



**STANDING ORDERS
and
FINANCIAL REGULATIONS**

NORTHUMBRIA POLICE AUTHORITY

STANDING ORDERS

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NORTHUMBRIA POLICE AUTHORITY

Standing Orders

A.1 Membership

- 1 The Authority will consist of 17 members appointed and continuing in office in accordance with Schedules 2 and 3 to the Police Act 1996, that is
 - (a) 9 members of the Constituent Councils appointed by a joint committee consisting of representatives appointed by the Constituent Councils; and
 - (b) 3 magistrates for the constituent area appointed by the panel in the Authority's area; and
 - (c) 5 independent members nominated by the selection panel and appointed by members of the Authority appointed under paragraph 2 or 8 of schedule 2 of the Police Act 1996 from a short list prepared by the Secretary of State.

A.2 Chair

- 1 Each year, the Authority shall elect a Chair, from amongst its members, in accordance with paragraph 9(1) and (2) of Schedule 2 to the Police Act 1996.
- 2 On a casual vacancy occurring in the office of Chair, an appointment to fill the vacancy will be made at the next meeting of the Authority in accordance with paragraph 9(3) of Schedule 2 to the Police Act 1996.

A3 Appointment of Police Spokesperson

Every relevant council shall make arrangements (whether by standing orders or otherwise) for enabling questions on the discharge of functions of a police authority to be put by members of the

council, at a meeting of the council for answer by a person nominated by the authority for that purpose. On being given reasonable notice by a council of a meeting at which questions on the discharge of the police authority's functions are to be put, the police authority shall nominate one or more of its members to attend the meeting to answer those questions.

A.4 Approval of decisions about precepts

- (1) A police authority established under section 3 of the Police Act 1996 shall not -
 - (a) issue a precept under section 40 of the Local Government Finance Act 1992, or
 - (b) make the calculations required by section 43 of that Act,

except by a decision of the authority which complies with subsections (2) below.

- (2) A decision complies with this subsection only if the members approving it -
 - (a) constitute at least half of the total membership at the time of the decision, and
 - (b) include more than half of the members (at that time) appointed under Schedule 2 to the Police Act 1996 (local authority appointees).

B Meetings

- B.1 Ordinary meetings of the Authority will take place in accordance with a programme decided by the Authority from time to time. Meetings will begin at 10.00am unless the Authority decides otherwise. The annual meeting of the Authority will be held in April unless in any particular year the Authority decides otherwise inside the statutory limits.

- B.2 The Chair may call an extraordinary meeting of the Authority at any time. If the Chair refuses to call an extraordinary meeting of the Authority after a requisition for the purpose, signed by seven Members of the Authority has been presented to him / her, or if, without so refusing, the Chair does not call an extraordinary meeting within seven days after the requisition has been presented to him / her, then any seven Members of the Authority, on that refusal, or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the Authority.
- B.3 No extraordinary meeting of the Authority shall be held on a Saturday, Sunday or public holiday.
- B.4 No item of business may be transacted at an extraordinary meeting except the business specified in the agenda.

Notice of Meeting

- B.5 Five clear days at least before a meeting of the Authority the Chief Executive shall publish at his/her office a notice of the time and place of the meeting. Such notice, where the meeting is called by members of the Authority shall be signed by those members and shall specify the business proposed to be transacted. A summons to attend the meeting specifying the business proposed to be transacted and signed by the Chief Executive shall be left at, or sent by post to, the usual place of residence of every member of the Authority, or to such other place as may be requested by a member.

Quorum

- B.6 The quorum of meetings of the full Authority shall be six members and no business shall be transacted at any meeting unless a quorum is present.
- B.7 If during any meeting of the Authority the Chair, after counting the number of members present,

declares that there is not as quorum present the meeting will be adjourned. Any business not transacted will be adjourned to a time fixed by the Chair at the time the meeting is adjourned. If he/she does not fix a time, it will be dealt with at the next ordinary meeting of the Authority.

Chair of Meeting

- B.8 If the Chair is absent from a meeting another member chosen by the majority of the members of the Authority present shall preside.
- B.9 Any power or duty of the Chair relating to the conduct of any meeting may be exercised by the person presiding at the meeting.

Admission

- B.10 The Authority may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings and where such a resolution is passed, the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985 shall not require the meeting to be open to the public during proceedings to which the resolution applies.
- B.11 The Chair may at any time, if he / she thinks it desirable in the interest of order, adjourn a meeting or suspend a meeting of the Authority for a time to be fixed by him / her.

Minutes

- B.12 Minutes of the proceedings of a meeting of the Authority shall be printed and a copy of all such minutes as are unconfirmed shall be sent so as to reach each member of the Authority at least five days before the meeting of the Authority at

which such minutes are to be submitted for confirmation.

- B.13 No discussion shall be allowed upon the minutes except as to their accuracy and any objection upon that ground shall be made by motion.
- B.14 Immediately after confirmation the minutes shall be signed by the Chair. Where the minutes of a meeting are not signed at that meeting, this must be done at the next ordinary meeting, or may be done at an extraordinary meeting, if this occurs first.
- B.15 Until the contrary is proved a meeting of the Authority, a minute of whose proceedings has been made and signed in accordance with Standing Order B.14 above, shall be deemed to have been duly convened and held and all members present at the meeting shall be deemed to have been duly qualified.

Seal of the Authority

- B.16 The Common Seal of the Authority shall be kept in the custody of the Deputy Chief Executive and Solicitor to the Authority and the affixing of the Common Seal shall be attested by the Deputy Chief Executive and Solicitor to the Authority or a person nominated by him / her.
- B.17 A decision of the Authority shall be sufficient authority for the sealing of any document necessary to give effect to the decision.
- B.18 A record of every sealing of a document to which the Common Seal shall have been affixed shall be made and shall be signed by the person who has attested the Common Seal.
- B.19 The Common Seal of the Authority shall be affixed to those documents which in the opinion of the Deputy Chief Executive and Solicitor to the Authority require to be sealed.

- B.20 A member of the Authority may give notice of a motion for debate at a meeting of the Authority. The notice of motion must be in writing, signed by the member giving the notice and one other member, and delivered to the office of the Chief Executive at least nine clear days before the Authority meeting at which it is to be considered. The Chief Executive will enter it in a book open for inspection by any member of the Authority.
- B.21 A member who submits a notice of motion may subsequently withdraw it, or ask for it to be considered at a later meeting of the Authority.
- B.22 At the Authority meeting, the motion may be moved by the member who gave the notice of it, or by another member. But if it is not moved then, unless the Authority agrees to defer it, it will be disallowed and may not be moved without fresh notice.
- B.23 Motions must relate to the Authority's business, or to matters to which the Authority can influence. They must not attack individuals personally, or use offensive language.
- B.24 If the Chair considers that a notice of motion does not meet the requirements of Standing Order B23, he/she will rule it out of order, and the Chief Executive will inform the member who gave notice of it.
- B.25 These motions may be moved without notice -
- to appoint a Chair
 - motions on the confirmation or accuracy of the minutes or the order of business
 - to reconsider a matter within six months
 - to give consent of the Authority where required by these Standing Orders

- motions arising out of consideration of a report of an Authority body or of the Chief Executive or any other officer
- to withdraw a motion or a report
- amendments to motions
- Not to hear a member further or require him/her to leave the meeting
- The motion listed in Standing Order B27 whether or not moved whilst another motion is under debate

B.26 The Chair may ask for any of these motions to be put in writing and handed to the Chief Executive as soon as it is seconded.

Amendment, Adjournment and Closure Motions

B.27 When a motion is under debate, no further motion shall be received except the following-

- 1 To amend the motion (in these orders called "an amendment").
- 2 That the meeting does now adjourn.
- 3 That the debate be adjourned.
- 4 That the question be now put.
- 5 That the meeting proceeds to the next business.

B.28 No member shall move more than one amendment upon any motion and one amendment only shall be permitted at one and the same time upon any motion. Every amendment shall be relevant to the motion to which it is moved and shall be seconded and if so required by the Chair, shall be reduced to writing, signed by the mover and handed to the Chief Executive. A member shall not address the Authority more than once on an amendment

and the right of reply shall not extend to the mover of an amendment, which having been carried, has become a substantive motion.

