

Police and Crime Commissioner for Derbyshire Scheme of Delegation 2025

EXTERNAL POLICY

Control Sheet

Policy Details

Policy Title	Derbyshire Police and Crime Commissioner Scheme of Delegation
Responsible Officer	OPCC Chief Operating Officer
Security Classification	OFFICIAL
Disclosable under FOIA	Yes
Policy implementation date	July 2025
Next review date	July 2028

Revision Table

Revision date	Changes
03/02/2022	Reviewed policy content - MR
22/07/2025	Changed the policy review date - MR

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SECTION 1 BACKGROUND

- 1.1. Under the [Police Reform and Social Responsibility Act 2011](#) (PRSRA 2011) (the Act), the Derbyshire Police Authority was abolished and replaced with a directly elected Police and Crime Commissioner for Derbyshire (PCC).
- 1.2. This Scheme of Delegation comes into effect from May 2025 and supersedes the previous Schemes of Delegation. Any matter of business not covered in this document will require the Police and Crime Commissioner's approval.
- 1.3. The Scheme set out in this document is intended to strike a balance between giving the Chief Constable, PCC's Chief Operating Officer and Force's Chief Finance Officer reasonable managerial freedom and retaining the Police and Crime Commissioner's ability both to hold the Chief Constable to account and to give managerial direction to the Office of the Police and Crime Commissioner (OPCC). The Scheme is intended to ensure that the decision-making process provides good value for money.
- 1.4. This Scheme of Delegation details the functions delegated to the Chief Operating Officer and the Monitoring Officer.
- 1.5. The Police and Crime Commissioner has power under section 18 of the Police Reform and Social Responsibility Act 2011 to delegate certain (but not all) functions of the Police and Crime Commissioner to its deputy or other staff within the office of the PCC.
- 1.6. The Scheme will be recommended to the Police and Crime Commissioner for immediate adoption and then a review in May 2028 or when there is a significant change of Governance.
- 1.7. The Scheme can only be amended by the Police and Crime Commissioner, and it is expected that the Scheme will be reviewed at the start of the Commissioner's term, unless changes in legislation, law or working practices dictate otherwise. The nature of the review will depend on how the Scheme appears to the Police and Crime Commissioner and the Chief Constable to be operating in practical terms.
- 1.8. The following principles have guided the preparation of this Scheme:
 1. The Police and Crime Commissioner must make statutory (see below) and other key decisions in respect of resources, performance standards and objectives across their responsibilities.
 2. The Police and Crime Commissioner must have sufficient information at the appropriate time and have sufficient decision-making powers to enable effective oversight and scrutiny and to ensure efficiency and effectiveness.
 3. The Police and Crime Commissioner's day-to-day activity should be focused on strategic issues including holding the Chief Constable to account, scrutiny of the Force's operations, interacting with the public and stakeholders, and promoting the achievement of the Police and Crime Plan.

4. The Chief Constable must be given (in addition to operational independence) sufficient non-operational decision-making powers to enable them to lead and manage the Force effectively and efficiently.
5. The OPCC's Chief Operating Officer must have reasonable managerial freedom to run the Police and Crime Commissioner's office and to progress business on the Police and Crime Commissioner's behalf.
6. The Police and Crime Commissioner's management and administrative responsibilities should be largely discharged on their behalf by the Chief Operating Officer, provided that this does not undermine the Police and Crime Commissioner's ability to scrutinise the Force effectively and does not expose the Police and Crime Commissioner or the Force to reputational risk.

SECTION 2 INTRODUCTION

2.1. For the purposes of this Scheme of Delegation and Consent *Derbyshire Police*, when used as a generic term, shall refer to:

- i The Police and Crime Commissioner for Derbyshire (PCC)
- ii The Office of the Police and Crime Commissioner (OPCC)
- iii The Chief Constable for Derbyshire
- iv The Force

2.2. The Police Reform and Social Responsibility Act 2011 makes provisions for the Police and Crime Commissioner to appoint a deputy to undertake any functions of the Commissioner with the exception of:

- i Approving and issuing the Police Fire and Crime Plan
- ii Appointing, suspending, and removing the Chief Fire Officer
- iii Appointing, suspending, and removing the Chief Constable
- iv Approving the budget requirement for the purpose of issuing a precept.

2.3. The Police Reform and Social Responsibility Act 2011 makes provision for the PFCC to appoint other staff to carry out their functions. In addition to those functions listed within 2.2, the following are also defined in the Act as being matters that cannot be delegated:

- i Determining the Police, Fire and Crime objectives in the Police, Fire and Crime Plan
- ii Attendance at the Police, Fire and Crime Panel for specified duties

iii Approving the annual report to the Police, Fire and Crime Panel.

