, and be available for inspection.
- 3.6 There is an expectation that the PCC will want to be involved in any projects/areas of work which may have a significant impact on the public. This may include involvement in the scoping, tendering process and evaluation of any business case that could have such an impact.
- 3.7 The role of the Chief Executive, Chief Finance Officer appointed by the PCC, and a Chief Finance Officer appointed by the Chief Constable are required by the Act.
- 3.8 In this document, references made to the Chief Executive, the PCC, Chief Finance Officer of the OPCC, Chief Constable, the Chief Finance Officer of Wiltshire Police and Director of People Services include individuals authorised by any of them to act on their behalf.
- 3.9 In Wiltshire the same postholder has been appointed as Chief Finance Officer by the PCC and the Chief Constable. The respective roles are set out separately to provide clarity for each statutory role and under which function the postholder is operating.
- 3.10 To mitigate any potential conflicts of interest or the appearance of such, where the postholder exercises delegated authority on behalf of both the PCC and the Chief Constable, the authorisation on behalf of the PCC will be countersigned by the Chief Executive.
- 3.11 If any potential conflict should arise between the respective CFO roles, both PCC and Chief Constable will obtain independent advice and the CFO will cooperate fully with both advisors but will not himself advise either PCC or Chief Constable in the capacity of CFO for either.

- 3.12 Chief Officers are responsible for making sure that the staff whom they supervise, know about the provisions and obligations contained in this Scheme.
- 3.13 The persons appointed in accordance with paragraph 6(1) Schedule 1 of the Act as the Chief Executive (who also acts as monitoring officer) and the Chief Finance Officer of the OPCC have statutory powers and duties relating to their positions and therefore do not rely on matters being delegated to them for the authority to carry out such duties.
- 3.14 In accordance with section 18 of the Act and the exceptions therein the Scheme provides members of police staff with the legal power to carry out duties on behalf of the PCC. In carrying out these duties, individuals must comply with all other statutory and regulatory requirements and relevant professional guidance including:
- The Act and other relevant legislation issued under this Act
  - Financial Regulations
  - Home Office Financial Management Code of Practice
  - CIPFA Statement on the role of the Chief Finance Officer of the Police and Crime Commissioner and the Chief Finance Officer of the Chief Constable.
  - Contract Regulations
  - The Police and Crime Commissioner's governance framework
  - The Police and Crime Commissioner's and the Chief Constable's employment policies and procedures.
  - The UK General Data Protection Regulation and the Freedom of Information Act 2000
  - Elected Local Policing Bodies (Specified Information) Order 2011
  - Health and safety at work legislation and codes.
  - CIPFA Code of Practice on Local Authority Accounting
- 3.15 When carrying out any duties, the PCC and staff shall have regard to the following:
- The views of the public
  - Any report or recommendation made by the Police and Crime Panel in the annual report for the previous financial year
  - The Police and Crime Plan and any guidance issued by the Secretary of State
  - Code of Conduct
  - The Nolan Principles of Public Life
- (This list is a summary and is not exhaustive)
- 3.16 The PCC may either appoint any member of his/her staff in the OPCC to carry out any function of the PCC, (with the exception of those functions set out at subsection (7) of the Act ) or alternatively have that function performed by the relevant area, provided by staff who are directly employed by the Chief Constable. These arrangements are outlined in the Memorandum of Understanding agreed between the PCC and the Chief Constable.
- 3.17 The PCC may give additional consent under section 18 of the Act. This scheme is a record of the formal consents that are in effect at the time of its publication. The PCC's governance framework, including the Scheme of Delegation, will be reviewed annually.



