

Introduction

The Police and Crime Commissioner (PCC) is elected by the people of Kent, and is responsible for creating a Police and Crime Plan and holding the Chief Constable to account. PCCs were established under the 2011 Police Reform and Social Responsibility Act.

The Office of the Police and Crime Commissioner (OPCC) is a small organisation, with the responsibility of supporting Kent's PCC, and helping to ensure the PCC meets the obligations set out above. It covers four main areas: finance; commissioning; governance; and complaints & correspondence, with administrative support and a media/communications team. There are two statutory roles, the Chief Executive and the Chief Finance Officer.

In 2023-24, the increasing requirements from the government across the commissioning sector and taking North Kent Police station back into the PCC's ownership were the most significant challenges. And, whilst the PCC elections in 2024 are outside of the parameters of this AGS, the outcome will have an impact on the content, timeframes and prioritisation of the action plan.

Each year, the OPCC is required to produce an Annual Governance Statement (AGS) which assesses how its corporate governance arrangements, as outlined in the Local Code of Governance, are working. This is informed by internal and external audit, the risk register, external oversight bodies, and other areas such as engagement with the public and new legislation. The Local Code sets out the overall governance framework within which the OPCC operates, and the AGS provides assurances as to how the OPCC is complying with it. The AGS identifies areas of both success during 2023-24, and where the OPCC can and will improve.

Document key:

Area of strength	Area for improvement	Area of challenge
The policies and procedures in place, as set out in the Local Code of Governance, are effective, with a high level of internal and external assurance. There are potentially some areas for improvement, but these have no material impact on the strength of the governance framework.	The policies and procedures in place, as set out in the Local Code of Governance, are mainly effective. However, there are areas where there remain challenges or the potential for improvement, which have a limited impact on the strength of the governance framework. There are plans in place to address this.	Failings have been identified in the policies and procedures, which may have a material impact on the governance arrangements in this area, and therefore on the wider operation of the OPCC. Significant remedial work is being taken to address these risks.

Assessment of OPCC governance

Core Principle of the Framework

A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law.

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section A. He has assessed that there is adequate assurance, and that this is overall an area of strength.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Complaints and reviews management	Risk register Other: Independent Office for Police Conduct) IOPC data and meetings	Following an internal audit in 2021-22 , which gave a reasonable assurance, staffing levels were increased and policies reviewed. Since then, IOPC quarterly data in 23-24 has demonstrated that the OPCC has a faster turn around time than its Most Similar Force group, and to date no Judicial Reviews have been received to challenge the outcomes of the reviews (appeals) issued. In this year, this area was also removed from the risk register		
Management of FOIs and SARs	Internal audit	There were 69 Freedom of Information Requests (FOIs) and 20 Subject Access Requests in this year, a broadly stable picture. All actions from Internal Audit and follow up were discharged in 23-24. Regular meetings with Chief Executive established to review FOI and SAR performance. A new acknowledgement process for SARs has been introduced, which explains to members of the public the limitations of SARs, to help manage demand. Both policies for FOIs and SARs now signed off by Chief Executive and are on the website.	Need for additional staff to support administration-heavy area.	

Assessment of OPCC governance

Core Principle of the Framework

B. Ensuring openness and comprehensive stakeholder engagement.

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section B. He has assessed that there is adequate assurance, and that this is overall an area of *strength*.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Launch of Victims' Voice	Other: from the PCC's Violence Against Women and Girls strategy & engagement, and Annual Policing Survey 2023	Victims' Voice outlines what rights people have as victims of crime, in one place, which had not previously been available. This has proved an extremely well-received campaign, with nearly 2 500 downloads, 1 500 hard copies distributed. These have been given to Courts, Parish Councils, and distributed by officers. The Commissioner has spoken at 61 events, often by invitation. This has been a key way for the PCC to demonstrate his role as a champion for victims, outside of his commissioning responsibilities.		
Annual Policing Survey	Other: legislative requirement	This year saw the highest ever response to the Annual Survey, at over 4 500; previous years' responses have been at an average of 3 000. It was circulated by local media, specifically Kent On Line. The survey included a topical, relevant question around trust in policing; this was considered to be the key factor in the high response rate. The responses are fed into the Commissioner's Police and Crime Plan .	The impact of the inclusion of the topical policing question has been significant. Therefore the Communications Team will include one each year to better engage with the public. The results of the survey aligned with HMICFRS's findings on trust and Kent Police's Performance, and the PCC will continue to hold to account on this issue.	
Youth Survey	Other: identified through commissioned work in schools	This survey received a strong response from a group significantly under-represented in policing matters. Nearly 4 500 children responded. It was promoted via the schools' police officers- it has been identified that the in person promotion of this survey helped drive the high response.	Young people are a 'hard-to-reach' group for policing, both in terms of engagement and the provision of effective services.	

