

Annual Governance Statement

2023/2024

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**For the York and North Yorkshire
Combined Authority Mayor**
(as statutory successor to the Police, Fire and Crime Commissioner for North Yorkshire)
and the
Chief Constable of North Yorkshire Police

June 2024

Introduction



Simon Dennis

Corporate Director OPFCC and York and North Yorkshire Combined Authority Deputy Monitoring Officer for Mayoral Policing, Fire and Crime Functions (2023/24 Chief Executive and Monitoring Officer to the Police Fire and Crime Commissioner, PFCC)



Tim Forber

Chief Constable
North Yorkshire Police

Welcome to the Annual Governance Statement (AGS) for 2023/2024. The AGS outlines what the key governance structures and processes were during the extended financial year and captures the main findings arising from the annual review of those arrangements.

Welcome to the Annual Governance Statement

Our people aim to deliver high quality services to our communities. We rely on our governance arrangements as the framework to make sure that our services are delivered effectively. We each have a responsibility for ensuring that our governance arrangements remain fit for purpose and a review is undertaken on an annual basis.

Where our review has identified positive practice or areas for improvement we will reflect those in the relevant section of this AGS.

Our review of the arrangements in place during 2023/2024 is extended to 6th May 2024 due to the creation of the York and North Yorkshire Combined Authority from 7th May 2024. The Combined Authority now incorporates the powers of the Police, Fire and Crime Commissioner to oversee the Police and Fire Services in York and North Yorkshire.

During the extended financial year the favourable findings of both His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) and our Internal Auditors (RSM) is recognised in the reporting period. In March 2024 HMICFRS published their latest Police Efficiency, Effectiveness and Legitimacy (PEEL) report, which identified significant improvements in all areas of our governance structures and processes. RSM's annual opinion was positive with reasonable assurance given for the internal control environment. We have engaged with those findings and monitor improvement so that we can be confident that:

- Decisions are ethical, open, honest, and evidence-based
- Public money is safeguarded
- Risk is effectively managed
- Transparency comes as a matter of course
- Processes are continually improved.

Pillars of good corporate governance



As the former PFCC's delegate and Monitoring Officer for the year in view, on this occasion the Corporate Director for the York and North Yorkshire Office for Policing, Fire, Crime and Commissioning presents the Annual Governance Statement jointly on behalf of the former PFCC and the recently elected Mayor of York and North Yorkshire.

Corporate Governance

What is Corporate Governance?

Corporate governance refers to the process by which organisations are directed, controlled, led and held to account. In other words, corporate governance is how we make sure we do things properly.

Each year every PCC (or PCC Mayoralty) and every Chief Constable, are required to produce an AGS. The AGS is the formal mechanism we use to report on the effectiveness of our internal control and decision making systems. Our AGS complies with the reporting requirements contained in the Code of Practice on Local Authority accounting and accompanies our accounts for the financial year. The AGS is a document that describes how well our governance system has functioned during the year ending 6 May 2024 and sets out areas for development for the 2024/25 performance year.

Good corporate governance helps to put people first in everything we do. This gives us confidence that we are doing the right things in the right way for those who we deliver services to, for and with.



In April 2016 the Chartered Institute of Public Finance and Accountancy (CIPFA) published a “Delivering Good Governance in Local Government: Framework” which was followed by specific guidance notes for Policing Bodies. The 2016 Framework sets out seven principles of good governance which are taken from the International Framework: Good Governance in the Public Sector (CIPFA/IFAC, 2014) ('the International Framework') and interprets them for local government.

The seven principles are:

- A** – behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law
- B** – ensuring openness and comprehensive stakeholder engagement
- C** – defining outcomes in terms of sustainable economic, social and environmental benefits
- D** – determining the interventions necessary to optimise the achievement of the intended outcomes
- E** – developing the entity's capacity, including the capability of its leadership and the individuals within it
- F** – managing risks and performance through robust internal control and strong public financial management
- G** – implementing good practices in transparency, reporting and audit to deliver effective accountability.

