

Standard Risk Register



Report Date	26 Apr 2022
Risk Status	Open
Risk Area	Office of the Police and Crime Commissioner

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Risk Reference	Risk Title	Cause & Effect	Inherent Risk Priority (I x L)	Risk Control	Residual Risk Priority (I x L)	Action Required
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1472	Organisational Governance	<p>A lack of adherence to good governance procedures Acts/Orders/Regulations could lead to bad publicity, loss of reputation, financial loss and possible legal sanction resulting in critical review by HMICFRS, Police & Crime Panel and/or External Audit, poor decision making and adverse publicity and public attention.</p> <p>Poor governance processes leads to poor decision making and overall poor performance and value for money.</p>	I = 5 L = 5 Primary (25)	<p>1. Governance and decision making procedures in place regularly reviewed and updated.</p> <p>2. PCC signs up to a voluntary Code of Conduct including declarations of interests and notification of gifts and hospitality.</p> <p>3. PCC staff subject to Code of Conduct including declarations of interests and notification of gifts and hospitality.</p> <p>4. Annual Governance Statement process.</p> <p>5. Internal (& external) audit scrutiny and reporting</p> <p>6. Oversight by Audit Committee</p> <p>7. Monitoring Officer and Deputy Monitoring Officer.</p> <p>8. Ongoing environmental scanning for new regulatory requirements.</p> <p>9. Code of Corporate Governance in place and reviewed by the Audit Committee</p> <p>10. Robust Governance arrangements are in place for major Collaborations. Which are subject to regular Audit.</p> <p>Update 26.04.2022 – Since the election of the new PCC in May 2021 the OPCC have:-</p> <p>1) Completely revisited the Governance, Assurance and Scrutiny arrangements that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>2) Developed processes/procedures to provide independent assurance to the PCC that the</p>	I = 5 L = 3 Primary (15)	<p>Following the appointment of a new Chief Constable, the OPCC now needs to ensure that the Force secure robust and stable Chief Officer Team.</p>

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				<p>Force is delivering against HMICFRS Areas for Improvements.</p> <p>3)Has reviewed and redesign the scrutiny processes that enable the PCC to hold the Force to account to provide a greater level of assurance that the Force are and have delivered.</p> <p>The OPCC has devised a clear structure of governance in respect of holding the force to account. The risk controls listed have been revisited and refreshed, with a number of scheduled meetings in place to review and scrutinise performance of the force. This governance is subject to regular audit and oversight by bodies such as internal and external audit, along with the audit committee. HMICFRS continue to work with the force following the 2019 inspection and continue to be subject to Police Performance Oversight Groups (PPOG)</p>		
1474	Fraud	Failure to manage processes, controls and procedures leads to increased risk and occurrence of fraud resulting in bad publicity, financial loss, possible legal sanctions and critical review by external agencies.	I = 4 L = 5 Primary (20)	1.Whistle-blowing Strategy. 2.Counter Fraud and Corruption Strategy. 3.Confidential e-mail system. 4.Internal Audit Services. 5.Internal disciplinary policies. 6.Systems of management including Delegation Scheme. 7.Financial Regulations (including Contract Standing Orders). 8.Budgetary control system with monthly analysis and review. 9.Audit Committee 10.Zero tolerance' policy	I = 4 L = 2 Contingency (8)	1. Continued and Annual review of all policies and processes relied upon as existing controls to ensure that it is clear how they apply to the Office of the PCC. The OPCC have introduced a number of risk controls (as listed) to reduce the residual risk of Fraud within both the Force and OPCC. These risk controls are subject to annual review with sign off of policies and produces by the relevant panels.