Assessment of OPCC governance

		The survey results have helped inform the work of Collaborate Digital (who use digital media to deliver social and community messages in schools on behalf of public bodies) and the provision of safeguarding against on-line harm in schools.	The OPCC has identified a need to develop a strategy based on this success to build on engagement with young people.	
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Assessment of OPCC governance

Core Principle of the Framework

C. Defining outcomes in terms of sustainable service and economic benefits

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section C. He has assessed that there is adequate assurance, and that this is overall an area for improvement.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Management of commissioned services	Internal audit Risk register	The internal audit noted a number of key governance strengths in this area, specifically: <ul style="list-style-type: none"> • The Strategic Commissioning Overview • Information provided on the website • Grant allocation notification • Business case compliance with the PCC's Making Kent Safer Plan • Rationales for declined projects • End of year reviews • Value for money 	The internal audit noted an area for improvement: <ul style="list-style-type: none"> • Need to improve provider monitoring Furthermore, the risk register has noted that the reduction in staff, combined with an ever-growing workload, and frequent changes to processes by Government departments presents a risk to effective management of the identification, granting, and monitoring of funds within this service.	
Streamlining of governance and administration processes for collaboration	Other: identified internally by SMT	New arrangements were introduced to streamline the processes for the Collaboration Oversight Board and the Joint Chief Officers' Group meetings. Pre-meets were introduced for Chief Executives and SMT members in advance of the Kent and Essex Collaboration Oversight Board, to formalise the agenda and ensure all issues the PCC/PFCC needed feature on the agenda, and in a timely fashion. A decision was taken to use the same governance papers for the Collaboration Oversight Board as well as the Joint Chief Officers' Group, thereby ensuring both police people and PCCs consider the same key issues and removes the need for two sets of papers.		

Assessment of OPCC governance

Core Principle of the Framework

D. Determining the actions necessary to achieve the intended outcomes

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section D. He has assessed that there is adequate assurance, and that this is overall an area of *strength*.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Revision of risk register throughout 23-24	Other: JAC and internal/external audit commentary	<p>The work to revise the OPCC risk register was completed in 23-24. Whilst previous audits had provided reasonable assurances, the JAC felt some additional work could be undertaken to improve the register.</p> <p>This included:</p> <ul style="list-style-type: none"> • The scoring matrix was updated from a 4x4 to a 5x5 • The supporting risk methodology and policy were also updated. • The presentation was improved with RAG • The OPCC worked with Kent Police to understand where there were shared or interlinked risks. <p>The new risk register reduced the number of risks, and focussed on providing a clearer picture of the issues and the mitigation in place for each one.</p>		

Assessment of OPCC governance

Core Principle of the Framework

E. Developing the entity’s capacity, including the capability of its leadership and the individuals within it

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section E. He has assessed that there is adequate assurance, and that this is overall an area of for improvement.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
OPCC staffing	OPCC risk register	<p>There were a number of positive elements in the staffing of the OPCC:</p> <ul style="list-style-type: none"> • The Complaints, Reviews & Casework Team fully staffed; one person was on maternity leave, but their cover was recruited early to allow a handover, and in place for a full year. • A new analyst has been recruited to support all teams and the PCC himself. This will give crucial support in the areas of governance, FOIs/SARs, complaints, and compliance. <p>The ability to recruit outside of Kent Police structures has allowed the OPCC to run a more bespoke, flexible and more streamlined process where needed.</p>	<p>The OPCC is disadvantaged by being a small organisation, and therefore the departure of one or two staff can have a significant impact on function.</p> <p>The Commissioning Team is extremely under-staffed and requires revisions to both roles and structures to fully meet the growing and changing demands from Central Government. However, recruitment for the senior post has so far been unsuccessful.</p> <p>More support is required for FOI processes, and a new role has been created for this area.</p> <p>Greater administrative support is required for the Office overall.</p> <p>An overall review of Office structures, roles and processes required, as this has not taken place for some time.</p>	