2.4. The other key roles of the Police and Crime Commissioner are:

- i To be responsible for the totality of policing in Derbyshire.
- ii Ensure that the Police Force is efficient and effective whilst demonstrating value for money.
- iii Hold the Chief Constable to account for the exercise of the functions of the office of the Chief Constable and the functions of the persons under direction and control of the Chief Constable on behalf of the people of Derbyshire.
- iv Ensure adequate reserves are held for Derbyshire and decide together, with the regional Police and Crime Commissioners, on the use of regional reserves and regional budget underspends.
- v Hold the Chief Constable to account for the performance of the force's officers and staff.
- vi Hold the Chief Constable to account for the duty to have regard to the Police Fire and Crime Plan and the Strategic Policing Requirement.
- vii Hold the Chief Constable and those under their direction and control to account for the exercise of duties relating to equality and diversity.
- viii Handle complaints and conduct matters in relation to the Chief Constable.
- ix Determine the Police and Crime Commissioner and Force budgets.
- x To be open and accountable.

2.5. To engage with the Police Fire and Crime Panel to allow the Panel to discharge its statutory duties.

2.6. The Police and Crime Commissioner is the legal contracting body and owns all assets and liabilities (regardless of whether used by the Force or the office of the Police and Crime Commissioner (OPCC). The Police and Crime Commissioner has responsibility for the financial administration of the Police and Crime Commissioner's Office and Derbyshire Police, including all borrowing decisions.

2.7. The Police and Crime Commissioner is held to account by the [Police and Crime Panel](#). This consists of both Elected Members and Independent Members; the size of the Panel may vary to address issues of local political balance. This Panel scrutinises the decisions of the Police and Crime Commissioner and it is intended as a check and balance on the Police and Crime Commissioner, not the Chief Constable.

2.8. This Scheme sets out those functions and decisions for which the Police and

Crime Commissioner has given officers the delegated authority to act pursuant to section 18 of the PRSRA 2011.

- 2.9. The Scheme provides sufficient delegation to officers to ensure that decisions are not unnecessarily delayed, whilst ensuring that the Police and Crime Commissioner is properly protected from risks associated with being the individual held to account for all decisions made. However, the Scheme does not attempt to list all of the matters which are incidental to the exercise of those responsibilities and which form part of everyday management responsibilities.
- 2.10. The Scheme is without prejudice to and does not in any way affect the Police and Crime Commissioner's power to amend, rescind or review specific delegations from time to time on any powers delegated to the OPCCs Chief Operating Officer or the Monitoring Officer. It is a record of those formal delegations granted by the Police and Crime Commissioner which are in effect at the time of the publication of this scheme.
- 2.11. The Scheme should be read in conjunction with Financial Regulations/[Financial Handbook](#) as well as the [PCC Succession Policy](#).

SECTION 3 THE SCOPE OF THE POLICE AND CRIME COMMISSIONER'S POWER OF DELEGATION

- 3.1. The persons appointed as the Police and Crime Commissioner's Chief Operating Officer (this role includes the Chief Finance Officer role (s151 Officer) and the Monitoring Officer have statutory powers and duties inherent to their positions, and do not rely on matters being delegated to them when exercising those functions.
- 3.2. Delegation under the Scheme provides an officer with legal power to exercise the function of the Police and Crime Commissioner. In exercising the function, the officer must still comply with all other statutory and regulatory requirements and relevant professional guidance including:
- i The Police and Social Responsibility Act 2011 and other relevant legislation including all regulations issued under this Act.
 - ii The Financial Regulations/ Financial Handbook (including Contract Standing Orders).
 - iii The Home Office Financial Management Code of Practice.
 - iv CIPFA statement on the role of the CFO of the Police and Crime Commissioner and the CFO of the Chief Constable
 - v The Police and Crime Commissioner's governance framework.
 - vi The Police and Crime Commissioner's or the Chief Constable's employment policies and procedures (whichever is applicable)

vii The Data Protection Act 2018/UK GDPR and the Freedom of Information Act 2000.

viii Health and Safety at work legislation and codes.

ix The Solicitors Code of Conduct 2023.

3.3. In carrying out functions, the Police and Crime Commissioner or staff must have regard to the following list (which is summary, but not exhaustive):

i The views of the people and victims of Derbyshire.

ii Any report or recommendation made by the Police and Crime Panel on the Annual Report from the previous financial year.

iii The Police and Crime Plan and any guidance issued by the Secretary of State.

iv The prevailing assessment of Derbyshire by HMICFRS or any other independent assessors.

3.4. With the exception of those matters detailed at paragraphs 2.2 and 2.3 the Scheme allows any person to whom a power has been delegated, to sub delegate that power to a deputy or member of staff under their line management.

3.5. The Police and Crime Commissioner may appoint a deputy to make decisions in their absence (leave/illness). Further details are provided within the [PCC Succession Policy](#).

3.6. Where delegations have been made, officers should exercise their professional judgement in bringing to the Police and Crime Commissioner's attention any related matter that would be considered novel or contentious that these matters will be brought to the Police and Crime Commissioner's attention at the earliest opportunity.