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1478	Financial Planning	Failure to ensure effective financial control and financial planning processes for the 'PCC Group', (i.e. the Office of the PCC, the Chief Constable, and Grants provided to, or services commissioned by, Partner organisations.) leads to poor decisions and wasting public money resulting in reduced services, poor value for money and adverse commentary and scrutiny for external bodies.	I = 4 L = 4 Primary (16)	Key Mitigations: 1. PCC CFO in place 2. Force CFO in place 3. Work of internal audit 4. Work of external audit 5. Quarterly Scrutiny Meetings where Finances and Resource are discussed. 6. Regular Meetings of the PCC and Force Leadership teams to discuss plans and finances 7. Regular reporting and scrutiny of current year financial performance and longer terms plans 8. Regular meetings and communications with partners who currently receive grants from the PCC 9. Regular meetings of the PCC and Force CFO's 10. Balanced financial plan in place for next 4 years based on current assumptions. 11. Earmarked Reserves created for higher pay awards and a legal/insurance reserve.	I = 4 L = 2 Contingency (8)	1. Ongoing reassurance is needed from the Force to the PCC that future recruitment and training plans will meet both the organisational needs, and service demands and that overall they can be delivered within the finances available to the Force. 2. The PCC requires assurance from the Force that scarce resources are delivering against the organisational priorities and in turn delivering efficient services. The OPCC obtain assurance from the Force by assessing and scrutinising the key mitigations which have been put in place and ensuring delivery of financial reporting against actual progress. Regular governance meetings take place with the Forces CFO along with regular work by internal and external audit.
1485	Objectives of the Office of the PCC	Failure to focus on the delivery of the key organisational objectives of the Office of the Police and Crime Commissioner leads to time wasted on non key areas and absorbing resources into peripheral areas resulting in a poor service to the people of Cleveland in the areas most needed.	I = 4 L = 4 Primary (16)	1. Action Plans for all objectives are in place 2. Regular meetings take place to review progress both internally and with Partners as required. 3. The Force's Towards 2025 Strategy aligns with and underpins the Police and Crime Plan. 4. The PCC has issued a clear Strategic Direction to the Force setting out what is required. 5. Reporting to the Police and Crime Panel is well embedded. 6. Police and Crime Plan has been refreshed and reflects feedback from Partners, Public and Force. 7. OPCC is will engaged with HMICFRS.	I = 4 L = 2 Contingency (8)	Continued development and embedding of the revised scrutiny programme is required including drawing in more independent information to challenge the Force and provide alternatives sources of assurance/information. Now a new Chief Constable has been appointed, the Police and Crime Plan needs to be promoted further within the Force as the key strategic document, with the OPCC to scrutinise how the Toward 2025 Programme is the mechanism for delivering the requirements.

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1486	Holding the Chief Constable and the Force to account	Failure to put in place adequate processes to effectively hold the Chief Constable and the Force to account for performance and use of resources as per statutory requirements leads to a reduction in the ability to shape the strategic direction of the Force resulting in key objectives not being met, adverse publicity, poor services to the people of Cleveland and adverse comments from external agencies.	I = 5 L = 5 Primary (25)	<p>1. Attendance/involvement at key force performance meetings.</p> <p>2. Regular one to one meetings between the PCC and CC.</p> <p>3. Clear Governance framework in place</p> <p>4. The OPCC has redesigned the Governance, Assurance and Scrutiny arrangements, that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>5. The scrutiny programme has been developed in line with Strategic Direction given to the Force to ensure key areas of concern are reviewed. To ensure there is a clear understanding about the current health of the Force and how it will improve its efficiency, effectiveness and standards in the years to come. This will include an increase in the use of independent scrutiny approaches and a clear expectation for the Chief Constable to confirm what will change and by when.</p> <p>6. An important aspect of the Strategic Direction from the PCC was an expectation that police personnel at all levels are transparent and candid with the PCC – and with the Chief Constable - about their work</p> <p>A joint Executive Board has now been implemented with agreed terms of reference.</p>	I = 5 L = 3 Primary (15)	<p>With the appointment of a new Chief Constable:-</p> <p>1. The OPCC will continue to review the Governance, Assurance and Scrutiny arrangements, that it has in place, to provide independent assurance to the PCC on the performance of the Force.</p> <p>2. The scrutiny programme will be subject to continued review in line with Strategic Direction given to the Force to confirm key areas of concern are reviewed. The OPCC will ensure they have a clear understanding about the current health of the Force and how it will improve its efficiency, effectiveness and standards in the years to come. This will continue the use of independent scrutiny approaches to drive a clear expectation for the Chief Constable.</p> <p>3. An important aspect of the Strategic Direction from the PCC was an expectation that police personnel at all levels are transparent and candid with the PCC – and with the Chief Constable - about their work.</p>