B.29 Notwithstanding that a motion or a motion and an amendment shall be before the Chair and form the subject or subjects of debate at the time any member may at the conclusion of any speech move one of the following:-

- 1 That the meeting does now adjourn.
- 2 That the debate be adjourned.
- 3 That the question now be put.
- 4 That the meeting proceeds to the next business.

B.30 Any motion moved under order B.29 must be seconded but it need not be reduced to writing. The mover may speak upon it but the seconder shall not be permitted to speak beyond formally seconding it. Upon any such motion being made, the mover of the substantive motion under debate at the time such motion is made may (without prejudice to his / her ultimate right of reply if the motion may not be carried) be heard in reply for a period not exceeding five minutes, immediately after which the question shall be put without further debate.

B.31 If any motion moved under order B.29 is lost, it shall not be competent to move a motion in the same or similar terms within a period of 30 minutes thereafter.

B.32 If the motion "that the meeting does now adjourn" is carried, the business on the agenda undisposed of shall be printed on the agenda for the next ordinary meeting or of such meeting as shall be specified by the adjournment motion.

B.33 If the motion "that the debate be adjourned" is carried, the discussion shall be resumed at the next ordinary meeting of the Authority when the

member who moved the adjournment of the debate be entitled to speak first.

- B.34 If the motion "that the question be now put" is carried, the motion or amendment under debate shall, subject to the right of reply of the mover of an original motion, be forthwith put.
- B.35 When a motion is carried "that the meeting proceeds to the next business" the question under discussion shall be considered as dropped.
- B.36 A motion or an amendment may be withdrawn by the mover with the consent of his / her seconder and of the Authority, which consent shall be signified without debate and no member may speak upon it after the mover has asked permission for its withdrawal unless such permission shall have been refused.

Suspension of Standing Orders

- B.37 Any of these Standing Orders may be suspended by the Authority.

Conduct of Debate

- B.38 The following rules shall apply to the conduct of debate at meetings of the Authority:-
- 1 No speech shall exceed five minutes except by consent of the Chair.
 - 2 A member who speaks shall direct his remarks strictly to the motion under discussion or to a personal explanation or a question of order. A member may rise on a point of order or a personal explanation. If the Chair consents, the member must immediately make his/her point of order or personal explanation.
 - 3 The ruling of the Chair on a point of order or the admissibility of a personal explanation shall be final and shall not be

open to discussion.

- 4 A personal explanation must be confined to a material part of a previous speech by the member at the same meeting which may have been misunderstood.
- 5 Whenever the Chair rises all members shall resume their seats and remain silent so that the Chair shall be heard without interruption.
- 6 The Chair shall call the attention of the meeting to continued irrelevance, tedious repetition, unbecoming language or any breach of order on the part of a member, and may direct such a member, if speaking to discontinue his speech, or in the event of disregard of the authority of the Chair, to retire for the remainder of the meeting.

Voting

- B.39
- 1 The mode of voting shall be by show of hands unless six members, by rising in their places, demand a division in which case the names of those voting for or against a motion or amendment shall be taken down in writing and entered in the minutes.
 - 2 When voting on matters concerning the issue of a precept or its calculation, the Authority shall only make a decision if the Members approving it -
 - (a) constitute at least half of the total membership at the time of the decision, and
 - (b) include more than half of the local authority appointed members.
 - 3 Subject to Standing Order B.40 in the case of equality of votes the Chair shall

have a second or casting vote.

- B.40 Where there are more than two persons nominated for any position to be filled by the Authority and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of votes is given in favour of one person.
- B.41 A member may have his/her vote for or against a question (or his/her abstention) recorded in the minutes by making a request immediately after the vote. The member must stand and announce his/her name and intention.

Matters Affecting Persons Employed by the Authority

- B.42 If any question arises at a meeting of the Authority to which the public (including the press) are admitted as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any constable in the Northumbria Force or any person employed by the Authority, such question shall not be the subject of discussion until the Authority has decided whether or not the public (including the press) shall be excluded.

Attendance of Members

- C.1 The Chief Executive shall provide a book to record the attendance of each member at a meeting of the Authority or at a meeting of any Committee and it shall be the responsibility of each member individually to sign such book before taking his seat at the meeting. The names recorded shall be accepted as the attendance record.

APPOINTMENT OF COMMITTEES

- D.1 The Authority shall at the Annual Meeting appoint such Committees as are required to be appointed by or under any statute and may at

any time appoint such other Committees as are necessary to carry out the work of the Authority, but subject to any statutory provision in that behalf, may at any time dissolve a Committee or alter its membership. The quorum for all Committees shall be one quarter of the Committee's membership, except for the Interim Business Committee where the quorum shall be two members.

- D.2 Except as otherwise may be provided by the Authority, no Committee shall continue in office longer than the next Annual Meeting of the Authority.
- D.3 Every vacancy on a Committee shall be reported by the Chief Executive at the first meeting of the Authority after the vacancy has arisen and the Authority may there upon proceed to fill the vacancy.
- D.4 A vacancy on any outside body whose activities are within the purview of the Authority shall be reported by the Chief Executive to, and filled by, the Authority.
- D.5 Any matter which requires to be determined before the next meeting of the Authority may be dealt with by the Interim Business Committee.

CONTRACTS

Contracts to Comply with Standing Orders

- E.1 (a) Every contract made by or on behalf of the Authority shall comply with these Standing Orders, unless:-
 - (i) the Authority or the Resource Management Committee authorises an exception be made; or
 - (ii) the matter is so urgent or there is a risk to security that it is not feasible to comply in which case the officer

concerned should consult the Chair of the Authority or the Chair and Vice-Chair of the Resource Management Committee and report the reasons to the next meeting of the Authority or Committee as appropriate.

- (b) Every such exception and the reasons for it should be recorded in the Minutes of the Authority or the Resource Management Committee.
- (c) In the Standing Orders relating to Contracts numbered E.2 to E.8 references to "the Authority" will (when the contract so permits) include any Committee to which has been delegated the power to enter into any contract on behalf of the Authority.

WRITTEN ESTIMATES

- E.2 The Authority or Resource Management Committee's consent is required before tenders can be obtained for any works, supplies or services contracts estimated to cost more than the limits set out in European Procurement Directives.

TENDERING PROCEDURES

- E.3 (a) Subject to Standing Order E.1, and to any European Directive, no contract above £5,000 in value may be made unless:-

(1)The Authority has decided that the works, supplies or services in question should be procured through a partnership arrangement, provided that the Chief Executive and Treasurer are satisfied with the procedures for procurement and with the terms of the contract; or

(2)Tenders have been invited or

negotiated in accordance with Standing Order E.4.

This requirement does not apply to a contract:-

- (i) for goods purchased in a public market or at an auction;
 - (ii) for goods or services which can be obtained from only one contractor;
 - (iii) which has been dealt with on behalf of the Authority by any consortium to which the Authority belongs, or by any Local Authority through any joint arrangement;
 - (iv) between £5,000 and £20,000 in value provided that competitive quotations are obtained from at least three contractors or, if this is not possible, from all capable contractors;
 - (v) a contract which does not exceed £20,000 in value for building or maintenance work, or both;
- (b) A tender for a contract other than the most economically advantageous adopting whole life costs and benefits may not be accepted without a record of the decision and the reason being made in the minutes of the next meeting of the Authority or Resource Management Committee.
- (c) No member of the Authority will enter either orally or in writing into any contract on the Authority's behalf.

INVITATION TO TENDER

- E.4 (a) The Authority, or an officer acting under delegated powers, will adopt one of the following procedures:-
- (i) Tenders may be invited by

advertisement in at least one local newspaper giving at least seven days notice: A similar advertisement may also be published in a specialist trade or professional journal if the value of the proposed contract is estimated to be less than £100,000. If the contract value is over £100,000 a specialist trade or professional journal may be used instead of a local newspaper.