The principles and guidance have again informed the review of governance arrangements for 2023/2024. More specifically, the structure of this AGS has been prepared with reference to themes from key elements of the structures and processes outlined in the CIPFA guidance.

Codes of conduct and standards of professional behaviour

Ethics and standards are core to the corporate governance arrangements

The organisation aspires to the highest ethical standards in all of our activities. The policing Code of Ethics sets out the principles and standards of behaviour that promote, reinforce and support these standards from everyone who works within the police service.

The Code is founded upon nine policing principles which were built on the Nolan principles for public life, and these principles should underpin every decision and action across policing. In accepting to abide by the Code of Ethics, everyone is committed to the principles and standards of behaviour, and these will assist everyone in doing the right thing when faced with difficult and complex decisions.

During 2023/2024 the force launched the new Code of Ethics to support and enhance trust and confidence in the ethics and actions of those working in policing in North Yorkshire. Delivery of a mandatory training package for all officers and staff has commenced and continues into 2024/2025.

Implementation of the force's Ethics Delivery Plan continued throughout the reporting period, monitored through the Independent Ethics Advisory Board.

The ethical policing principles are:

- Public Service
- Courage & Respect
- Empathy

Further information

■ NYP Ethics and Standards

Customer Service

Complaints and recognition about North Yorkshire Police are handled by an independent team, to ensure fairness, for the public and the police. The team is part of York and North Yorkshire Office of Police, Fire, Crime and Commissioning.

The aims and key principles of the complaints and recognition process are:

- To learn and develop by improving from mistakes, poor judgement and low-level misconduct via early and supportive intervention
- To provide a fair, open and proportionate process to deal with such matters
- To focus upon self-reflection, learning from mistakes and development of actions to put issues right and prevent reoccurrence
- To build an inclusive, reflective and participative process for the officer or member of staff involved, and the identification of individual and organisational learning
- To ensure that disciplinary proceedings are focused and applied only to serious breaches of the Standards of Professional Behaviour, where it is considered that a formal disciplinary sanction is justified.

Further information

■ Complaints and Recognition

Ensuring Compliance

Code of Corporate Governance

The Code of Corporate Governance is a key governance instrument which acts as a reference point for the expectations and rules about, for example, who in the organisation can make decisions and on what issues.

Finance Regulations

Aligned to the Code of Corporate Governance are the Finance Regulations. These translate into practical guidelines and the framework for decision making on financial matters.

Every year, “key financial Controls” of the Force are reviewed by internal audit where a different area is evaluated to ensure good financial management. In this reporting year an internal audit was completed on “Key Financial Controls – Accounts Receivable” and a follow up visit to the previous audit for “Key Financial Controls – Accounts Payable” both of which resulted in a positive opinion from the auditors with actions identified to further enhance the controls in those areas. In addition, the internal audit follow up visit on “Fleet Management” identified poor progress in relation to the currency of the force financial governance documents. Ensuring that these documents and processes are brought up to date will be an area of focus during 2024/2025.

Sources of Assurance

Various sources of assurance are relied on to test and ensure compliance with laws and regulations, our governance arrangements and that expenditure is in line with the Finance Regulations.

Internal Audit

Internal Audit Services were provided by RSM during this review period. The internal audit plan for the year and regular progress reports detailing the outcome of the assignments in the plan were prepared and reported to the Joint Independent Audit Committee.

The plan is risk-based and targeted at areas where Internal Audit is the appropriate assurance provider. It is designed with a large degree of flexibility so that changes can be made in order to test emerging areas of concern.

Based on the internal audit assignments completed throughout the year an audit opinion is formed by RSM for both the Commissioner and Chief Constable.

For the period from 1 April 2023 to 6 May 2024, RSM's opinion for the Commissioner and Chief Constable was as follows:

"The organisation has an adequate and effective framework for risk management, governance and internal control. However, our work has identified further enhancements to the framework of risk management, governance and internal control to ensure that it remains adequate and effective."