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1487	Commissioning of services and work with partners	Failure to effectively commission services and work with partners generally to deliver the Commissioner's key objectives and priorities leads to a lack of joined up working, poorly specified service needs resulting in poor decisions around which services should be commissioned and/or the wrong services being delivered.	I = 4 L = 4 Primary (16)	<ol style="list-style-type: none"> 1. Grant agreement template in place. 2. Clear guidelines on PCC website of how the PCC will commission services and how funding can be applied for. 3. Good partnership links and networks. 4. Service commissioned for Victims Referral Services. 5. Commissioning Strategy has been developed, and is subject to regular review. 6. Actions from Internal Audit Reviews have been completed. 7. Reviews and Audits of services provided with Grants are being undertaken in-house to ensure delivery against Grant terms and inform future decisions. 8. Services now commissioned for Restorative Justice and Independent Sexual Advisor Services and Sexual Assault Referral Services 	I = 4 L = 2 Contingency (8)	<ol style="list-style-type: none"> 1. Continue to improve our understanding of the needs of both Victims and Witnesses within Cleveland, using a demand / evidence based approach, ensuring that commissioned services provided meet the needs of the public. 2. Organisation needs to continue to move away from Grants and towards Commissioning/Contracting for the delivery of services. This will be driven via the Commissioning Strategy, within which there is a focused effort to work with key partners and stakeholders to collaborate wherever possible. Ongoing action with a view to further increase commissioned services.
1490	Complaints against the Chief Constable	Failure to effectively monitor complaints against the Chief Constable and monitor all complaints made against officers and staff leads to bad practices, poor public confidence and reduced morale resulting in lack of organisational focus, potential legal costs if complaints are not addressed in the most appropriate manner and additional adverse publicity and media attention.	I = 3 L = 3 Contingency (9)	<ol style="list-style-type: none"> 1. Adherence to guidelines laid down in Section 95 of the Police Reform and Social Responsibility Act 2011 Schedule 14 makes provisions for amendment of the Police Reform Act 2002, particularly Schedule 3. 2. Adherence to Police (Conduct) Regulations 2008, Schedule 'Standards of Professional Behaviour'. 3. The Policing Protocol Order 2011 4. The Code of Corporate Governance sets out the process to be followed and the delegations in place for dealing with and responding to any complaints received. 	I = 2 L = 2 Low (4)	<ol style="list-style-type: none"> 1. Consider the most appropriate forum for reporting and monitoring any complaints made against the Chief Constable to ensure transparency and also to ensure the PCC can evidence that the requirement place on the PCC are being met. - complete.

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1716	Failure to appoint a new Chief Constable and stability of the Force Chief Officer Team	The current Chief Constable has secured alternative employment and therefore the PCC will need to appoint a new Chief Constable. The appointment of a Chief Constable is one of the key roles of any PCC as it is the Chief Constable that a PCC holds to account for running the force. There is a risk that a lack of suitable candidates, with the required skills and experience to run Cleveland Police are available within a very narrow market place and/or apply to be Chief Constable in Cleveland. The effect of a failure to attract or appoint a Chief Constable with the right skills is likely to have a significant impact on the ability of the Force to deliver the required improvements set out within the HMICFRS Causes for Concern and the ability to deliver against the new PCC Police and Crime Plan. This risk is further amplified by gaps that already exist within the Chief Officer Team and additional gaps that will materialise in the coming months.	I = 4 L = 5 Primary (20)	Following a successful recruitment campaign in conjunction with the College of Policing, a new Chief Constable has been appointed, and has subsequently commenced the role April 2022.	I = 4 L = 3 Primary (12)	PCC to request the newly appointed Chief Constable to set out their plans to ensure a fit for purpose Chief Officer Team. Wider business continuity plans are required to ensure the risk from both the current gaps (and future gaps) are mitigated, and assurance is provided to the PCC that these plans will enable the Force to continue its 'Road to Improvement' and deliver against the new Police and Crime Plan.