- 3.18 The PCC must not fetter the operational independence of the Force or that of the Chief Constable who leads it. The Act provides for the Chief Constable to have a general power to do anything which is calculated to facilitate the exercise of functions of a Chief Constable. The PCC and CC must adhere to the Policing Protocol Order 2011.
- 3.19 To enable the PCC to exercise the functions of their office effectively, they will require access to information and officers and staff within the Force. This access must not be unreasonably withheld or obstructed by the Chief Constable or restrict the Chief Constable's direction and control of the Force.
- 3.20 The PCC has wider responsibilities than those solely relating to the Police Force, namely:
- The delivery of community safety and crime reduction
  - The ability to bring together Community Safety Partnerships at a Force level
  - The ability to make crime and disorder reduction grants for their Force area.
  - A duty to ensure that all collaboration agreements with other local policing bodies and forces deliver better value for money and enhance the effectiveness of policing capabilities and resilience.
  - The enhancement of the delivery of criminal justice in their area
  - The provision of services for victims of crime

#### **4. Functions Delegated to the Deputy Police & Crime Commissioner (if appointed)**

- 4.1 The PCC may appoint a Deputy to exercise his/her functions (except those which cannot be delegated in accordance with Section 18 (3) (b) of the Act, namely: issuing the Police & Crime Plan; appointing the Chief Constable, suspending the Chief Constable or calling upon the Chief Constable to retire or resign; and calculating the budget requirement).
- 4.2 The Deputy Police & Crime Commissioner (if appointed) can in turn arrange for a function delegated to them to be further delegated subject to the conditions set out in Section 18 of the Act in his/her absence (defined as leave or illness).
- 4.3 The PCC will put in place a succession plan to cover the arrangements in the event of a vacancy in the role of PCC or should they be incapacitated.

## **5. Functions Delegated to the Chief Executive, Office of the Police & Crime Commissioner**

The Chief Executive is the head of the Police and Crime Commissioner's staff and is also the Monitoring Officer for the PCC. The formal delegations, listed below, are those given to the Chief Executive, which are in effect at the time of the publication of the scheme.

### **General**

- 5.1 To act as 'Monitoring Officer' under section 5(1) of the Local Government and Housing Act 1989. *[These are not delegated powers and are statutory powers, included for completeness]*
- 5.2 To prepare the Police and Crime Plan in consultation with the public and Chief Constable for submission to the PCC.
- 5.3 To produce an annual report.
- 5.4 To provide information to the Police and Crime Panel as reasonably required enabling the Panel to carry out its functions.
- 5.5 To sign contracts on behalf of the PCC including those which are required to be executed under the common seal of the PCC and to sign and affix the seal. In any extended absence of the Chief Executive, either the Chief Finance Officer of the OPCC or the Deputy Chief Executive can fulfil this function.
- 5.6 To consider whether, in consultation with the Chief Finance Officer, to provide indemnity to the PCC (and Deputy Police and Crime Commissioner if appointed) in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004 and to deal with or make provision to deal with other matters arising from any proceedings relating to them.
- 5.7 To consider and approve, in consultation with the Chief Finance Officer, provision of indemnity and/or insurance to individual staff of the PCC in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004.
- 5.8 To issue certificates staff have asked for to make them exempt from political restrictions under the correct legal provisions.
- 5.9 To make arrangements to institute, defend, withdraw or settle any claims or legal proceedings on the PCC's behalf, in consultation with an appropriate legal advisor and the Chief Finance Officer if there is a significant financial implication.
- 5.10 To discharge the day-to-day functions of Data Controller under the provisions of the UK General Data Protection Regulation.

### **Financial**

- 5.11 To procure, on behalf of the PCC any goods, services or works up to a value of £100,000, provided that a budget (specific provision or reasonable latitude to cover the expenditure) has been approved by the PCC. This must be in consultation with the Chief Financial Officer of the OPCC.

Any procurement of goods, services, or works above £100,000 must be approved by the PCC.