The RSM opinion was informed by the following internal audit reports:

- Equality and Diversity
- HR Recruitment and Selection
- Health & Safety: Employer
- HMICFRS Recommendations Tracking
- IT Asset Lifecycle.

The actions identified in those reports will be progressed by the appropriate management teams with oversight through the Risk & Assurance Board.

Further information

- Financial Regulations
- Annual Internal Audit Report 2023-2024

Ensuring Compliance

External Audit

External Auditors work independently of the organisation. They examine records, operating systems and financial accounts and provide assurance around compliance. Our external audit service for 2023/24 was provided by Mazars. The appointment is made independently by Public Sector Audit Appointments (PSAA) who manage the arrangements for appointing auditors as set out in the Local Audit and Accountability Act 2014.

Resource pressures experienced within Mazars resulted in significant delay in discharging External Audit activity on the 2022/2023 Statement of Accounts. These were approved by the Joint Independent Audit Committee during 2023/24 and are now to be signed off by York and North Yorkshire Combined Authority.

The 2023/24 Statement of Accounts are for an extended financial year 6th May 2024 due to the creation of the York and North Yorkshire Combined Authority.

Joint Independent Audit Committee

The Commissioner and Chief Constable operated a Joint Independent Audit Committee (JIAC).

All the JIAC sessions in the reporting period had active engagement from members and officers.

Further information

■ Joint Independent Audit Committee



Ensuring Compliance

HMICFRS

His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) independently assesses police forces and policing activity. It's core role is to promote efficiency and effectiveness through inspection and assessment.

In preparing their reports, they ask the questions which the public would ask and publish the answers in an accessible format.

HMICFRS provide the information to allow the public to compare the performance of forces against others and their evidence is used to drive improvements in the service to the public.

As an additional source of assurance HMICFRS outcomes are considered in the review of governance arrangements.

The 2023/2025 PEEL (police effectiveness, efficiency and legitimacy) inspection of North Yorkshire Police was published in March 2024. The judgements set out in the report are relevant to this Annual Governance Statement.

Significant improvements has been achieved in 2023/24 as recognised in the HMICFRS report published in March 2024.

The improvement activity will continue throughout 2024/25 with oversight from the Chief Officer Team through existing governance arrangements. This activity informs the Force Management Statement (FMS). This is an annual self assessment that the Chief Constable must prepare and submit to HMICFRS.

HMICFRS use the FMS and information from their other inspection activity to inform their assessment.

The frequency of Risk and Assurance Board meetings reduced to bi-monthly during the latter part of 2023/24 taking into account the progress the force has made.

Further information

■ HMICFRS

Transparency & Engagement

The view of the organisation is that transparency is one of the pillars of good corporate governance. The stated aspiration is that statutory requirements are not only complied with, but exceeded.

Active engagement with the communities that we serve helps to create a positive working relationship with them and a better understanding of their needs and issues.

A range of tools is used to help us be aware of, and understand, the experiences of our communities.

The communities of North Yorkshire were regularly invited to have their say during 2023/2024.

Participation was encouraged through a number of measures including:

- surveys on Trust and Confidence,
- online public meetings where the public are invited to ask questions,
- the complaints and recognition team that deal with feedback fairly and impartially
- Virtual advice surgeries with the Commissioner



How the business was managed in 2023/2024

Police and Crime Plan

The Police and Crime Plan sets out the vision and priorities for policing and community safety, as well as the objectives and ambitions that the Chief Constable is held to account against.

Code of Corporate Governance

Crucially this contains the scheme of delegation and consent which sets out the parameters for who can make decisions across the business.

The Code of Corporate Governance sets out that 'The Chief Constable shall report to the Commissioner, and inform the Commissioner's Chief Finance Officer, if it appears that expenditure is likely to exceed those resources allocated to them by the Commissioner during 2023/24.