3.7. The Police and Crime Commissioner may ask that a specific matter is referred to them for a decision and not dealt with under delegated authority.

SECTION 4 THE DELEGATION TO DEPUTY POLICE AND CRIME COMMISSIONER

4.1. In the event of loss of Police and Crime Commissioner, the deputy Police and Crime Commissioner would support the Chief Operating Officer in performing the functions of the Police and Crime Commissioner role. Further details are provided within the [PCC Succession Policy](#).

SECTION 5 THE DELEGATIONS TO THE CHIEF OPERATING OFFICER

5.1. Executive Responsibilities

1. The Chief Operating Officer does not designate a Monitoring Officer but will make recommendations to the PCC accordingly.
2. The Chief Operating Officer is the Head of the Police and Crime Commissioner's Office and its staff (Head of Paid Staff). The delegations below are a record of those formal delegations granted by the Police and Crime Commissioner to the Chief Operating Officer, which are in effect at the time of the publication of this Scheme.

5.2. General

- CO 1. To prepare the Police and Crime Plan in consultation with the Chief Constable of Derbyshire Police and partners for submission to the Police and Crime Commissioner.
- CO 2. To prepare an Annual Report and Annual Governance Statement for submission to the Police and Crime Commissioner.
- CO 3. To provide information to the Police and Crime Panel, as reasonably required to enable the Panel to undertake its functions.
- CO 4. To sign contracts on behalf of the Police and Crime Commissioner, pursuant to any decision of the Police and Crime Commissioner or Deputy Police and Crime Commissioner.
- CO 5. To sign contracts and, where relevant, affix the common seal of the Police and Crime Commissioner:
 - i To all contracts, agreements, or transactions in respect of which there is no financial consideration, and which require a seal.
 - ii That relate to land and property transactions requiring the seal.
 - iii That relate to the provision of goods and services to another body. and which are above £200,000 in value over the life of the contract or where a seal is stipulated in the contract; or
 - iv That are £200,000 or above in value over the life of the contract where a seal is stipulated in the contract (in money or money's worth)
 - v When it is determined by the Police and Crime Commissioner or Monitoring Officer that there is a particular need for the seal to be attached.
- CO 6. Consider requests for financial assistance to officers and staff involved in legal proceedings or inquests except those felt to be significant because:

- i They involve a high-profile claimant.
 - ii There is a particular public interest in the case.
 - iii There is a real risk that the Police and Crime Commissioner or Derbyshire Police will be exposed to serious public criticism or serious weaknesses in the organisation or policies and procedures will be revealed.
- CO 7. [To approve any fees for copies or extracts of documents requested by the public pursuant to the provisions of the Local Government (Access to Information) Act 1985 and the Freedom of Information Act 2000.]
- CO 8. To approve grant agreements in line with the Police and Crime Commissioner's aims and objectives.
- CO 9. To evaluate and authorise, in consultation with the Monitoring Officer, any insurance or indemnity, to any statutory officer, individual member of staff of the Police and Crime Commissioner, paid contractors or volunteers.
- CO 10. To evaluate and authorise, in consultation with the Monitoring Officer, any insurance to an individual member of staff of the Police and Crime Commissioner in accordance with the Local Authorities (Indemnities for Members and Officers) Order 2004.
- CO 11. To make arrangements, including obtaining legal or other expert advice and the authorisation of people, to initiate, defend, withdraw, or settle any claims or legal proceedings on the Police and Crime Commissioner's behalf, in consultation with the Police and Crime Commissioner's Legal Advisor.
- CO 12. To exercise the statutory powers of the Police and Crime Commissioner for Professional Standards, as delegated by the Police and Crime Commissioner on a temporary or permanent basis. Such delegations when agreed are to be documented as an addendum to this Scheme.
- CO 13. To liaise closely with the Monitoring Officer on all decision making.
- CO 14. Regardless of authorisation amounts within this Scheme of Delegation or Financial Handbook, that where expenditure or income which relates to cases that are novel, contentious, political or of public interest that these matters will be brought to the Police and Crime Commissioner's attention at the earliest point.

5.3. Management/Human Resources Responsibilities

- CO 15. For staff directly employed by the Police and Crime Commissioner (who are not under the direction and control of the Police and Crime Commissioner or the Chief Constable) to manage staff resources and

the determination of general staffing issues, including:

- i The appointment and dismissal of staff and the determination of terms and conditions of service (with reference to existing HR policies and procedures, and conditions of service) including the authorisation of recognised professional management fees.
- ii The management and implementation of disciplinary, grievance and harassment policies and procedures.
- iii Approving a Performance Development and Review (PDR) Scheme.

CO 16. To pay all valid travel and subsistence claims or financial loss allowance.

CO 17. To pay salaries, wages, pensions, and reimbursements by the most economical means.

CO 18. Agreeing incremental changes to grades and pay bands.

CO 19. Agreeing the extension of service for staff over normal retirement age.