- 5.12 To approve contract extension options (as part of agreed contracts). These must have formed part of the approval by the PCC originally. If there are significant changes, performance risks or a change in provider any extension should be in consultation with the CFO and the PCC provided that any modification complies with procurement legislation.
- 5.13 To approve expenses in exceptional cases in the provision of police advice and assistance to international agencies where:
- The full cost is £4,000 or more (including air flights, accommodation and salary costs of the police officer or member of staff) or
  - It is a sensitive case involving travel to a politically sensitive country.
- 5.14 To manage the budget of the Office of the Police and Crime Commissioner, along with the Chief Finance Officer, in line with Financial Regulations.
- 5.15 To commit expenditure within the approved budget of the Office of the Police & Crime Commissioner to meet the policies and objectives agreed with the PCC and reflected in the Police & Crime Plan.
- 5.16 To manage grants awarded by the PCC or Deputy Police & Crime Commissioner (if appointed).
- 5.17 To authorise payments, without having to get approval and regardless of whether or not provision has been made in the revenue budget in relation to:
- Payments we have to make by law
  - Payments ordered by the court
  - Payments due under any agreement entered into by the PCC
- All such payments must be reported to the PCC.
- 5.18 To fix fees for copies of documents and extracts of documents members of the public ask for under the Local Government (Access to Information) Act 1985, the Freedom of Information Act 2000, or the General Data Protection Regulation.

### **Human Resources**

- 5.19 To appoint and dismiss, in consultation with the PCC, all staff directly employed by the PCC in line with the PCC's and Chief Constable's employment policies and procedures.
- 5.20 To make recommendations to the PCC with regard to staff terms and conditions of service, in consultation with the Chief Finance Officer of the OPCC and Director of People Services (where appropriate) for those staff employed by the PCC.
- 5.21 To undertake the management of staffing resources for all staff employed by the PCC in line with agreed policies and procedures.

- 5.22 To fulfil the role of Head of Paid Service for all OPCC functions and staff, managing all day-to-day aspects of all staff employed by the PCC (as well as part of a shared service or through partnerships).
- 5.23 To appoint Independent Custody Visitors and terminate appointments if necessary
- 5.24 On behalf of the OPCC, appoint members of the Joint Independent Governance, Risk and Audit Committee (in consultation with the CC CFO) and terminate appointments if necessary.
- 5.25 To appoint Legally Qualified Chairs and Independent Members for misconduct proceedings and terminate their appointments if necessary.
- 5.26 To settle employment tribunal cases and grievances and other employee related compensation payments to staff under the direction and control of the Chief Constable with the exception of those cases felt to be exceptional as set out in the Financial Regulations.

#### **Estates**

- 5.27 To undertake such capital and development projects of a property nature that are approved by the PCC with a total contract value up to the limits set out in the Financial Regulations
- 5.28 The PCC must approval all property acquisitions, leases or disposals, irrespective of value
- 5.29 The CEO and OPCC CFO must advise the PCC on any acquisitions and disposal decision and publish a decision notice when transitions are completed.

#### **Procurement**

- 5.30 Decision making powers are retained within Wiltshire for all procurements in line with this scheme of delegations and contract Standing Orders of the PCC. All contracts entered into will be in the name of the Wiltshire PCC.
- 5.31 The Chief Constable of Devon and Cornwall Police hosts and undertakes the day-to-day management of the Southwest Police Procurement Service on behalf of the PCC and CC.
- 5.32 The Chief Executive, in consultation with the Chief Finance Officer of the OPCC, to approve exemption waivers within limits and arrangements set out in Contract Standing Orders)
- 5.33 To approve, in consultation with the Chief Finance Officer of the OPCC, all requests to go out to tender for contracts in line with limits and arrangements set out in Contract Standing Orders.
- 5.34 To approve, in consultation with the Chief Finance Officer of the OPCC, the award of all contracts up to limits set out in Contract Standing Orders

- 5.35 To approve, in consultation with the Chief Finance Officer of the OPCC, all unforeseen variations and extensions for contracts in accordance with limits and arrangements set out in Contract Standing Orders.
- 5.36 To approve, in consultation with the Chief Finance Officer of the OPCC, the early termination of all contracts. Where the original value of the contract exceeds limits sets out in Contract Standing Orders, this must be in consultation with the PCC.