Chief Finance Officer Protocol

The Chief Finance Officer protocol is designed to recognise our commitment to the Home Office Financial Management Code of Practice for the Police Service in England and Wales. The Chief Finance Officer arrangements have also considered the CIPFA Code of Practice recommendation that the Commissioner's Chief Finance Officer reports directly to the Commissioner. If different arrangements are adopted, the reasons should be publicly reported in the AGS. Due to the nature of the arrangements in North Yorkshire they are considered annually.

During the reporting period the Commissioner's Chief Finance Officer reported via the Chief Executive Officer to the Commissioner. This provides an effective solution to engage on all material matters via a dedicated line manager. The Commissioner's Chief Finance Officer has direct access to the Commissioner as well as to the Chair of the Joint Independent Audit Committee.

The Commissioner's Chief Finance Officer remains satisfied that these arrangements effectively deliver the statutory functions of the role.

The role of the Commissioner's Chief Finance Officer continues to be provided by way of a collaborative arrangement with the Police and Crime Commissioner for Cleveland.

The protocol will be updated to reflect the new statutory officer arrangements under the York and North Yorkshire Combined Authority.

Executive Board

The forum for oversight of corporate health during 2023/2024 was the Executive Board, chaired by the Commissioner. During the year, the Board operated on a joint basis with senior colleagues from North Yorkshire Fire and Rescue Service as attendees.

Monitoring Officer Protocol

The Area for Development to review the Monitoring Officer Protocol was carried forward to this AGS with the creation of the York and North Yorkshire Mayoral Combined Authority.

As a result of the review it was identified that there is a requirement for the Monitoring Officer Protocol to reflect the implementation of revised executive management arrangements within York and North Yorkshire Office for Policing, Crime, Fire and Commissioning.

Memorandum of Understanding

The 'Police and Crime Commissioner - Chief Constable' Memorandum of Understanding covering ways of working, has been successfully in place since 2011 and was last updated in 2014 since when no updates have been required. The implementation of the Policing Protocol Order 2023 and the statutory officer arrangements under the York and North Yorkshire Combined Authority, call for a refresh of the Memorandum of Understanding which will be undertaken in 2024/25.

How the business was managed in 2023/2024

Risk & Assurance Board

During the reporting period the Risk and Assurance Board continued to promote and to oversee the development of risk management across policing functions. Chaired by the Deputy Chief Constable with membership including Assistant Chief Constables and the Assistant Chief Officer of enableNY, the agenda includes matters such as risk register activity, policies and procedures and assurance activity.

In the latter part of the reporting period the frequency of Board sessions reduced from monthly to bi-monthly based on the progress made against the improvement plan put in place following the HMICFRS inspection reported in March 2023.

Where appropriate the meeting may refer matters to the Executive Board or the Joint Independent Audit Committee.

Further information

- Police and Crime Plan
- Executive Board
- Chief Finance Officer Protocol
- Monitoring Officer Protocol

Scrutiny Arrangements

Holding the Chief Constable to Account

During 2023/24 holding the Chief Constable to account was the statutory role of the Police, Fire and Crime Commissioner and can be done in a number of ways. Locally the Commissioner uses a mix of public meetings, reports and research; organisations such as HMICFRS; and formal complaints and recognition to assess the Chief Constable against expectations.

In North Yorkshire the philosophy is to focus on the following five areas:

- Performance
- Value for money
- Using feedback and evidence to improve services
- Examining performance
- Quality of work.

The Commissioner actively seeks the input of the public in order to effectively carry out the scrutiny function. Whether formal or informal, scrutiny is informed by public views, needs and feedback.

Online Public Meeting

During 2023/2024 the Online Public Meeting provided a formal route for public questions and feedback.

Through the work of the Online Public Meeting, the Commissioner ensures that:

- The Chief Constable is held to account in their delivery of the Police and Crime Plan through monitoring key performance indicators
- Specific areas of service are evaluated and reported on
- Resources and budgets are focused on the implementation of the Police and Crime Plan and are delivering value for money for the taxpayer
- Third party performance tables and reports, for example those produced by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS), are closely scrutinised and necessary actions identified and delivered.