CO 20. Approving the granting leave of absence without pay beyond that provided for.

CO 21. Approving the payment of honoraria to officers who have undertaken additional duties over an extended period in the absence of a more senior officer.

CO 22. The engagement of temporary or agency staff or consultants in compliance with HMIC rules around IR35.

CO 23. Approving the attendance of officers at conferences / seminars and other training events.

CO 24. In consultation with the Force CFO, approve expenditure and insurance for Officers seconded abroad.

CO 25. To evaluate and authorise in consultation, where appropriate, with the Force CFO any terms of indemnity that Derbyshire Police is requested to give by external parties, in conjunction with current legal advice.

CO 26. To manage any other matters involving OPCC staff resources and service delivery.

CO 27. To propose and implement as Head of Staff minor restructurings of staff, subject to there being budget provision for the proposals and consultation with the Trade Unions.

CO 28. To manage that part of the budget which is not provided to the Chief Constable, in accordance with the Police and Crime Commissioner's

Financial Handbook.

- CO 29. To place orders for goods and services and to incur expenditure (for the OPCC) for which provision is included in the revenue budget.
- CO 30. To make arrangements to invite and accept quotations and tenders for goods and services for which provision is included in the revenue budget in accordance with the Financial Handbook.
- CO 31. In consultation with the Monitoring Officer, in relation to complaints against the Chief Constable received by the Police and Crime Commissioner, consider whether the Police and Crime Commissioner is the appropriate body to consider such a complaint. Or if such a complaint should be referred to the Independent Office of Police Conduct (IOPC).
- CO 32. To respond to consultations affecting the Police and Crime Commissioner.
- CO 33. To make arrangements for the consultation and engagement on the Police and Crime Commissioner's behalf to gather the communities' and victims' views on the policing of Derbyshire and on the prevention of crime.
- CO 34. To manage complaints against the staff of the Police and Crime Commissioner under the direction and control of the Chief Operating Officer (COO).
- CO 35. In the absence of the Chief Operating Officer or under COO authorisation, delegations can also be undertaken by the Deputy Head of Paid Staff; excluding any matter that requires Monitoring Officer approval or decision. In which case the Monitoring Officer would act under such delegation.
- CO 36. The Chief Operating Officer may authorise other staff in their office to make decisions on their behalf.

5.4. **Financial Responsibilities**

- CO 37. The COO is the financial adviser to the Police and Crime Commissioner and has a statutory responsibility to carry out the functions of the Chief Finance Officer under section 151 of the Local Government Act 1972 and sections 113 and 114 of the Local Government Finance Act 1988, ensuring that the financial affairs of the Police and Crime Commissioner and Derbyshire Police are properly administered having regard to their probity, legality, and appropriate standards.
- CO 38. The delegations below are a record of the formal delegations granted by the Police and Crime Commissioner which are in effect at the time of the publication of this Scheme.
- T 1. To administer the Police and Crime Commissioner's financial affairs.

- T 2. To advise the Police and Crime Commissioner on financial propriety.
- T 3. To ensure appropriate arrangements are in place for the recording and reporting of strategic risks of the Police and Crime Commissioner.
- T 4. To ensure that accurate, complete, and timely financial management information is provided to the Police and Crime Commissioner.
- T 5. To provide professional financial advice to the Police and Crime Commissioner including advice on arrangements for financial delegation.
- T 6. To work closely with the Force CFO in preparing the medium-term financial strategy/plans and advise the Police and Crime Commissioner on the content and implications.
- T 7. To prepare a Reserves and Provisions Strategy for approval by the Police and Crime Commissioner.
- T 8. To secure, under delegation from the Police and Crime Commissioner, an adequate and effective internal audit service and assistance in securing safe and efficient financial arrangements.
- T 9. To ensure effective corporate management of the Police and Crime Commissioner's resources.
- T 10. To secure appropriate banking arrangements and treasury management arrangements, including borrowings, loans, and investments.
- T 11. To approve the opening and closing of all bank accounts and approving the signatories thereto.
- T 12. To approve the arrangements (in accordance with the CIPFA Code of Practice on Treasury Management) for the Treasury Management function, including the day-to-day management, production and amendment of the Treasury Management Strategy and supporting policies and procedures, including the list of approved counterparties for lending.
- T 13. To advise on risk management and insurance relating to the Police and Crime Commissioner.
- T 14. To ensure appropriate arrangements are in place for insurance (including any insurance arrangements necessary under any collaboration) and to let and approve the Insurance tender.
- T 15. To sign contracts and affix the common seal of the Police and Crime Commissioner (when determined by the Police and Crime Commissioner or Monitoring Officer):

i To all contracts, agreements, or transactions in respect of which

there is no financial consideration that require the seal.