If the proposed contract is below £100,000, tenders may be invited (without advertisement) from a reasonable number of capable contractors.

- (ii) Tenders may be invited from all contractors or such of them as may be selected by a method approved by the Authority from a list of persons approved by the Authority. The Authority will revise the list at least once every five years after an advertisement inviting inclusion in the list has been published in one or more local newspapers and one or more specialist trade or professional journals. The appropriate officer may make additions to or deletions from the list based on the process above.
- (iii) The contract may be advertised in one or more local newspapers and in one or more specialist trade or professional journals giving at least seven days notice. At the end of that period, tenders for the contract will be invited from some or all of the applicants who comply with the selection criteria laid down by the Authority;

- (iv) Where a proposed contract for the execution of work forms part of a serial programme, the rates, prices and terms of which are contained in an initial contract awarded competitively following an invitation to tender in accordance with the procedure mentioned in either sub-paragraphs (i), (ii) or (iii), a tender may be invited from that contractor in accordance with the provisions of the initial contract; or
 - (v) A tender for a works contract may be invited from a contractor already engaged by the Authority if that is in the Authority's interest.
- (b) All invitations to submit tenders will specify
- (i) that all tenders must be submitted in a plain sealed envelope addressed to the Chief Executive of the Authority marked "Tender" followed by the subject to which the content relates and without any distinguishing mark indicating the tenderer's identity or
 - (ii) that the tender may be submitted electronically through a procedure agreed between the Chief Executive and the Chief Constable.

OPENING OF TENDERS

- E.5 (a) All envelopes containing tenders and all electronic tenders will be held by the Chief Executive of the Authority until they are opened.
- (b) All envelopes containing tenders for the same Contract and all electronic tenders will be opened at the same time by an Officer responsible for inviting the tenders and a representative of the Chief

Executive.

- (c) Any tender received after the deadline for the receipt of tenders cannot be considered unless the other tenders have not been opened and the two Officers referred to in E.5(b) above are satisfied that the tender was posted in sufficient time for it to have been received by the deadline in the ordinary course of post or, in the case of an electronic tender, the tender could not have been submitted by the deadline for reasons outside the tenderer's control.

ALTERATIONS

- E.6 Where an examination of competitive tenders reveals an error or discrepancy which would affect the sum payable by or to the Authority in a tender which might otherwise be accepted the tenderer must be given the opportunity of confirming or withdrawing the tender. Where the appropriate officer is satisfied that the error or discrepancy is an arithmetical error, the tenderer will be given the opportunity to correct it.

POST TENDER NEGOTIATION

- E.7 Where an Officer who has received tenders or quotations considers that the most economically advantageous tender or quotation cannot reasonably be recommended for acceptance in view of market price or budgetary provision, he / she may give the most economically advantageous tenderer or the two most economically advantageous tenderers the opportunity of revising their tenders or quotations. Any negotiations carried out must comply with procedures agreed by the Treasurer.

FORM AND CONTENT OF CONTRACTS

- E.8 (a) Every contract above £20,000 in value and any other contract where the Chief Executive so decides must be in writing in a form approved by the Chief Executive.
- (b) Every such contract will:-
- (i) Specify the work to be carried out, or the supplies or services to be provided, the price to be paid (including any discounts) and the timetable for performing the contract.
 - (ii) Require that the goods and materials must comply, at a minimum, with any relevant specification issued by the British Standards Institution or equivalent European or International Standards.
 - (iii) prohibit the contractor from transferring, assigning or sub-letting directly or indirectly, the whole or any part of the contract without written permission.
- (c) Where a contract is above £100,000 in value and the officer concerned considers that the Authority should receive security for the performance of the contract he / she will, after consultation with the appropriate officers, specify in the condition of tender, the nature and amount of the security to be given to the Authority (whether by way of a Bond or otherwise).
- (d) Every contract to which paragraph (a) applies must state that the Authority will be entitled to cancel the contract and to recover from the contractor the amount of any resulting loss if the contractor or any

of the contractor's employees or anyone acting on his/her behalf, is found to be responsible for any corrupt practice.

ENGAGEMENT OF CONSULTANTS

E.9 These Standing Orders will apply to the engagement of any consultant by the Authority and any consultant who works for the Authority must comply with these Standing Orders while doing so.

MISCELLANEOUS MATTERS

F.1 Inspection of Committee Reports etc

A member of the Authority may, for purposes of his / her duty as such member but not otherwise inspect any report which has been considered by a Committee or by the Authority and if copies are available shall on request be supplied for the like purposes with a copy of such report, provided that:-

- (a) where a report is confidential and the disclosure of the contents of the report would be a breach of confidentiality, the member should be advised accordingly and required to observe it;
- (b) no member shall be entitled to inspect or call for a copy of any report relating to a matter in which he / she is professionally interested, or in which he / she has directly or indirectly any pecuniary interest within the meaning of Section 94 of the Local Government Act 1972; and
- (c) this Standing Order shall not preclude the Authority from declining to allow inspection of
 - (i) any report which in the opinion of the Deputy Chief Executive and Solicitor to the Authority is, or in the event of legal proceedings would

be, protected by privilege arising from the relationship of a solicitor and client, or;

- (ii) of any Report which is otherwise confidential; or
- (iii) any case where the Authority is not satisfied that it is reasonably necessary for the member to inspect or call for a copy of a report to enable him / her to carry out his / her duties as a member. All minutes kept by any Committee shall be open for the inspection of any member of the Authority during office hours.

- (d) The provisions of the Standing Order are without prejudice to any rights which a member of the Authority may enjoy by virtue of Section 100C, 100D and 100F of the Local Government Act 1972.

F.2 Delegation to Officers

The powers specified in these Standing Orders are delegated to and may be exercised on behalf of the Authority by the Officers indicated, subject in all cases to any general or specific directions given from time to time by the Authority or the Committee to whom such matter is referred by these Standing Orders and to any restriction or condition in that Schedule.

F.3 Making, etc., of Standing Orders

The Standing Orders of the Authority shall not be added to, varied or revoked except by the Authority.

MEMBERS' CODE OF CONDUCT

G1 **Ten principles of Public Life set out by the Committee on Standards in Public Life**

Selflessness – Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

Objectivity – Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – Members should be as open as possible about their actions and those of their Authority, and should be prepared to give reasons for those actions.

Personal judgement – Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the Authority's statutory officers and its other employees.

Duty to uphold the law – Members should uphold the law and, on all occasions, act in accordance

with the trust that the public is entitled to place in them.

Stewardship – Members should do whatever they are able to do to ensure that their Authorities use their resources prudently, and in accordance with the law.

Leadership – Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

G2

Part 1

General provisions

Introduction and interpretation

1. (1) This Code applies to **you** as a Member of the Authority.
- (2) You should read this Code together with the General Principles of Conduct for Members of Local Authorities (as prescribed by the Secretary of State)
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code –
 - “meeting” means any meeting of –
 - (a) the Authority;
 - (b) any of the Authority’s committees or panels;
 - (d) the Authority which is an informal meeting with other members, and/or with officers, relating to the discharge of the Authority’s business
 - “member” includes a co-opted member and an appointed member.

Scope

2. (1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you –
 - (a) conduct the business of the Authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of the Authority, and references to your official capacity are construed accordingly.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether this is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
- (5) Where you act as a representative of the Authority –
 - (a) on another relevant authority, you must, when acting for that other Authority, comply with that other Authority's code of conduct; or
 - (b) on any other body, you must, when acting for that other body, comply with the Authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. (1) You must treat others with respect.
- (2) You must not –
 - (a) do anything which may cause the Authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be –
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with the Authority's code of conduct; or

- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.
4. You must not –
 - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where –
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person;
- or

- (iv) the disclosure is –
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the Authority;
or
- (b) prevent another person from gaining access to information to which that person is entitled by law.
- 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Authority into disrepute.
- 6. You –
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of the Authority
 - (i) act in accordance with the Authority’s reasonable requirements;
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes)
- 7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by –
 - (a) the Treasurer as the Authority’s chief finance officer; or
 - (b) the Chief Executive, as the Authority’s monitoring officer, where that officer is acting pursuant to his or her statutory duties.