- Agreed outcomes stated in the Police and Crime Plan are monitored through a performance management framework.
- Police complaints and recognition are monitored and lessons learnt.
- Qualitative feedback from key partners, stakeholders and service users is sought and acted upon.
- Formal and informal feedback is given from the workforce including the staff associations such as the Police Federation and UNISON.
- Partnership structures and delivery are effective, especially within the context of the wider criminal justice landscape.
- Internal and external communications are delivering effectively against the agreed strategy.

There are various scrutiny arrangements in place for the organisations which reflect the respective statutory roles.

Police, Fire and Crime Panel

The Panel has the statutory responsibility for scrutinising the performance of the Commissioner during 2023/24 and is a joint committee of the local authorities in the area. The Panel undertakes its scrutiny function through a range of mechanisms and considers such matters as:

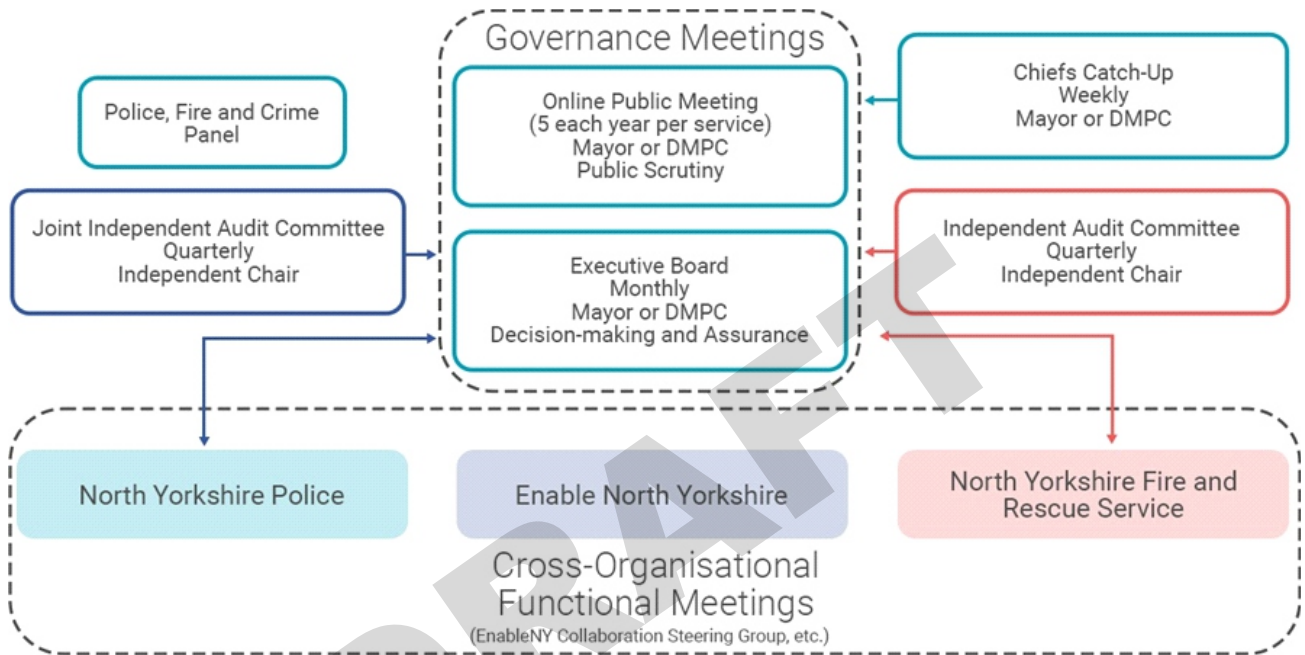
- Reviewing the Commissioner's proposals for the amount of council tax local people pay towards policing. It has the power to veto these proposals if it considers the amount is inappropriate
- Considering the Commissioner's Police, Fire and Crime Plan and Annual Report
- Considering the Commissioner's proposals for the appointment of new Chief Constables and Chief Fire Officers, with the power to veto
- Resolving non-criminal complaints about the Police, Fire and Crime Commissioner
- Resolving non-criminal complaints about any Deputy Police, Fire and Crime Commissioner.