**Other**

- 5.37 To affix the common seal of the PCC:
- To all contracts, agreements or transactions in respect of which there is no consideration or that are expressed to be made by Deed
  - To contracts, agreements or transactions:
    - That relate to the provision of goods and services by the PCC to another body as set out in the Financial Regulations.
    - Which grant or convey any interest in land.
    - Where it is determined by the PCC (or Deputy Police & Crime Commissioner if appointed) there is a particular need for the seal to be attached.

And in each of the cases above where the seal has been affixed thereafter to sign beside the seal as authorised signatory.

- 5.38 To exercise the statutory powers of the PCC for oversight of complaint matters, as delegated to them on a temporary or permanent basis.
- 5.39 To authorise people to make, defend, withdraw or settle any claims or legal proceedings on the PCC's behalf, taking appropriate legal advice and consulting with the Chief Finance Officer of the OPCC if there are significant financial implications.
- 5.40 To consider, with the PCC, any complaint made against the Chief Constable, and where appropriate, to ensure that conduct matters are referred to the Independent Office for Police Conduct.
- 5.41 To undertake reviews (appeals) of complaints that have been through the formal complaints system, on behalf of the PCC. This function may be further delegated to a member of OPCC staff or to an independent reviewer appointed for the consideration of reviews.
- 5.42 To respond to consultations on proposals affecting the PCC, if necessary, after first taking the views of the PCC, the Chief Finance Officer of the OPCC or the Chief Constable, as appropriate.
- 5.43 To obtain external legal or other expert advice and to appoint legal professionals whenever this is considered to be in the PCC's best interests and for his/her benefit.
- 5.44 To make sure, in consultation with the Chief Constable, appropriate arrangements are made to gather the community's views on the policing of Wiltshire and the preventing of crime.

## **6. Functions Delegated to the Chief Finance Officer of the Office of the Police & Crime Commissioner**

Appointed in accordance with Paragraph 6 Schedule 1 of the Act the Chief Finance Officer of the OPCC is the financial adviser to the PCC and has statutory responsibility to manage his/her financial affairs as set out in sections 112 and 114 of the Local Government Finance Act 1988, and the Accounts and Audit Regulations 2011.

The Chief Finance Officer of the OPCC must ensure that the financial affairs of the PCC and the CC are properly administered having regard to their probity, legality and appropriate standards.

The Head of Finance is authorised to undertake the functions of the Chief Finance Officer of the OPCC in his/her absence. The formal consents, listed below, are those given to the Chief Finance Officer of the OPCC, which are in effect at the time of the publication of this scheme.

- 6.1 To approve the arrangements for the treasury management function, including the day-to-day management, the production of the treasury management strategy and supporting policies and procedures.
- 6.2 To approve the arrangements for securing and preparing the PCC's accounts and seek assurances that there are appropriate arrangements in place for the preparation of the Force's accounts.
- 6.3 To sign off the group Annual Statement of Accounts.
- 6.4 To be responsible for all banking arrangements, together with creating, closing or authorising all bank accounts.
- 6.5 To undertake the day-to-day financial management of the PCC's budget.
- 6.6 To commit expenditure within the approved budget to meet the policies and objectives agreed with the PCC and reflected in the Police and Crime Plan.
- 6.7 To be responsible for investing and borrowing money, as necessary, in line with the treasury management strategy.
- 6.8 To authorise payments, without having to get approval and regardless of whether or not provision has been made in the revenue budget in relation to:
  - payments the PCC has to make by law
  - payments ordered by the court
  - payments due under any agreement entered into by the PCCAll such payments must be reported to the PCC.
- 6.9 To act as 'Money Laundering Reporting Officer' under the Proceeds of Crime Act 2002 and Money Laundering Regulations 2003.