- (2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Authority.

G3

Part 2

Interests

Personal interests

8. (1) You have a personal interest in any business of the Authority where either –
- (a) it relates to or is likely to affect –
- (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority;
 - (ii) any body –
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant Authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (vi) any person or body who has a place of business or land in the Authority area, and in

whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

- (vii) any contract for goods, services or works made between the Authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in the Authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is the Authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi), is the tenant;
 - (xi) any land in the Authority area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of –
- (i) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
- (2) In sub-paragraph (1)(b), a relevant person is –

- (a) a member of your family or any person with whom you have a close association; or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph (1)(a)(i) of (ii).

Disclosure of personal interests

9. (1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of the Authority and you attend a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of the Authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the Authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

- (5) Where you have a personal interest but, by virtue of paragraph 13, sensitive information relating to it is not registered in the Authority's register of Members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 11(1)(b), where you have a personal interest in any business of the Authority and you have made an Authority decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

Prejudicial interest generally

- 10. (1) Subject to sub-paragraph (2), where you have a personal interest in any business of the Authority, you also have a prejudicial interest in that business, where the interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) You do not have a prejudicial interest in any business of the Authority where that business –
 - (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 9; or
 - (c) relates to the functions of the Authority in respect of –
 - (i) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

- (ii) an allowance, payment or indemnity given to Members;
- (iii) any ceremonial honour given to Members;
and
- (iv) setting council tax or a precept under the Local Government Finance Act 1992.

Effect of prejudicial interests on participation

11. (1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of the Authority –
- (a) you must withdraw from the place where a meeting considering the business is being held –
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;
- unless you have obtained a dispensation from the Standards Committee;
- (b) you must not exercise Authority functions in relation to that business; and
 - (c) you must not seek improperly to influence a decision about that business.

G4

Part 3

Registration of Members' Interests

Registration of Members' interests

12. (1) Subject to paragraph 13, you must, within 28 days of –

- (a) this Code being adopted or applied to the Authority, or
- (b) your election or appointment to office (where that is later),

register in the Authority's register of Members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to the monitoring officer.

- (2) Subject to paragraph 13, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to the monitoring officer.

Sensitive information

- 13. (1) Where you consider that the information relating to any of your personal interests is sensitive information, and the Chief Executive agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 12.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify the monitoring officer asking that the information be included in the register of Members' interests.
- (3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

OFFICERS INTERESTS

- H.1 If it comes to the knowledge of an officer employed by the Authority that a contract in which he / she has a pecuniary interest, whether direct or indirect (not being a contract to which he / she himself / herself is a party) has been, or is proposed to be, entered into by the Authority or any Committee thereof, he / she shall as soon as practicable give notice in writing to the Chief Executive of the fact that he / she is interested therein.
- H.2 An officer of the Authority shall not, under cover of his / her office of employment accept any fee or reward whatsoever other than his / her proper remuneration and any person who contravenes the provisions of this Standing Order and Standing Order H.1 shall be liable on summary conviction to a fine not exceeding level 4 on the standard scale.

DELEGATION TO CHIEF OFFICERS

General principles

- (a) All powers listed hereunder are delegated to the Chief Executive, except in regard to the statutory responsibilities of The Treasurer, and powers are delegated to other officers as indicated.
- (b) Advisers to the Authority and the Chief Constable may authorise employees under their control to deal with matters delegated to the Adviser concerned or Chief Constable. Any such authority must be given in writing.

Chief Executive

1. The Chief Executive, in consultation with the Chair, be authorised to convene any meeting of the Authority or any Committee of the Authority as necessary, and to deal with any urgent matters arising, subject to retrospective reporting to the Authority.
2. To settle any claims by members without regard

to legal liability for loss or damage to personal property (other than private cars) arising in the course of approved duties where the amount does not exceed £200.

- 3 To register financial and other interests of members and officers.
- 4 To issue or serve any notice, licence, order, consent or approval in respect of any matter delegated to a Chief Officer at the request of that Officer.
- 5 In consultation with the Chair of the Authority to convene and determine the composition of the Selection Panel for the appointment of Chief Officers and to examine specific issues that may arise from time to time and report back.

Deputy Chief Executive and Solicitor to the Authority

- 1 To institute legal proceedings on behalf of the Authority, including proceedings for the possession of land owned by the Authority.
- 2 At the request of the Chief Constable to give notice to quit to tenants of Police Authority dwellings in arrears of rent and to take legal proceedings for recovery of possessions.
- 3 To defend any legal proceedings instituted against the Authority.
- 4 To settle claims both on behalf of and against the Authority where the amount does not exceed £15,000.
- 6 To serve any notices required under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
- 7 To enter into agreements under Section 25 of the Public Health Act 1936 for building over sewers

in those cases where the building falls within the criteria laid down by the appropriate Water / Sewerage undertaker.

- 8 To determine, in accordance with the legislation and Government guidance, whether a matter constitutes a complaint in relation to a senior officer of the force and should be referred to the Complaints Committee.

Treasurer to the Authority

- 1 Arrange all borrowings, financing and investment in line with the Treasury Management Strategy and relevant principles approved by the Authority.
- 2 To issue car loans in accordance with the policy of the Authority.
- 3 To authorise virement over £100,000 and up to £250,000 for any individual purpose.
- 4 To make all the necessary banking arrangements on behalf of the Authority.
- 5 To effect all necessary insurance cover against risks in accordance with the policy of the Authority and to negotiate claims.
- 6 To arrange the funding of the acquisition costs relating to vehicles, plant and equipment by means of finance leases, hire purchase contracts and rental agreements as required.
- 7 To maintain an adequate and effective internal audit of the Authority's accounting records, control systems and all associated activities.

Property Adviser

- 1 To place orders (but not determine the need for orders) for goods, services and work within budgetary provision up to the value at which European Procurement Directives apply, subject to:-

- (a) Compliance with Standing Orders relating to contracts;
 - (b) A report being submitted to the Resource Management Committee for information.
- 2 To appoint Technical Consultants as and when required to progress the Authority's Capital and Revenue Programme.
- 3 To add firms to or delete firms from the Authority's Approved list of Building Contracts and Architectural Services Consultants in accordance with approved criteria.
- 4 To negotiate a tender and appoint a Consultant selected from the Approved list of Architectural Services Consultants in accordance with the Criteria submitted where he considers it to be in the best interests of the Authority and where the fee (inclusive of expenses) is within budgetary provision and is estimated to be less than the value at which European Procurement Directives apply.
- 5 To authorise persons to enter and survey land pursuant to Section 15 of the Local Government (Miscellaneous Provisions) Act 1976 and Section 324 (6) of the Town and Country Planning Act 1990.
- 6 To grant the licences and fees for radio installations / masts and aerials which conform to standard approved by the Authority, such approvals to be reported retrospectively for information.
- 7 To let non-surplus empty properties to be managed in-house and let at market rents after being advertised on the open market, subject to retrospective reporting to the Resource Management Committee.
- 8 To arrange for the service of notices to quit in order to obtain possession of land for a purpose

already approved by the Authority or to enable a variation to be made in the terms upon which a tenancy of land is held.

- 9 To acquire and / or dispose of property at its open market value as certified by a qualified valuer, the capital value of which does not exceed £100,000 and which is included in the Strategy outlined for the year in the Policing Plan, such transactions to be reported retrospectively to the Resource Management Committee.
- 10 To make application to the Highway Authority for the grant of licences for apparatus over, in and under streets required for the Authority's development.