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1720	Failure to provide competent Complaints Model 3 service	Failure of OPCC-led Complaints Model 3 service could lead to sub-optimal or severely deficient service delivery to the public of Cleveland who wish to exercise their lawful right to express dissatisfaction against Cleveland Police under Police Reform Act 2002, Policing and Crime Act 2017 and Police (Complaints and Misconduct) Regulations 2020. This could result in loss of public confidence in both Cleveland Police and the OPCC, reputational damage if any service failure matters were amplified in public domain, damage to the relationship between the OPCC and the Force, and potential escalation/ repetition of complaints/ service failure to Independent Office for Police Conduct, the Police and Crime Panel, the Home Office, HMICFRS, or to courts for judicial review.	I = 4 L = 5 Primary (20)	<p>Demand analysis undertaken using Cleveland's existing complaints data, which showed 2100+ complaints were received in 2020/21. Modelling of complexity x volume based on business case and live service being delivered in North Yorkshire OPCC and Police.</p> <p>Substantial investment of £300k by PCC into expansion of existing OPCC Triage team to be able to take on additional Complaints Model 3 Duties, including formal recording of police complaints and to be able to appoint an Independent Adjudicator.</p> <p>Retention of 3 x existing police complaints team members, including Team Leader with circa 4 years experience.</p> <p>Recruitment of additional team members required accelerated and primarily managed by OPCC.</p> <p>Comprehensive induction training programme to be developed to include familiarisation for new recruits with complaints legislation, complaints database (Centurion) and with different commands/ ranks, processes and terminology within Cleveland Police.</p> <p>Additional email address/ telephony line requested.</p> <p>Communications strategy developed to provide proactive, clear messaging to internal officers and staff, public and other external stakeholder.</p> <p>Regular monitoring of demand and performance to be undertaken through Complaints monthly strategic meeting between OPCC and Force.</p> <p>Discussed with Chief Officer team who have undertaken to support the model and make it work.</p> <p>Use of Centurion as single point of truth will enable easier monitoring of service delivery and performance.</p> <p>Access to Occ Health and positive psychology for complaints team members to prevent occurrence of fatigue or distress from repeated exposure to</p>	I = 3 L = 3 Contingency (9)	<p>Survey of public perception of police complaints handling and outcome to be undertaken pre service launch, at six months post launch and annually thereafter.</p> <p>Annual refresh of demand analysis.</p> <p>Regular dialogue between OPCC and DSE in Force to resolve any problems at an early stage.</p> <p>Progress of service to be kept under review by Strategic Complaints Group.</p> <p>Repeated comms internally and externally to ensure understanding of service, its accessibility and purpose.</p> <p>Dip sampling and call reviews to check service delivery.</p> <p>Service level agreement to be developed with Force to ensure clarity of roles, responsibilities and response times.</p> <p>Regular recognition of complaint team members to promote wellbeing, improve customer service and engender staff retention/ corporate knowledge and skills.</p> <p>Update - Model 3 Service is now rolled out within the OPCC, with staff recruited and in training / being embedded. Risk will remain open to ensure service is competent before further review and potential adjustment.</p>

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				complaint issues and emotional complainants. Lessons learnt for Force and scrutiny work of service delivery to be engineered around College of Policing Code of Ethics. Team Leader to have supervisory oversight, including allocation of cases to team staff members.		