- 6.10 In the absence of the CEO to affix the common seal of the PCC:
- To all contracts, agreements or transactions in respect of which there is no consideration or that are to be expressed by the Deed
  - To contracts, agreements or transactions:
  - That relate to the provision of goods and services by the PCC to another body as set out in the Financial Regulations.
  - Which grant or convey any interest in land.
  - Where it is determined by the CEO, PCC (or Deputy Police & Crime Commissioner if appointed) there is a particular need for the seal to be attached.

And in each of the cases above where the seal has been affixed thereafter to sign beside the seal as authorised signatory.

- 6.11 To enter into, on behalf of the PCC, in consultation with the CEO, any procurement of good, services or works up to a value of £100,000, provided that a budget (specific provision or reasonable latitude to cover the expenditure) has been seen by the PCC. This must be in agreement to and co-signed by the Chief Executive if on behalf of the Chief Constable
- 6.12 To approve contract extension options (as part of agreed contracts). These must have formed part of the approval by the PCC originally. If there are significant changes, performance risks or a change in provider any extension should be in consultation with the CEO and the PCC.
- 6.13 To keep the PCC informed of how the approved capital programme is put into effect.
- 6.14 To be responsible for managing the payroll and pensions functions
- 6.15 To undertake the day-to-day management of the insurance function in line with the strategy approved by the PCC.
- 6.16 To prepare and review the financial regulations every three years (or sooner if required), in consultation with the CEO and CC CFO for approval by the PCC, or Deputy Police and Crime Commissioner, if appointed.
- 6.17 To determine when goods are surplus to requirements or obsolete and arrange for disposal, subject to the limits set out in Financial Regulations.
- 6.18 To provide for an adequate and effective internal audit service (joint responsibility with Chief Constable's Chief Financial Officer).
- 6.19 To report to the PCC and the external auditor any unlawful or potentially unlawful spending by the staff of the Police and Crime Commissioner, or the Force's officers.
- 6.20 The write-off of bad debt subject to limits and arrangements in Financial Regulations.
- 6.21 To act as 'nominated person' to settle appeals against decisions of the Senior Administrator of the Local Government Pension Scheme, in line with the



Occupational Pension Schemes (Internal Dispute Resolution Procedures) Regulations 1996. Keeping the CEO and CC updated on significant decisions.

### **Estates**

- 6.22 To undertake such capital and development projects of a property nature that are approved by the PCC with a total contract value up to the limits set out in the Financial Regulations
- 6.23 The PCC must approve all property acquisitions, leases or disposals, irrespective of value
- 6.24 With the CEO must advise the PCC on any acquisitions and disposal decision and publish a decision notice when transitions are completed.
- 6.25 To carry out any stamp duty land tax (SDLT) return or other property tax return that is required within the statutory timescales
- 6.26 To keep a register of all property and major assets owned by the PCC or leased by him/her in line with the values set out in Financial Regulations.
- 6.27 To secure contributions towards police services as part of the development control and Community Infrastructure Levy regime and section 106 of the Town and Country Planning Act 1990.

### **Procurement**

- 6.28 In consultation with the Chief Executive, approve exemption waivers within limits and arrangements set out in Contract Standing Orders)
- 6.29 To approve, in consultation with the Chief Executive, all requests to go out to tender for contracts in line with limits and arrangements set out in Contract Standing Orders.
- 6.30 To approve, in consultation with the Chief Executive, the award of all contracts up to limits set put in Contract Standing Orders)
- 6.31 To approve, in consultation with the Chief Executive, all unforeseen variations and extensions for contracts in accordance with limits and arrangements set out in Contract Standing Orders.
- 6.32 To approve, in consultation with the Chief Executive of the OPCC, the early termination of all contracts. Where the original value of the contract exceeds limits sets out in Contract Standing Orders, this must be in consultation with the PCC.

## **7. Functions and responsibilities delegated to the Chief Finance Officer of Wiltshire Police**

The Chief Constable through the Chief Finance Officer of Wiltshire Police has the day-to-day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the PCC.