Chief Constable

- 1 To retire Police Officers on medical grounds subject to retrospective reporting to the Authority.
- 2 In accordance with the relevant sections of the Police Pensions Regulations 1987, to cancel ill-health and injury pensions, reassess injury pensions, and reduce, withdraw and forfeit pensions.
- 3 To authorise virement up to £100,000 for any individual purpose and maintain a schedule of all virement authorised to be forwarded to the Treasurer every month.
- 4 To settle ex-gratia claims for personal injury, damage or loss of property provided that they are not otherwise insured, up to an individual value of £1,000.
- 5 To negotiate insurance claims.
- 6 To accept offers of gifts, loans of property and sponsorship up to an individual value of £20,000.
- 7 To place orders against, and sign contracts,

including framework contracts, for goods and services within budgetary provision up to the value specified in European Procurement Directives, subject to:-

- (a) Compliance with Standing Orders relating to contracts;
 - (ii) An annual report being submitted to the Resource Management Committee for information.
- 8 To authorise the writing off of accounts under £1,000 after consultation with the Deputy Chief Executive and Solicitor to the Authority and the Treasurer.
- 9 To approve Police officer and police staff visits to countries outside the United Kingdom in duty time subject to retrospective reporting to the Authority.
- 10 To authorise the medical re-examination of police officers retired from the force on injury/ill health pensions subject to retrospective reporting to the Authority.
- 11 To approve all secondments of police officers and police staff subject to retrospective reporting to the Authority.

Terms of Reference of Committees, etc.

1 Resource Management Committee (Monthly)

- (a) To monitor the approved revenue budget and capital programme
- (b) To approve the Authority's Statement of Accounts and arrange for the audit of the Accounts
- (c) To accept on behalf of the Authority, tenders invited in accordance with approved procedures.
- (d) To receive periodical statements of

accounts under £1,000 which have been written off and consider requests for the writing off of amounts in excess of this sum.

- (e) To consider and approve applications for capital and revenue funding prior to submission to the Home Office.
- (f) To consider a report before any expenditure is incurred on a scheme in the capital programme where the estimated cost exceeds the amount stated in European Procurement Directives, including the revenue implications of such expenditure.
- (g) (i) To determine proposals to exercise virement where:
 - (a) The total cost exceeds £250,000; and/or
 - (b) There are revenue implications in future years, or any financial implications of a capital nature.
- (h) To approve the making of contracts for the procurement of goods or materials, services and works and provision for the maintenance thereof, where the estimated cost exceeds the amount stated in European Procurement Directives.
- (i) To review and approve fees and charges.
- (j) To monitor the implementation of the following strategies:-
 - (i) ICT Strategy
 - (ii) Estates Strategy
 - (iii) Procurement Strategy
 - (iv) Fleet Strategy
- (k) To deal with applications for the

reinstatement of widows' pensions.

- (l) To approve the purchase and/or disposal of property at its open market value as certified by a qualified valuer, with a capital value which exceeds £100,000.
- (m) To receive reports, as appropriate, on human resources issues including:
 - (i) Establishment changes.
 - (ii) Proposed changes to terms and conditions of employment.
 - (iii) Updates on national agreements and initiatives.
 - (iv) Updates on local agreements / arrangements and initiatives.
 - (v) Responses to consultation documents relating to employee matters.
 - (vi) Police Officers and Police Staff sickness management information.
- (n) To monitor the Authority's Efficiency Statement.
- (o) To consider decisions in relation to the CCTV strategy throughout the force.
- (p) To monitor the work of the North East Air Support Unit Joint Advisory Group.

2 Audit and Scrutiny Committee (Quarterly)

- (a) To consider both the external and internal audit plan and activity with a specific brief to independently contribute to the overall process of ensuring that an effective internal control environment is in place in the Authority, and to consider any matters referred to it by the Authority.
- (b) To approve the Authority's Statement on Internal Control.
- (c) To receive Inspection Reports, including Audit Commission and HMIC reports.
- (d) To regularly review Police performance on targets set by the Authority and the impact these have for local people.
- (e) To review the impact on local people of the Authority's priorities and service delivery.
- (f) To monitor the Authority and force's equality policies.
- (g) To consider the three-year policing strategy and draft Policing Plan and make recommendations to the Authority regarding the objectives and targets contained in these documents.
- (h) To monitor the Best Value Implementation Plans.
- (i) To monitor the implementation of the Authority's Risk Management Strategy.

3 Citizen Focus Committee (Quarterly)

- (a) To agree and evaluate the effectiveness of the arrangements for the co-ordination of views expressed at the Police and Community Forums and to advise the Authority on any matters accordingly.

- (b) To ensure that the Authority is an effective and active responsible Authority within the Crime and Disorder Reduction Partnerships and receive reports and recommend action where appropriate.
- (c) To review, monitor and improve the Authority's consultation arrangements.
- (d) To consider, monitor and improve the effectiveness of the Authority's partnership arrangements.
- (e) To oversee and approve the arrangements for the Authority's custody visiting scheme.
- (f) To ensure effective engagement with all communities, specifically including the black and minority ethnic communities, vulnerable people, hard to reach groups and other communities of interest.
- (g) To raise and market the profile of the Authority to ensure it is known in the community and its role is understood by local people.
- (h) To monitor and review the Race Equality Schemes of both the Authority and force and evaluate and ensure their effectiveness in the community.

4 Police and Community Forums (10 per year in each Area Command)

To act as a forum in accordance with Section 106 of the Police and Criminal Evidence Act 1984 for the obtaining of views of people in a given area about matters concerning the policing of that area and for obtaining their co-operation with the Police in preventing crime in that area.

5 Complaints Committee (monthly)

- (a) To keep themselves informed on behalf of the Authority about the working of the

complaints and discipline procedure in accordance with Section 77 of the Police Act 1996 and the Police Reform Act 2002.

- (b) To receive information relating to:-
 - (i) Internal investigations that have commenced and also those which have been finalised;
 - (ii) Disciplinary hearings where officers have appeared before the Chief Constable;
 - (iii) To receive details of civil claims against the Chief Constable.

6 Liaison Committee (As required)

To provide for an informal channel of communication between representatives of the Authority and the Staff Associations to facilitate a two-way exchange of views and to make recommendations accordingly.

7 Appeals Committee (as and when)

To act as the final decision making body for appeals on Police Staff matters where the force policies allow such right of appeal.

8 Interim Business Committee (May and August)

To consider matters of the utmost urgency.

9 Standards Committee (Quarterly)

- (a) Promote and maintain high standards of conduct by members of the Authority.
- (b) Assist the members to observe the Code of Conduct.
- (c) Advise the Authority on the adoption or revision of the Members' Code of Conduct.
- (d) Monitor the operation of the Members'

Code of Conduct.

- (e) Advise, train or arrange to train Members on matters relating to the Members' Code of Conduct.
- (f) Grant dispensations to any member from requirements relating to interests set out in the Members' Code of Conduct.
- (g) Deal with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer.

10 Advisory Group (Monthly)

To consider other issues, such as responses to consultation papers, referred by the Authority.

11 Selection Panel for the Appointment of Chief Officers

To appoint the Chief Constable, Deputy Chief Constable and Assistant Chief Constables and Directors of Finance and Resources and Human Resources, and to determine the level of remuneration of such officers

12 Police Appeals Tribunal

To deal with Police Appeals Tribunals under Section 85 of the Police Act 1996.

NORTHUMBRIA POLICE AUTHORITY

FINANCIAL REGULATIONS

Introduction

These regulations govern the financial relationship between the Authority and the Force. They are agreed by the Authority and are to be read in conjunction with Standing Orders relating to contracts, delegations to officers and terms of reference of committees.