Further information

- Police, Fire and Crime Panel
- Online Public Meeting
- Annual Report

High Level Governance Model

The diagram below provides an overview of the high governance arrangements that operated during 2023/2024.



Working with others

Collaboration Governance

The Commissioner has a statutory duty to collaborate and so it is important that good governance arrangements are incorporated for oversight of collaboration activity.

The agreements that underpin collaboration activity are published as a matter of routine. In addition the notes from the formal meetings that oversee collaboration activity are also on the Commissioner's website in the spirit of transparency.

Arrangements for Commissioner oversight of police-to-police collaboration, require further enhancement in 2024/25.

Enable Collaboration Governance

The HMICFRS PEEL inspection report published in March 2023 identified that improvements were required in the oversight and governance of the enabling services shared between police and fire. As a result, the Assistant Chief Officer has led on the appointment of an emergency service-focused consultancy called Practice to Progress to conduct a review of enableNY. The review has concluded and the findings are being considered by Chief Constable, Chief Finance Officer and York and North Yorkshire Combined Authority Leadership Team.

Work is currently ongoing to determine the most appropriate model and governance to deliver support services for police, fire and crime.

Evolve Collaboration

Evolve is the collaborative arrangement for policing services for North Yorkshire, Durham and Cleveland Police Forces and includes the Cold Case Review Unit and Evolve Collaborative Legal Services. It is governed and overseen by a joint Police Crime Commissioner and the Force Board is chaired by a Police and Crime Commissioner Chief Executive.



What we said we would develop in 2023/24

Areas for Development from the 2022/2023 AGS

Area for Development	Lead	Progress
<p>1. The overspend as outlined on page 9 of the 2022/2023 AGS is considered to be a Significant Governance Issue. The Chief Constable has been formally asked by the Commissioner to report in writing, to the June Executive Board, across a range of issues in relation to financial controls, approvals and management, to provide assurances and understanding about how this happened, and to ensure that it does not happen again.</p>	Chief Constable	<p>Following formal dialogue between the Commissioner and the Chief Constable in respect of financial governance; financial management and budgetary oversight has been enhanced, forming a key part of the OPFCC's Assurance Framework.</p> <p>During 2023/2024 there have been two new key appointments, both of whom who have restructured the governance process, with financial oversight scrutinised by the OPFCC within the monthly Executive Board. This platform facilitates clear oversight on spend analysis. It has been presented that there is now a shared understanding of the requirements in relation to budgetary control within North Yorkshire Police and the Enable team, to ensure that the risk of the previous overspend situation is mitigated.</p>
<p>2. Respond positively to the findings of the HMICFRS PEEL 2021/2022 report to ensure that progress is made towards the necessary improvements. With specific focus on addressing the Cause of Concern raised by HMICFRS which requires that within 3 months North Yorkshire Police should:</p> <ul style="list-style-type: none"> ● make sure that senior leaders have effective oversight of the force's enabling services and the current challenges associated with capability; ● develop an effective workforce plan so it can provide a service that meets the policing needs of the community, now and in the future; and ● develop and align departmental operational and strategic plans that are informed by accurate information and a detailed performance framework. <p>This is considered to be a Significant Governance Issue for the organisation.</p>	Deputy Chief Constable	<p>The implementation of our Improvement Plan and supporting oversight arrangements created the conditions for force to discharge this action. This was confirmed on 6 December 2023 when HMICFRS published a "progress review of identified cause of concern". In concluding the review HMICFRS recognised the "significant steps" that the force had taken and in light of the improvements made considered the cause of concern to be discharged.</p> <p>Further detail can be found here North Yorkshire Police: PEEL cause of concern letter - His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (justiceinspectors.gov.uk)</p>