- ii That relate to land and property transactions requiring the seal, or a seal is stipulated in the contract, or .
 - iii That relate to the provision of goods and services to another body, and which are above £200,000 in value over the life of the contract and where a seal is stipulated in the contract; or
 - iv That are £200,000 or above in value over the life of the contract (in money or money's worth) and where a seal is stipulated in the contract.
 - v When it is determined by the Police and Crime Commissioner, Chief Operating Officer or the Monitoring Officer that there is a particular need for the seal to be attached.
- T 16. To prepare and review the expenses and benefits policies for the approval of the Police and Crime Commissioner.
- T 17. To sign grant applications and grant claims for external funding on behalf of the Police and Crime Commissioner.
- T 18. To assist the Police and Crime Commissioner in seeking to obtain best value for money.
- T 19. To approve the arrangements for securing and preparing the Police and Crime Commissioner Group Accounts and seek assurances that there are appropriate arrangements in place for the preparation of the Derbyshire Police Accounts.
- T 20. To ensure there are appropriate arrangements in place for the Annual Governance Review and the drafting of the Annual Governance Statement for the Police and Crime Commissioner.
- T 21. To authorise payments (in consultation with the Force CFO), without having to get approval and regardless of whether or not provision has been made in the revenue budget in relation to:
- i Payments that have to be made by law.
 - ii Payments ordered by the court.
 - iii Payments due under any agreement entered into by the Police and Crime Commissioner.
- T 22. To approve jointly with the Force CFO, PFI revenue or capital client change requests up to a value of £50,000 per transaction, with approvals reported quarterly to the Police and Crime Commissioner as part of the Quarterly Procurement Report.
- T 23. To seek assurances that there are arrangements in place within the

Derbyshire Police for the proper financial management of Derbyshire Police.

- T 24. To prepare, from time to time, draft Financial Handbook, in consultation with the Force CFO, for approval by the Police and Crime Commissioner.
- T 25. To determine whether to write off debts considered irrecoverable, including in cases where write-off action results from theft or fraud, up to the limits approved within the Financial Handbook.
- T 26. To pay all valid travel and subsistence claims or financial loss allowance.
- T 27. To pay salaries, wages, pensions, and reimbursements by the most economical means.
- T 28. To instigate any proceedings or take any action necessary to safeguard the finances of Derbyshire Police, in consultation with the Force CFO and Head of Legal as appropriate.
- T 29. Make arrangements for the acquisition (in consultation with the Force CFO, Head of Legal and Head of Strategic Estates) of freeholds below the value of £100,000 and leaseholds with a contract rental value below £25,000 per annum and for a period of no longer than 7 years.

SECTION 6 THE DELEGATIONS TO THE MONITORING OFFICER

- 6.1. To provide information to the Police and Crime Panel, as reasonably required to enable the Panel to undertake its functions.
- 6.2. To evaluate and authorise in conjunction with the Chief Operating Officer and, where appropriate, with the Force Chief Finance Officer any terms of indemnity that Derbyshire Police is requested to give by external parties.
- 6.3. To make arrangements, including obtaining legal or other expert advice and the authorisation of people, to initiate, defend, withdraw, or settle any claims or legal proceedings on the Police and Crime Commissioner's behalf, in consultation with the Police and Crime Commissioner's Legal Advisor (and Chief Operating Officer if there are significant implications).
- 6.4. To exercise the statutory powers of the Police and Crime Commissioner for Professional Standards as delegated by the Police and Crime Commissioner on a temporary or permanent basis. Such delegations when agreed are to be documented as an addendum to this Scheme.
- 6.5. To deal with Freedom of Information Act requests and to prepare and issue Publication Schemes under the Freedom of Information Act 2000.
- 6.6. To sign contracts and affix the common seal, where relevant Police and Crime Commissioner:

- i To all contracts, agreements, or transactions in respect of which there is no financial consideration where the seal is required.
 - ii That relate to land and property transactions requiring the seal.
 - iii That relate to the provision of goods and services to another body, and which are above £200,000 in value over the life of the contract; and where a seal is stipulated in a contract or
 - iv That are £200,000 or above in value over the life of the contract (in money or money's worth), and where a seal is stipulated in a contract; or
 - v When it is determined by the Police and Crime Commissioner, Chief Operating Officer or Monitoring Officer that there is a particular need for the seal to be attached.
- 6.7. In connection with complaints against the Chief Constable received by the Police and Crime Commissioner in accordance with the Police Reform Act 2002 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2020, to determine and advise the Police and Crime Commissioner:
- i Whether or not the Police and Crime Commissioner is the appropriate body to consider such a complaint.
 - ii Whether or not to refer the complaint to the IOPC.
 - iii Decide whether or not to record the complaint.
- 6.8. To appoint and remove visitors to the Independent Custody Visiting Scheme.
- 6.9. To liaise closely with the Chief Operating Officer and Head of Legal Services on all matters which require legal input and/or sign off.
- 6.10. Regardless of authorisation amounts within this Scheme of Delegation or Financial Regulations, that where expenditure or income which relates to cases that are novel, contentious, political or of public interest that these matters will be brought to the Police and Crime Commissioner's attention at the earliest point.