1 Financial Administration

- 1.1 The Treasurer is responsible for the proper administration of the Authority's and the Force's financial affairs and is chief financial adviser to the Authority.
- 1.2 The Treasurer is responsible for ensuring that accurate, complete and timely financial management information is provided to the Authority and Chief Constable and will keep the Authority informed of the financial implications of all new policies and changes of policies.
- 1.3 The Chief Constable must consult the Treasurer on any matter which could materially affect the finances of the Authority before any provisional or other commitment is incurred or before reporting to the Authority. The Treasurer, or Deputy Treasurer may take any action considered necessary to fulfil the duties under Section 114 of the Local Government Finance Act 1988.
- 1.4 The Chief Constable is responsible for establishing and for keeping under review internal control systems so that activities are dealt with efficiently and effectively. Internal control covers financial and other measures which :-

- (i) safeguard the Authority's assets;
 - (ii) ensure reliability of records;
 - (iii) monitor adherence to policies and directives.
 - 1.5 The Treasurer may regulate the day to day financial administration of the Authority by the issue of more detailed administrative and accounting instructions to supplement these regulations.
 - 1.6 Financial instructions, for use by the Force will be drawn up by the Chief Constable in consultation with the Treasurer to deal with matters delegated to the Chief Constable. The Treasurer must be satisfied that the financial instructions provide for effective managerial control and review.
 - 1.7 It is an overriding requirement of these regulations that the Authority , advised by the Treasurer must be satisfied that the Chief Constable exercises delegated financial responsibilities in a proper and effective manner.
- 2 Financial Planning, Capital and Revenue Budgets**
- 2.1 The Treasurer will keep under review and (after consultation with the Chief Executive and Chief Constable) report to the Authority on:-
 - (i) the medium term financial position of the Authority
 - (ii) the availability of revenue and capital resources
 - (iii) proposals to be considered as part of the revenue and capital budget process.
 - 2.2 The detailed form of capital and revenue estimates will be determined by the Treasurer after consultation with the Chief Executive and Chief Constable.

- 2.3 Estimates will be prepared each year by the Chief Constable and Treasurer in accordance with an agreed timetable. The Treasurer, in consultation with the Chief Executive will collate the estimates and submit them, together with a report complying with the Authority's Medium Term Financial Strategy.
- 2.4 The estimates will be submitted to the Authority by the end of February each year, along with a recommendation on the precept level for the forthcoming financial year.
- 2.5 Once approved, and subject to the provisions of Standing Orders and Financial Regulations, the budgets will give the authority to the Chief Constable to incur expenditure without the need for further approval from the Authority, except where the Chief Constable proposes a substantive change in policing policy or an increase in expenditure of more than £250,000. In these circumstances the Chief Constable, after consultation with the Treasurer, must seek the approval of the Authority to the changes.

3 Accounts

- 3.1 The Treasurer is responsible for keeping the financial accounts of the Authority. All accounting procedures and records will be determined by the Treasurer in consultation with the Chief Constable.
- 3.2 The accounts of the Authority will be compiled by the Treasurer or under his/her direction. The following principles are to be observed in the operation of accounting systems:-
- (i) the duties of providing information regarding sums due to or from the

Authority and of calculating, checking and recording those sums must be separated as completely as possible from the duty of collecting or disbursing them;

- (ii) officers charged with the duty of examining and checking the accounts of financial transactions must not themselves be engaged in any of these transactions.

Audit

4.1 There will be a continuous internal audit under the independent control of the Treasurer which will examine, evaluate and report on:-

- (i) the soundness and adequacy of the internal control environment;
- (ii) the extent to which the Authority's assets and interests are accounted for and safeguarded from losses of all kinds arising from:
 - (a) fraud and other offences
 - (b) waste, extravagance, inefficient administration, poor value for money or other cause;
- (iii) the effectiveness of financial and other management data developed within the Authority.

4.2 The Treasurer or his/her authorised representative will have the authority for audit purposes to:-

- (i) enter at all reasonable times on any Authority premises or land;
- (ii) have access to all records,

documents and correspondence relating to any financial and other transactions of the Authority;

- (iii) require and receive explanations as are necessary concerning any matter under examination, and;
- (iv) require any person to produce cash, stores or any other Authority property.

4.3 Whenever any matter arises which involves, or is thought to involve, theft, fraud or financial irregularity including breaches of Financial Regulations and Standing Orders or bribery or corruption which involves the Authority interest, the Chief Constable must immediately notify the Treasurer.

4.4 The Treasurer will take such steps as considered necessary by way of investigation and report, or by advising the Chief Constable about further action to be taken.

4.5 The Treasurer will report to the Audit and Scrutiny Committee on internal audit activity, including any serious losses or irregularities identified.

4.6 The Chief Constable will have the opportunity to discuss planned internal audit activity, receive regular reports and request directly from Internal Audit systems audits or value for money audits as an essential tool of good management.

5 Budgetary Control, Virement and Devolved Budgets

5.1 Expenditure on revenue account may be incurred up to the amounts included in the approved estimates, subject to the requirements of Standing Orders and paras

5.4 and 5.5 of these Regulations.

- 5.2 The Chief Constable will have powers to exercise virement under the main budget heads up to £100,000 in any one case. The Treasurer will have powers to exercise virement under the main budget heads over £100,000 and up to £250,000, provided that:-
- a) there are no revenue implications in future years or any financial implications of a capital nature;
 - b) there has been no direction to the contrary given by the Authority.
- 5.3 Subject to Financial Regulations the Authority must not incur expenditure which cannot be met from the amount provided in the appropriate budget head or which would be likely to result in an overspending in the year on that head of estimate, unless a request for a supplementary estimate has been submitted to the Authority and approved by the Authority. This regulation will apply to a decision resulting in a reduction in income in the same way as an increase in expenditure.
- 5.4 When a proposal involving expenditure, either on revenue or capital account, is under consideration by the Authority, it will receive, an estimate of the cost of the proposal and of the annual running cost (if any) arising out of it.
- 5.5 Expenditure proposals which would introduce a new policy or constitute a major change of existing policy, require the submission of a joint financial report from the Chief Constable, and the Treasurer.
- 5.6 All proposals involving expenditure on the capital programme in excess of European Procurement Directives must be dealt with

in accordance with Standing Order E.2

- 5.7 The Chief Constable and those officers to whom he/she delegates will manage and control budgets approved by the Authority in accordance with these financial regulations and other guidance issued from time to time.
- 5.8 The Chief Constable in consultation with the Treasurer will maintain a devolved budget scheme to provide for the effective management of the Force Budget by devolvement of component budgets to Area Commanders and Heads of Department.
- 5.9 The Chief Constable and Treasurer will review the current financial year's budget and produce revised estimates at the appropriate time in the financial year. The revised estimates will be submitted to the Authority for approval.
- 5.10 The Authority will receive a final accounts report produced by the Chief Constable and Treasurer. Included in this report will be explanations of significant variations from the revised budget.

6 Income

- 6.1 The collection of all sums due to the Authority will be supervised by the Treasurer who will, in conjunction with the Chief Constable make and maintain adequate arrangements for prompt and proper accounting for all income, including its collection, recovery, custody, control and deposit.
- 6.2 The policy on charging for police services will be determined by the Authority. Charges will be made by the Chief Constable within the policy, and all accounts for income due to the Authority shall be rendered promptly by or in a manner approved by the Treasurer.

- 6.3 The Chief Constable will maintain a comprehensive record, in a form approved by the Treasurer, of all income due to the Authority from contracts, leases, grants and other agreements and arrangements entered into by the Authority, and the Treasurer will have the right to inspect these records.
- 6.4 The Treasurer must be consulted on any proposals for the introduction of, or a variation in a scale of charges prior to submission to the Authority.
- 6.5 Arrangements for the order, supply and control of all receipt forms, books, tickets and other such items will be approved by the Treasurer.
- 6.6 Individual sums due to the Authority exceeding £1,000 will not be written off except with the approval of the Authority. Sums of less than £1,000 may be written off by the Chief Constable after consultation with the Authority's Deputy Chief Executive and Solicitor and the Treasurer if he / she is satisfied that the debt is irrecoverable or it is uneconomic to recover in view of the costs involved. A summary statement of accounts written off will be submitted to the Authority annually.
- 6.7 Income received by a cashier or other authorised officer of the Authority must be immediately acknowledged by the issue of a receipt or ticket or by another method agreed by the Treasurer. Every transfer of official money from one officer to another must be recorded in writing by the signature of the receiving officer.
- 6.8 All money received by an officer on behalf of the Authority must be paid to the Authority's bank account or transmitted directly to any other body or person entitled to it. No deduction may be made from such money unless specifically authorised by the

Treasurer. Any officer who banks money must enter in the paying-in slip the amount of each cheque paid in and sufficient information to identify the individual transaction (such as the receipt number or the name of the debtor or otherwise indicate the origin of the cheque). On the reverse of each cheque, the officer will enter the name of his/her Department, office or establishment.