What we said we would develop in 2023/24

Areas for Development from the 2022/2023 AGS

Area for Development	Lead	Progress
3. Ensure that the Fire and Police enabling services collaboration governance, resources and performance deliver an efficient and effective service through undertaking a review and acting on the findings.	Chief Constable	<p>The Assistant Chief Officer has led on the appointment of an emergency service-focused consultancy called Practice to Progress to conduct a review of enable NY. The review has concluded and the findings are being considered by Chief Constable, Chief Finance Officer and York and North Yorkshire Mayor.</p> <p>Work is currently ongoing to determine the most appropriate model and governance to deliver support services for police, fire and crime.</p>
4. Ensure that the force financial governance documents reflect current practice and that regular review arrangements are introduced.	Chief Constables Chief Finance Officer	<p>This action will be carried forward to the 2023/24 AGS.</p> <p>The Chief Constable's Chief Finance Officer has the review in hand however due to competing priorities since arrival in post in November 2023, the review of the DRM is ongoing and due to be completed by 30 June 2024.</p>
5. Consider the provisions of the Monitoring Officer Protocol and refresh to reflect the revised executive management arrangements of the Office of the Police, Fire and Crime Commissioner.	Chief Executive and Monitoring Officer	<p>Refreshment of the OPFCC Delegation and Monitoring Officer protocol has been completed, with the updated documents circulated to service leads in both Police and Fire December 2023. Copies are held with the OPFCC for access, and are subject to regular refresh and review.</p>
6. Review and refresh the Chief Constable / Commissioner memorandum of understanding.	Chief Executive and Monitoring Officer	<p>Refreshment of the Memorandum of Understanding is subject to hold pending the transition to a Mayoral Combined Authority (MCA) May 2024.</p>

Governance Arrangements

The Review of Governance Arrangements in place during 2023/2024

The review of effectiveness of the joint governance arrangements in place during 2023/2024 indicated that the framework requires some adjustment in order to provide a comfortable level of assurance. We will work to address those areas during 2024/2025 and ensure that appropriate mechanisms are in place to:

- Promote and monitor codes of conduct and professional behaviour
- Ensure compliance with internal and external requirements
- Promote transparency and acting in the public interest
- Develop channels of communication with all sections of the community
- Manage the business to deliver the organisational vision of being synonymous with exemplary service
- Apply good governance arrangements to collaboration activity and partnerships
- Appropriately scrutinise performance.

It has been identified that some of the governance mechanisms and protocols that have been in place for some time require review in light of changes in the governance environment.

The areas for development detailed overleaf have been identified from the review process. The implementation of these will be monitored and reported in our AGS for 2024/2025.



Summary

Areas for Development for 2024/25

The key areas for development during 2024/25 are summarised below;

Area for Development	Owner	Target date
<p>Carried forward from 2022/23</p> <p>1. Ensure that the Fire and Police enabling services collaboration governance, resources and performance deliver an efficient and effective service through undertaking a review and acting on the findings.</p>	Chief Constable	31 December 2024
<p>Carried forward from 2022/23</p> <p>2. Ensure that the force financial governance documents reflect current practice and that regular review arrangements are introduced.</p>	Chief Constable's Chief Finance Officer	31 December 2024
<p>3. Review and refresh the Chief Constable's / Mayor - as - PCC memorandum of understanding.</p>	Corporate Director of York and North Yorkshire PFCC	31 December 2024

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We hope that this document provides you with some helpful insight into how we decided to lead North Yorkshire Police, the systems we have put in place to ensure our decisions are open and accountable, and that your money is safeguarded.

David Skaith
York and North Yorkshire
Combined Authority Mayor

Tim Forber
Chief Constable
North Yorkshire Police

Louise Branford-White
Chief Constable's
Chief Finance Officer

Michael Porter
OPFCC Chief Finance Officer

Simon Dennis
Corporate Director OPFCC
Combined Authority Deputy Monitoring Officer
for Mayoral Policing, Fire and Crime Functions

June 2024

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 York & North Yorkshire
Office for Policing, Fire,
Crime and Commissioning

Part of the  York and
North Yorkshire
Combined Authority