SECTION 7 THE DELEGATIONS BY THE CHIEF CONSTABLE TO THE CHIEF FINANCE OFFICER (Force CFO)

- 7.1. The Force Chief Finance Officer (CFO) is the financial adviser to the Chief Constable, appointed under paragraph 4 of schedule 2 and paragraph 1 of schedule 4 of the Police Reform and Social Responsibility Act 2011. The Force CFO also has a statutory responsibility to carry out the functions of the Chief Finance Officer under section 151 of the Local Government Act 1972 and sections 113 and 114 of the Local Government Finance Act 1988, ensuring that the financial affairs of the Derbyshire Police are properly administered having

regard to their probity, legality, and appropriate standards.

7.2. The delegations below are a record of the formal delegations granted by the Chief Constable which are in effect at the time of the publication of this Scheme.

CF 1. To administer the financial affairs of the Chief Constable including:

- i Provide financial expertise, advice, and information within Derbyshire Police directly to the Chief Constable to enable their responsibilities for the financial management of Derbyshire Police.
- ii To provide the strategic financial perspective to all relevant Strategic/Executive Boards of Derbyshire Police.
- iii To provide professional leadership of the finance function within Derbyshire Police, ensuring that high standards of financial management are maintained; that financial systems and procedures promote the efficient and effective conduct of business; and that financial considerations are fully taken into account in all policy decisions.
- iv To work closely with the COO for the Police and Crime Commissioner to make proposals for the Financial Regulations and the delegated limits within which Derbyshire Police will operate. To ensure that managers at all levels are aware of their responsibilities in relation to these Financial Regulations and that they adhere to them.
- v To support the COO for the Police and Crime Commissioner in their statutory responsibilities for the financial affairs of Derbyshire Police by ensuring probity, legality, and appropriate standards in all financial dealings.
- vi To act as the main point of contact with the COO in providing, receiving, and interpreting information on the financial affairs of Derbyshire Police.
- vii To ensure efficient and effective control of financial planning, budgeting, and monitoring within the Force's budget framework in respect of all Derbyshire Police income and expenditure. Nominated budget holders within the Force will have responsibility for that part of the budget allocated to them.
- viii To ensure that the Police and Crime Commissioner's intellectual property rights are not compromised by commercial agreements and shall report any significant issues in this respect to the COO.
- ix To take the lead in preparing, developing, refining, and implementing the medium-term financial strategy/plans for the Force in consultation with the COO, and to advise the Chief Constable on the content and implications.
- x To operate bank accounts on behalf of the Chief Constable.

- xi To provide the Chief Constable and other senior officers with expertise, advice, and information to enable them to fulfil their delegated responsibilities in respect of procurement, transport, strategic asset matters, information technology, communications, and other support services.
 - xii To ensure appropriate arrangements are in place for the recording and reporting and escalation of strategic risks of the Chief Constable.
- CF 2. To undertake the day-to-day management of the budget allocated to the Force in accordance with Financial Regulations.
 - CF 3. To pay all valid travel and subsistence claims or financial loss allowance in respect of Force officers and staff.
 - CF 4. To pay salaries, wages, pensions and reimbursements of Force officers and staff by the most economical means.
 - CF 5. In consultation with the COO, to approve all Force business cases above £100,000 for revenue or capital expenditure. For Force business cases below £100,000 to consult with the COO if they are novel or contentious.
 - CF 6. In consultation with the Police and Crime Commissioner to approve the payments and pensions under the Voluntary or Compulsory Redundancy Scheme for those police staff under the direction and control of the Chief Constable.
 - CF 7. To commit expenditure within the approved budget to meet the policies and objectives reflected in the Policing Plan.
 - CF 8. In accordance with Financial Regulations, wire or move budgets up to £100,000 between budget headings, on a permanent or temporary basis notifying the Police and Crime Commissioner through the monthly budget monitoring process (formerly within a report).
 - CF 9. To secure on behalf of the Chief Constable and in conjunction with the COO, an adequate and effective internal audit service and assistance in securing safe and efficient financial arrangements.
 - CF 10. To provide the day-to-day management of insurance policies and claims in relation to Derbyshire Police and liaise with the COO on required changes on the level of insurance cover, retained losses and changes in provision.
 - CF 11. To recommend variations of contract up to prevailing statutory regulation limits. To recommend extensions of time for a contract with a suitable business justification for the extension.
 - CF 12. To compile an ad hoc, select tender list in accordance with the Contract Procedure Rules.