- 6.9 Personal cheques must not be cashed out of money held on behalf of the Authority.
- 6.10 The Treasurer may advance such sums as may be necessary for the purpose of change money and the existence of these sums shall be periodically verified.

7 Banking Arrangements & Cheques

- 7.1 All arrangements with the Authority's bankers are to be made by the Treasurer.
- 7.2 All cheques on the Authority's main bank accounts, must bear the facsimile signature of the Treasurer, or be signed by the Treasurer or other officer authorised by the Treasurer to do so.
- 7.3 All cheques, except cheques drawn on authorised imprest accounts, are to be ordered only on the authority of the Treasurer, who shall make proper arrangements for their custody.

8 Orders for Work, Goods and Services

- 8.1 Official orders including those produced electronically will be in a form approved by the Treasurer and the Authority's Solicitor and are to be signed or electronically transmitted only by nominated officers authorised by the Chief Constable or Property Adviser. Copies of all orders including electronic media will be available to the Treasurer. The order, supply and control

of orders including the use of electronic signatures will be under arrangements approved by the Treasurer.

- 8.2 Official orders must be issued for all work, goods or services to be supplied to the Authority except for supplies of public utility services, for periodical payments such as rent or rates, for petty cash purchases or such other exceptions approved by the Treasurer.
- 8.3 Each order must conform with the directions of the Authority and Chief Constable with respect to procurement and any standardisation of supplies and materials.
- 8.4 Instructions issued by the Treasurer after consultation with the Chief Constable must be complied with and wherever practicable, the duties of ordering and receiving goods and certifying the respective invoices for payment, must not be performed by the same officer.
- 8.5 Verbal orders may only be given in cases of extreme urgency and where possible the Chief Constable or appropriate Technical Officer or their duly authorised representative has already signed an official order. All such orders must be confirmed in writing and the official order must be clearly marked "confirmation order".

9 Payment of Accounts

- 9.1 Apart from petty cash and other payments from imprest accounts, the normal method of payment of money due from the Authority will be by cheque or other electronic means from the Authority's bank account.
- 9.2 The authorised officer issuing an order is responsible for examining, verifying and certifying the related invoice(s) and, similarly, for any other payment vouchers or accounts

arising from sources in his/her Department. Such certification is to be in manuscript or any other electronic form approved by the Treasurer by or on behalf of the Chief Constable or authorised officer. The names of officers authorised to sign such records, must be provided to the Treasurer together with specimen signatures and will be amended in the event of any change.

9.3 Before certifying an account, the authorised officer must have complied with the detailed printed instructions of the Treasurer particularly in relation to the following:-

- (i) the work, goods or services to which the account relates must have been received, carried out, examined and approved and be in accordance with specification;
- (ii) the prices, trade discounts, other allowances, credits and value added tax must be correct;
- (iii) the relevant expenditure must have been properly incurred and be within the relevant estimate provision;
- (iv) appropriate entries must have been made in inventories, stores records or stock books as required; and
- (v) the account must not have been previously passed for payment and must be a proper liability of the Authority.

9.4 The Chief Constable must ensure that duly certified accounts are examined and may make such enquiries and request such information and explanations as required. Invoices subject to discount for prompt payment must be passed in sufficient time to enable the discount to be claimed.

- 9.5 Any amendment to an account must be evidenced and authorised.

10 Pay and Pensions

- 10.1 Pay, pensions, compensation and other emoluments to all employees or former employees of the Authority and the Chief Constable is to be made by the Treasurer or under arrangements approved and controlled by him / her.
- 10.2 The Chief Constable must notify the Treasurer within the agreed timetable and in the form prescribed of all matters affecting the payment of such emoluments:
- 10.3 Appointments of all employees must be made in accordance with the policy of the Authority and the approved establishments, grades and rates of pay.
- 10.4 All time records or other pay documents shall be in a form approved by the Treasurer and be certified by the Chief Constable or an authorised officer.
- 10.5 The Chief Constable is responsible for the submission of the relevant records within an approved timetable to enable the Treasurer to process the information and make payments by the due dates.
- 10.6 Ad hoc payments to individuals who provide services to the Authority, but who are not directly employed by the Authority must only be made using procedures agreed by the Treasurer.

11 Imprest & Petty Cash Accounts

- 11.1 The Chief Constable, after consultation with the Treasurer, may provide such imprest accounts as required for the purpose of defraying petty cash and other expenses.

- 11.2 Where appropriate, the Treasurer will open an account with the Authority's bankers for use by imprest holders who must not allow the account to be overdrawn, except with the permission of the Treasurer.
- 11.3 Income must not be paid into an imprest account but must be separately banked in accordance with Financial Regulation 6.8.
- 11.4 An officer responsible for an imprest account must, on request, give to the Treasurer a certificate indicating the state of the account. On leaving the employment of the Authority or otherwise ceasing to be entitled to hold an imprest advance, an officer must account to the Chief Constable for the amount advanced to him/her.

12 Record of Contracts

- 12.1 All documents required to execute a formal contract must be forwarded to the Deputy Chief Executive and Solicitor to the Authority, unless he/she agrees otherwise.
- 12.2 Where contracts provide for payment to be made by instalments, the Chief Constable or Property Adviser will arrange for the keeping of a contract register to show the state of account of each contract between the Authority and the contractor.
- 12.3 Subject to the provisions of the contract in each case every extra or variation must be authorised in writing by the Chief Constable or appropriate Technical Officer (or private architect, engineer or consultant) as may be appropriate or other officer nominated by him/her in writing. Any such extra variation or other change where a reduction in the scope of works or the estimated additional cost of which exceeds 10% of the contract sum or £20,000 whichever is the higher, must be reported to the Treasurer.

- 12.4 Any work outside the scope of the original approval must be the subject of prior approval by the Authority.
- 12.5 Payments to contractors must be made only on a certificate and authenticated receipt issued by the Chief Constable or appropriate Technical Officer, or other officer nominated by him/her in writing or by a consultant. On a certificate issued by a consultant, the Chief Constable or Technical Officer will advise the Treasurer that payment is due by issuing him/her with the certificate and authenticated receipt. The Chief Constable or Technical Officer will present the Treasurer with the certificate and authenticated receipt in sufficient time to enable the payment to be made within the period laid down in the contract.
- 12.6 In every case before the Chief Constable or Technical Officer or consultant issues or certifies a final certificate of payment under a contract, the Treasurer must have the opportunity to examine the contractor's final account, together with such relevant documents and information as he/she may require and he/she shall be entitled to make all such enquiries and receive such information and explanations as may be required, in order to be satisfied that the accounts are accurate.
- 12.7 Claims by or against contractors in respect of matters arising from any contract which falls outside the scope of powers delegated to the named officer in the Contract must be referred to the Solicitor to the Authority for advice, and where necessary to the Treasurer for financial advice before a settlement is reached.
- 12.8 Where the original contract period or extended contract period has been

exceeded and a claim has been received for the waiving of liquidated damages the appropriate Technical Officer must submit a report to the Authority making recommendations as to the claim together with the reasons for the delay.

- 12.9 The Chief Constable or Technical Officer must keep valuations in support of each interim or final certificate on a permanent file which shall show how the payment has been built up. Officers responsible for the preparation of valuations or the checking of valuations prepared by the contractor, must certify on the valuation that they have discharged their responsibility.
- 12.10 The Treasurer will examine the certificate, to the extent he/she considers necessary, to verify that it is a genuine and valid document for payment.
- 12.11 Where the Treasurer considers it appropriate to carry out a current audit of any contract, the Chief Constable or appropriate Technical Officer (or consultant) must provide such services, information or documentation as are requested to allow satisfactory performance of this task. This may include arrangement of any access to any site during the progress of a contract.
- 12.12 The Chief Constable or Technical Officer charged with the administration of any contract, the value of which exceeds £100,000 after final examination and agreement with the Treasurer must report to the Authority the final cost of the contract under the terms stipulated, and in a form approved by the Treasurer.