Assessment of OPCC governance

Core Principle of the Framework

F. Managing risks and performance through robust internal control and strong public financial management.

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section F. He has assessed that there is adequate assurance, and that this is overall an area of strength.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Increased funding for Commissioned Services	Other: CFO report to Police and Crime Panel	The PCC and his team have been successful in bidding for further funding into Kent. The PCC has attracted approximately £4.0m of additional funding into the Commissioning budget to provide additional services for victims, such as additional Independent Sexual Violence Adviser (ISVAs) and Independent Domestic Violence Advisers (IDVAs) some of which provide dedicated support to elderly victims, children and young people and those impacted by gangs and County Lines. In addition, funding has enabled increased capacity within domestic abuse and sexual violence support services, including providing a dedicated Adolescent and Parent Violence and Conflict Programme, trauma counselling and court support.	Additional funding brings additional administrative and performance monitoring burdens. As noted in section C, there is a need to increase resilience within the team to ensure the Commissioning Strategy is delivered, both through recruitment of staff and re-design of the structure. Conversely, a withdrawal of funding from central government will need careful managing as the OPCC would need to exit from grant funding arrangements and the consequent impact on the delivery of services to victims.	

Assessment of OPCC governance

Core Principle of the Framework

G. Implementing good practices in transparency, reporting and audit to deliver effective accountability.

The PCC has assessed compliance with the framework as set out in the **Local Code of Governance** under section G. He has assessed that there is adequate assurance, and that this is overall an area of strength.

Issue	Identified from	Strength	Area for Improvement	Area of challenge
Revision of website accessibility	Other: national legislation	<p>National government directed public bodies to improve accessibility of their websites, to improve access and accountability, especially for people who find it more difficult to access information electronically.</p> <p>The OPCC is now at 92% compliance for accessibility, which is considerably higher than national average.</p> <p>This has been a considerable piece of work, as it has required the manual conversion of thousands of documents and webpages.</p>	<p>The directive is that all bodies should reach 95% compliance.</p> <p>For the OPCC, the most significant barrier to this is the number of historical PDF files (eg meeting reports) that need revising. PDFs are not able to be 'read' by those using adaptive technology, such as people with visual impairments.</p>	
Transparency and openness of information on website	Other: national legislation	<p>As part of a review undertaken for both accessibility reasons and to comply with the Specified Information Order (SIO), it was identified that the OPCC website required greater clarity and ease of navigation.</p> <p>Particular attention has been paid to the area of the website that details the roles of staff and work of the PCC, in order to aid public understanding.</p> <p>Additionally, a new process has been introduced whereby the 'weeding' and updating of the website takes place, at regular intervals.</p>	<p>Not all documents as required by the SIO are yet on the website. Whilst a small number, this means that the OPCC website is not fully compliant.</p> <p>Furthermore, the requirement to use Single Online Home is in part limiting the Office's ability to effectively promote information.</p>	

Assessment of OPCC governance

<p>Information management and security</p>	<p>Risk register</p>	<p>In preparation for the Office re-fit, OPCC staff attended and disposed of a significant amount of hard-copy material, in line with the retention and disposal policies.</p> <p>The use of Office 365 has enabled much improved information management processes. The OPCC was an early adopter within the organisation, and has an experienced and effective internal champion, which has allowed the organisation to fully exploit the technology.</p>	<p>Whilst all the weeding of the physical documents has taken place, there will need to be a dedicated programme of weeding electronic information in line with the policies.</p> <p>Some of the retained hard copy documents will also need to be sent to long term.</p> <p>However, this presents a challenge owing to levels staffing/capacity within the OPCC.</p>	
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Update on last year's action plan

There were no significant governance issues identified last year including in the action plan for this year. However, the two key risk areas were Financial Resilience/MTPF, and Commissioning: Increasing Demand and Staffing

Issue	Owner	Plan as outlined in previous AGS	Current position
Ensure that financial reports to senior officers are accurate and timely, and support decision making to meet significant financial challenges by delivering substantial savings.	CFO	The MTFP outlines a difficult financial environment. The Force have identified savings plans for 2023/24 on top of a substantial neighbourhood policing review that delivered significant savings. The overriding risk to the sustainability of the plan is any potential pay award for officers and staff over and above the 2.5% currently budgeted for. Some mitigation is in place, but with inflation currently in double figures the risk of a higher pay award is high.	Financial reporting from Finance through COMB to the OPCC, Performance and Delivery Board and JAC is now done regularly and consistently. The same report is used for all meetings and published on the website for public scrutiny. This supports effective decision making which enables the organisation to deal with changes in funding levels and unexpected costs.
The change in central government's allocation of additional commissioning funds from allocation to bidding increases the workload on the Commissioning team and provides challenges to ensure that services and funding streams are matched up	CFO and Head of Commissioning	The Commissioning team is currently fully staffed, however, the demand on the team is still significant. Not only are the team managing funds in excess of £7m (£4m two years ago) due to successful bids for government funding, but the funds also require an appropriate level of performance monitoring and contract management to ensure satisfactory delivery. This area will be subject to internal audit in the coming year, and a further report will be provided to the JAC. This will identify any particular areas of risk.	The Internal Audit report was encouraging and provided evidence of robust processes in dealing with the significant increase in resources. However, resilience within the Commissioning team is low with a number of vacancies arising and a difficulty in recruiting to replace staff as they leave. A new structure is being implemented to ensure increased resilience in roles and help retain staff.