The Chief Constable's Chief Finance Officer of Wiltshire Police has responsibility to ensure that the financial affairs of Wiltshire Police are properly administered having regard to probity, legality, and appropriate standards in line with the role's statutory responsibilities.

- 7.1 The write-off of bad debt subject to limits and arrangements in Financial Regulations.
- 7.2 To provide all necessary financial information and records to the Chief Finance Officer of the OPCC (if separate) to allow him/her to carry out his/her statutory role.
- 7.3 To commit expenditure within the approved budget to meet policies and objectives agreed with the PCC and reflected in the Police and Crime Plan.
- 7.4 To transfer budgets between budget headings within Chief Constable's approved budget, on a permanent or temporary basis up to the values set out in the Financial Regulations, notifying the PCC through the agreed financial and budget reporting process.
- 7.5 To approve non exceptional cases in the provision of police advice and assistance to international agencies.
- 7.6 To approve business cases for revenue and capital expenditure below total limits outlined in Financial Regulations, with the exception of expenditure proposals of an exceptional nature.
- 7.7 As the PCC is the primary contract holder, only in exceptional cases, following consultation and agreement of the Chief Executive can enter into, on behalf of the Chief Constable for any procurement of good, services or works up to a value of £100,000, provided that a budget (specific provision or reasonable latitude to cover the expenditure).
- 7.8 To approve all agreements for the provision of police services to other organisations in accordance with Financial Regulations. (This does not apply to the provision of mutual aid by the Chief Constable to another force under section 24 of the Police Act 1996, or the provision of advice or assistance to international organisations under the Police Act 1996, which are operational matters. However, these are subject to consultation with the Police and Crime Commissioner).
- 7.9 On behalf of the CC, appoint members of the Joint Independent Governance, Risk and Audit Committee (in consultation with the OPCC CEO and terminate appointments if necessary).

## **8. Legal Functions delegated to the Deputy Chief Constable or Chief Finance Officer of Wiltshire Police or Chief Executive**

- 8.1 To approve the financial settlement of all claims or requests for compensation assessed to be non-significant in line with the limits and arrangements set out in Financial Regulations.
- 8.2 To approve all requests for financial assistance to officers and staff involved in legal proceedings or inquests except those felt to be significant because: -
- They involve a high profile claimant
  - There is a particular public interest in the case
  - There is an assessed risk that the PCC or the Chief Constable will be exposed to serious public criticism or serious weakness in the organisation's policies and procedures
- 8.3 To ensure that legal advice is taken to institute, defend or participate in legal actions to protect the interests of the Police Force.

## **9. Other Matters**

- 9.1 The Chief Finance Officer of Wiltshire Police to exercise the powers and duties of the Police (Property) Regulations 1997 by:
- authorising, where appropriate, request to donate unclaimed lost property to charity; and
  - approve the keeping of unclaimed lost property if it can be put to good use for police purposes

## **10. Urgent Matters**

- 10.1 If any matter which would normally be referred to the PCC (or Deputy Police and Crime Commissioner, if appointed) for a decision and cannot be delayed, the matter may be decided by the appropriate chief officer.
- 10.2 The appropriate chief officers authorised to decide urgent matters are:
- the Chief Executive (all issues other than operational matters)
- the nominated Deputy Chief Executive (operational issues, in the absence of the Chief Constable)
- the PCC's Chief Finance Officer of the OPCC (financial and related issues)
- the Chief Constable (operational issues)
- the Deputy Chief Constable (operational issues, in the absence of the Chief Constable)
- 12.3 Urgent decisions taken must be reported to the PCC as soon as practically possible.

**Signed by the Police and Crime Commissioner for Wiltshire**


Name: Philip Wilkinson OBE

Signature .....  .....

Date .....12/05/23.....

**Signed by the Chief Constable for Wiltshire**

Name: Catherine Roper

Signature.....  .....

Date .....12/05/23.....