- CF 13. To undertake the strategic management of the building and estate's function subject to the provision of financial regulations and Standing Orders for Land and Property.
- CF 14. To undertake an Annual Governance Review and draft the Annual Governance Statement on behalf of the Chief Constable.
- CF 15. Write off Derbyshire Police debts considered to be irrecoverable up to an individual maximum amount of £10,000. Any individual write-off above £10,000 must be referred to the Police and Crime Commissioner for approval. All cases where write-off action results from theft or fraud shall be referred to the COO for approval up to an individual maximum of £1,000 and to the Police and Crime Commissioner as appropriate above £1,000.
- CF 16. To accept income, offers of sponsorship and gifts on behalf of the Police and Crime Commissioner provided that decisions taken in this regard are in accordance with the law, comply with any guidance or policy which the Police and Crime Commissioner may from time to time determine and meet the requirements set out in the Financial Regulations.
- CF 17. The Police and Crime Commissioner remains the legal contracting party for contracts. However, in order to facilitate the PCC in ensuring the performance of Force contracts, responsibility for the day-to-day management and control of contracts is that of the Force CFO. The Force CFO shall ensure it has in place adequate systems, procedures, and expertise to discharge these responsibilities. These responsibilities may be exercised by the Force CFO or their authorised representatives.
- CF 18. To open tenders, subject to the tendering arrangements of the Contract Standing Orders.
- CF 19. To identify any goods surplus to requirements or obsolete and arrange for their disposal in accordance with the Financial Regulations delegated limits.
- CF 20. To approve jointly with the COO, changes to any proposed PFI scheme, which have implications for the approved capital expenditure programme, such approvals to be reported quarterly to the Police and Crime Commissioner as part of the Quarterly Procurement Report
- CF 21. To take all appropriate steps to support the PCC to enable the Police and Crime Commissioner to implement its approved capital programme for Derbyshire Police.

SECTION 8 THE DELEGATIONS BY THE CHIEF CONSTABLE TO HEAD OF LEGAL SERVICES

8.1. The delegations below are a record of those formal delegations granted by the Chief Constable to the Head of Legal Services which are in effect at the time of the publication of this Scheme.

HL 1. To approve the financial settlement of all Derbyshire Police claims or requests for compensation from Derbyshire Police deemed to be non-significant because:

- i The compensation to be paid is £50,000 or less.
- ii They do not involve a high-profile claimant, all Superintendent ranks, and Chief Officers.
- iii There is no particular public interest in the case.
- iv There is no real risk that the Police and Crime Commissioner or Derbyshire Police will be exposed to serious public criticism or serious weaknesses in the organisation or policies and procedures will be revealed.
- v It is not in the nature of a test case.

HL 2. To settle appeals on behalf of Derbyshire Police against decisions of the Senior Administrator of the Local Government Pension Scheme, in line with the Occupational Pension Schemes (Governance and Registration) (Amendment) Regulations 2022 ([legislation.gov.uk](https://www.legislation.gov.uk)).

HL 3. The Head of Legal Services shall also be responsible for the following:

- i Providing advice and/or instituting, defending, or participating in legal proceedings to protect the interests of the Police and Crime Commissioner and/or Derbyshire Police when required to do so.

SECTION 9 FUNCTIONS OF THE CHIEF CONSTABLE

9.1. The Chief Constable is responsible for maintaining the King's Peace and has direction and control over the Force's officers and staff. The Chief Constable holds office under the Crown but is appointed by the Police and Crime Commissioner.

9.2. The Chief Constable is accountable to the law for the exercise of police powers, and to the Police and Crime Commissioner for the delivery of efficient and effective policing, management of resources and expenditure by the

police force. At all times the Chief Constable, their constables, and staff, remain operationally independent in the service of the communities that they serve.

- 9.3. The Police Reform and Social Responsibility Act 2011 specifically excludes any delegation of the Police and Crime Commissioner's functions to a Constable including the Chief Constable.
- 9.4. This section **does not** provide any delegations to the Chief Constable, but, drawing on the Policing Protocol, makes clarification of requirements in relation to specific activities. This section is also not intended to set out the delegations that the Chief Constable may make to officers or staff acting under their direction and control.
- 9.5. The formal responsibilities, listed below, are those given to the Chief Constable, which are in effect at the time of the publication of this Scheme.
 1. Appointing Derbyshire Police officers and staff (after consultation with the Police and Crime Commissioner, in the case of officers above the rank of Chief Superintendent and police staff equivalents).
 2. Supporting the Police and Crime Commissioner in the delivery of the strategy and objectives set out in the Police and Crime Plan.
 3. Assisting the Police and Crime Commissioner in planning the Force's budget.
 4. Having regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of the Force's national and international policing responsibilities.
 5. Notifying and briefing the Police and Crime Commissioner of any matter or investigation on which the Police and Crime Commissioner may need to provide public assurance either alone or in company with the Chief Constable (the Police and Crime Commissioner is designated as a Crown Servant under the Official Secrets Act 1989, making them subject to the same duties in relation to sensitive material as Government Ministers).
 6. Being the operational voice of policing in the force area and regularly explaining to the public the operational actions of officers and staff under their command.
 7. Entering into policing collaboration agreements with other Chief Constables, other policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of the Police and Crime Commissioner.
 8. Remaining politically independent of the Police and Crime Commissioner.
 9. Managing all complaints against Derbyshire Police, its officers, and staff, except in relation to the Chief Constable, and ensuring that the Police and Crime Commissioner is kept informed in such a way as to enable the Police and Crime Commissioner 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 in line with legislation.