13 Stocks and Stores

- 13.1 The Chief Constable will be responsible for the care and custody of the Authority's stocks

and stores.

- 13.2 Delivery notes must be obtained in respect of all goods received into store and goods must be checked as regards quantity at the time delivery is made, and as regards quality and compliance with specification as soon as practicable thereafter.
- 13.3 Issue of stores must be supported by a requisition stating the quantity required and signed by an authorised officer, a receipt shall be obtained for all issues on the appropriate form.
- 13.4 The Treasurer is entitled to receive from the Chief Constable any information as he/she requires in relation to stores for accounting, costing and financial records. The Treasurer and Chief Constable will jointly determine the method of valuation of stores.
- 13.5 The Chief Constable must arrange for periodical test checks of stocks by persons other than the storekeepers and must ensure that all stocks are checked at least once a year. A representative of the Treasurer may similarly make checks from time to time and the Treasurer must be notified of an annual stocktaking and is entitled to be represented. Any shortage or surpluses at stocktaking are to be certified by the Chief Constable and a record retained for inspection by the Treasurer.
- 13.6 Stores, equipment, vehicles or materials found to be obsolete or in excess of requirements must be disposed of by competitive tender except, when in the opinion of the Chief Constable, the financial interest of the Authority is served by disposal by other means. Records of all disposals and the proceeds of all sales must be retained for inspection by the Treasurer.

14 Inventories

- 14.1 Inventories must be maintained by all establishments and kept up to date. They must contain an adequate description of furnishings, fittings, equipment, plant, machinery, vehicles and other property of the Authority and the extent of the record and the form of the inventory is to be determined by the Chief Constable after consultation with the Treasurer.
- 14.2 The Chief Constable is responsible for making checks of such inventories once a year. Any shortages or surpluses, including those arising out of the disposal of surplus or obsolete items are to be certified by the Chief Constable. Records must be retained for inspection by the Treasurer.
- 14.3 The Authority's property must not be removed otherwise than in accordance with the ordinary course of the Authority's business or used otherwise than for the Authority's purposes except in accordance with specific directions issued by the Chief Constable.

15 Estates

- 15.1 The Property Adviser to the Authority will maintain a terrier of all properties owned by the Authority in a form approved by the Treasurer, recording the purpose for which held, location, extent and plan reference, purchase details, particulars of nature of interest and rents payable and particulars of tenancies granted.
- 15.2 The Solicitor to the Authority will keep all title deeds under secure arrangements agreed with the Treasurer.
- 15.3 Plans for the significant rationalisation or expansion of the estate, and provision for maintenance, will be included in the Medium

Term Financial Strategy budget and policing plan issued by the Authority each year.

- 15.4 All purchases and sales of property must be in accordance with the Authority's Standing Orders and Financial Regulations. Any transaction which exceeds £100,000, being the capital value of the property either acquired or disposed of, or which does not fall under the strategy outlined for the year in the policing plan, will be subject to the prior approval of the Authority.

16 Insurance and Risk Management

- 16.1 The Treasurer, in consultation with the Chief Executive will be responsible for advising the Authority on insurance and risk management and will effect all insurance cover on terms to be agreed by the Authority and negotiate all claims in consultation with the Chief Constable and Technical Officers as required.
- 16.2 The Chief Constable and Technical Officers must promptly notify the Treasurer of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing risks or insurances.
- 16.3 The Chief Constable and Technical Officers must immediately notify the Treasurer in writing of any loss, liability or damage or of any event likely to lead to a claim. All monies due and received from insurers must be paid to the Treasurer.
- 16.4 All employees of the Authority will be included in a suitable fidelity guarantee insurance.
- 16.5 The Chief Constable must consult the Treasurer and the Deputy Chief Executive and Solicitor to the Authority on the terms of any indemnity which the Authority is requested to give.

17 Investments, Borrowing & Trust Funds

- 17.1 The Treasurer is responsible for advising the Authority on all matters related to treasury management.
- 17.2 Each year the Treasurer will produce a Treasury Policy Statement setting out a strategy and relevant principles for approval by the Authority.
- 17.3 All treasury management activities undertaken will comply with relevant legislation and best practice guidance.
- 17.4 The Treasurer will maintain records of all loans and investments and borrowing of money by the Authority.
- 17.5 The Treasurer will report to the Authority at the end of the financial year and no later than 30 September each year on the performance of the treasury function, the effect of the decisions taken and the transactions executed during the year and any non-compliance with the Authority's Treasury Policy Statement and Treasury Management practices.
- 17.6 All Officers acting as trustees by virtue of their official position must deposit all securities relating to the trust with the Deputy Chief Executive and Solicitor to the Authority, unless the deed provides otherwise.

18 Travelling, Subsistence, Financial Loss and Attendance Allowances & Hospitality Register

- 18.1 All claims by employees for payment of car allowances must be submitted within the agreed timetable in a form approved by the Treasurer, duly approved by the Chief Constable or other nominated officer. Payment of other expenses, subsistence allowances and incidental expenses will be

made on receipt of the appropriate forms duly approved. Approval by or on behalf of the Chief Constable will be taken to mean that the approving officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred and that the allowances are properly payable by the Authority.

- 18.2 Payments to Members of the Authority who are entitled to claim travelling, subsistence, or other allowances will be made by the Treasurer upon receipt of the prescribed form duly completed.
- 18.3 The Chief Constable will maintain a Register of Hospitality received by or given by members of his/her staff in a form to be agreed by the Treasurer. This regulation will not apply where the Chief Constable decides that the recording of hospitality will breach operational confidentiality.

19 Security

- 19.1 The Chief Constable is responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash, etc under his/her control.
- 19.2 Maximum limits for cash holdings are to be agreed with the Treasurer and must not be exceeded without his/her permission.

20 Computer Systems & Data

- 20.1 All documents relating to financial matters and to be used for submitting data for computer processing must be in a form approved by the Treasurer. All such data submitted not referred to specifically elsewhere in these regulations must be approved by the Chief Constable.
- 20.2 The development or procurement of new systems holding personal data or changes to

existing systems affecting personal data must be registered under the Data Protection Act in force prior to the implementation of such systems.

- 20.3 The Chief Constable is responsible for computer equipment and systems under his/her control and their proper use. All computer programmes and data developed for the Authority are for sole use of the Authority except by express permission of the Chief Constable and Treasurer.

21 Ex-Gratia Payments

- 21.1 The Chief Constable, after consultation with the Chief Executive, will have the power to settle ex-gratia claims for personal injury, damage or loss of property provided they are not otherwise insured, up to an individual value of £1,000.
- 20.2 The Chief Constable, in consultation with the Treasurer, will monitor all ex-gratia payments in relation to the budget, insurable risks and cover available.
- 20.3 The Chief Constable will seek approval from the Authority for any payment above the individual limit or in cases involving particular sensitivity.

22 Voluntary Unofficial Funds

- 22.1 A private unofficial fund will only be established with the approval of an appropriate senior officer, designated by the Chief Constable.
- 22.2 The Chief Constable will maintain a record of all voluntary unofficial funds in existence and of the senior officers responsible.

- 22.3 Voluntary unofficial funds must be audited every year by the Authority's Internal Audit Service, and copies of the audited accounts must be sent to the appropriate officer, and the Chief Constable.
- 22.4 The Chief Constable's record of voluntary unofficial funds and copies of audited accounts will be available to the Treasurer for inspection.

23 Gifts, Loans and Sponsorship

- 23.1 The Chief Constable will be informed of all offers of gifts, loans of property and sponsorship which must comply with the conditions approved by the Authority.
- 23.2 Approval by the Authority is required before any donation valued above £20,000 may be accepted.
- 23.3 The Chief Constable, in consultation with the Treasurer, will maintain a comprehensive record of the market value of all gifts, loans and sponsorship received. The total value of gifts, loans and sponsorship will not exceed a maximum equivalent value of 1% of the Authority's annual revenue budget.

24 Revision of Financial Regulations

The Treasurer will keep these Financial Regulations under review and after appropriate consultation make any recommendations to the Authority that he/she considers necessary.