

Devon and Cornwall Police Authority  
11 December 2009  
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Report of the Assistant Chief Executive

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## Amendments to the Police Authority's Constitution

Recommendations:

- (i) **That the Terms of Reference for each of the Police Authority's Committees be amended to include:**  
***“ To have oversight and scrutiny of entries on the Police Authority's risk register pertaining to the work of the committee and to make recommendations regarding such entries to the Police Authority's Chief Executive.”***
- (ii) **That the name of the Regulation A20 Sub Committee is changed to “The Police Pensions Regulations Sub Committee”**
- (iii) That the Terms of Reference and the Delegated Powers of the Sub Committee in (ii) above are: ***“to determine matters in accordance with Police Pension Regulations on behalf of the Police Authority”***
- (iv) That the Committee Terms of Reference and the Delegated Powers of Committees and Groups are amended to reflect decisions taken regarding (ii) and (iii) above.

Introduction

1. The Authority's Constitution governs the way in which the work of the Authority is conducted. From time to time amendments are required to enable and assist the Authority to work more effectively.
2. At recent meetings, the Corporate Governance Committee and the Human Resources (HR) Committee have identified changes which it is believed will improve the effectiveness and efficiency of the Authority. The recommended changes are not fundamental but amendments to Appendix E - Terms of Reference of Committees and Groups and Appendix F - Delegated powers of Committees and Groups.
3. Recommendations regarding amendments to the Constitution fall within the remit of the Corporate Governance Committee (Constitution 4.3) with the exception of routine updating to reflect the Authority's decisions. On this occasion, due to the limitations of the meeting timetable, the Corporate Governance Committee has been unable to consider the recommendation of the HR Committee. The Chair of Corporate Governance is aware of the recommendations and supportive of early consideration by the Authority to enable work to commence as soon as possible in relation to ill health retirement reviews.

Background Information

4. The Corporate Governance Committee has a Task and Finish Group – the Risk Review Group - which has been considering the Authority's arrangements for risk management and ways in which the effectiveness of risk management can be enhanced and embedded throughout the organisation. As a result of that work, the Corporate Governance Committee recommends to the Authority that all Committees take an active interest in the risks pertaining to their subject areas and that the Terms of Reference contained within the Constitution be amended

accordingly

5. Police Pension Regulations require the Authority to make decisions in relation to ill health retirement, retirement reviews and forfeiture of pensions in certain circumstances. Currently Delegated Powers of Committees and Groups refer to a Regulation A20 Sub Committee and Regulation A20 of the Police Pensions Regulations but there is no corresponding mention in the Committee Terms of Reference. The HR Committee is recommending that the name of the Sub Committee be changed to more accurately reflect its work and that the Committee Terms of Reference and Delegated Powers are amended to give the sub committee the remit it needs to work more effectively.

Background Papers:

- Corporate Governance Committee 17 November 2009, report re agenda No 12 Addition of risk review to Committee terms of reference
- Human Resources Committee 24 November 2009 report re Agenda No 9 "Ill health Retirement Process – Police Officers

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Report prepared 24 November 2009