10. Having day to day responsibility for financial management of Derbyshire Police within the framework of the agreed budget allocation and levels of consent issued by the Police and Crime Commissioner.
 11. To lead Derbyshire Police in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts impartially.
 12. To exercise the power of direction and control in such a way that the Police and Crime Commissioner will be able to access all necessary information and staff within Derbyshire Police.
- 9.6. The Chief Constable is responsible for Police Officers and for the direction and control of persons employed by the Police and Crime Commissioner (police staff) to assist the Police Force. This includes:
1. To adjust the police staff establishment in numbers, locations, and grading within the overall workforce budget approved by the Police and Crime Commissioner and to make best use of workforce modernisation principles. This does not apply to the Office of the Police and Crime Commissioner.
 2. To authorise, in accordance with Police Staff Council conditions of service, the suspensions of staff and / or the termination of their employment with the exception of staff whose appointment is made by the Police and Crime Commissioner or the Chief Operating Officer. Such termination to include the determination of any appeal against a dismissal lodged by a member of police staff.
 3. To approve the retirement, in the interests of the efficiency of the service, of police staff employees subject to the Local Government Pension Scheme (LGPS) with or without enhancement of service subject to reports to the Police and Crime Commissioner, as appropriate, about the actions taken in pursuance of this delegation.
 4. To determine matters relating to police pensions (including widows' pensions) except for:
 - i Retirement on the grounds of ill health of the Chief Constable
 - ii Decisions relating to the forfeiture of pensions.
 - iii Decisions of public interest within pensions regulations (e.g. Rejoiners)
 5. To approve payments under any approved bonus, productivity or performance related payment schemes and honoraria payments in recognition of additional duties and responsibilities or similar special payment schemes. For the avoidance of doubt, payments in relation to any Chief Officer Bonus Scheme shall be reserved to the Police and Crime Commissioner.

- 9.7. The Chief Constable must comply with the Scheme of Publication of the Police and Crime Commissioner. In so doing the Chief Constable must have regard to the additional requirements relating to the current Government direction and advice.
- 9.8. The Chief Constable cannot use the resources of the Force to initiate any legal action against the Police and Crime Commissioner.
- 9.9. The principal consideration of whether a matter falls within the Chief Constable's operational remit is, whether it is, or significantly impacts on, an issue in relation to which they have specific expertise (i.e. how to uphold the law in their force area).
- 9.10. The Chief Constable's independence and discretion is neither unfettered nor unaccountable. Chief Constables are under a duty to have regard to the Police and Crime Plan and the Strategic Policing Requirement. The Police and Crime Commissioner is entitled to take strategic and financial decisions which may have an impact upon the Chief Constable's independence. It is for the Chief Constable to factor these elements into decision making.
- 9.11. Where the Consent of the Police and Crime Commissioner is required:
1. The Police and Crime Commissioner will initially own and fund all assets and liabilities regardless of whether they are used by the Police and Crime Commissioner, by the Force or by both bodies. However, with consent from the Police and Crime Commissioner, the Chief Constable can acquire assets and liabilities (other than land or buildings) and this will be set out in this Scheme should such consent be requested and granted.
 2. To dispose of assets at the appropriate time and at the most advantageous price with the consent of the Police and Crime Commissioner.
 3. For the avoidance of doubt the Chief Constable and the Police and Crime Commissioner have agreed that until further guidance is provided from HMRC on the issue of Corporation Tax, no consent will be requested or granted under 9.7 and 9.8.

SECTION 10 LEGISLATIVE COMPLIANCE


- 10.1. This document has been drafted to comply with the general and specific duties in the Race Relations (Amendment) Act 2000, Data Protection 2018/UK GDPR, Freedom of Information Act 2000, European Convention of Human Rights, and other legislation relevant to the area of policing such as, Employment Act 2002, Disability Discrimination Act 1995, Sex Discrimination Act 1975 and Employment Relations, the Equality Act 2010 and [the Equality Act 2010 \(Amendment\) Regulations 2023.](#)

SECTION 11 POLICY REVIEW

11.1. This policy will be reviewed every three years, unless there are changes in law, legislation or internal process which require the policy to be reviewed at an earlier date.

This policy is approved by the Police and Crime Commissioner of Derbyshire and the Chief Constable of Derbyshire Constabulary.


Nicolle Ndiweni – Roberts – Police and Crime Commissioner of Derbyshire

	22 July 2025
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Signature

Date

Rachel Swann QPM – Chief Constable of Derbyshire Constabulary

	21 May 2025
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Signature

Date