Action Plan for issues identified in 2023-24

	Core Principle	Issue	Owner	Action plan
1	B: Ensuring openness and comprehensive stakeholder engagement	Improving response to Annual Survey	Head of Communications	The progression of this action is in part dependent on the outcome of the 2024 PCC elections. Having identified that the use of a topical question has increased the response rate to the Annual Survey, the Communications Team will include one each year to better engage with the public.
2	B: Ensuring openness and comprehensive stakeholder engagement	Improving engagement with young people	Head of Communications	The progression of this action is in part dependent on the outcome of the 2024 PCC elections. Having identified that in person promotion in schools was successful in building engagement, this will be the starting point for a new, effective and sustainable engagement strategy with young people.
3	B: Ensuring openness and comprehensive stakeholder engagement	Holding Kent Police to account for performance and improving residents' trust in policing	PCC, supported by senior management team.	The main OPCC commissioned service for victims, Victim Support, is developing a satisfaction survey for clients, which will provide more information for the PCC to hold Kent Police to account. The Annual Policing Survey will include the same question set over the PCC's term of office to provide a more robust evidence base to support monitoring, and the PCC's ability to hold the Force to account effectively.
4	C. Defining outcomes in terms of sustainable service and economic benefits	Management of commissioned services, and staffing within the team	CFO and Head of Commissioning	In relation to the internal audit, all recommendations have been agreed and will be implemented by end of calendar year '24. In relation to staffing, a junior member of staff has been acting up into a higher-grade role as a temporary measure. Recruitment for a Deputy Head of Dept, and two new Commissioning Support Officers is underway. Appointments into these three roles should provide the resilience and depth that the team requires.
5	E. Developing the entity's capacity, including the capability of its leadership and the individuals within it	OPCC staffing	Chief Executive	The progression of this action is in part dependent on the outcome of the 2024 PCC elections. In addition to the commentary in section 2, there will be further recruitment into the administration, FOI & SAR team.
6	F. Managing risks and performance through robust internal control and strong public financial management	Delivery of the Commissioning Strategy	CFO and Head of Commissioning	See commentary as under section 2.
7	G. Implementing good practices in transparency, reporting and	Revision of website accessibility	Head of Communications	Head of Communications and Engagement Officer dedicate time each week to on-going revision and updating, to maintain/improve compliance. However, a significant portion of the remaining

Action Plan for issues identified in 2023-24

	audit to deliver effective accountability		and Chief Executive	updates can only be carried out by the website host, Single On-line Home, which restricts Kent OPCC's approach and will require a national piece of work to be undertaken.
8	G. Implementing good practices in transparency, reporting and audit to deliver effective accountability	Transparency and openness of information on website	Head of Governance	Whilst the OPCC regularly receives the data/information required, not all is currently published on the website as required by the Amended SIO and therefore the OPCC is non-compliant. There are no set guidelines as to how it should be presented on the website, but guidance circulated by the APCC suggests it is preferable for there to be a specific page which contains all the required information. Based on best practice from other OPCCs, work is underway on the layout and design of a page that will bring the required information together in an accessible format. It is anticipated this will be completed within the next 4 months.
9	G. Implementing good practices in transparency, reporting and audit to deliver effective accountability	Information management and security	All SMT and Office Manager	Head of Governance and Office Manager are drafting a plan, to be presented at SMT. This will make all members of SMT be Information Asset Owners (IAOs). Further training will be provided to all SMT for their new roles, and then a process of weeding and disposal will take place. The administrative support person for this area will also undertake the flagging processes.

Other significant governance issues

National issues affecting external audit

Nationally, there have been ongoing issues concerning the timely completion of local audits. These delays are due to a number of reasons but primarily a lack of resources within the external audit sector, changes in statutory regulations and on occasions the quality of the accounts themselves. Kent PCC and Police have always prepared the accounts in accordance with the statutory deadlines and have continually received an unqualified opinion on the quality of those accounts. However, the final sign off and the issuing of an audit opinion has been affected by the delays in completing local audits with a late sign off for the 2021/22 accounts. For 2023/24 we were informed that by our auditors Ernst & Young LLP (EY) that they would be unable to complete the audit within the specified timescale. In July 2023, the Government set out proposals to clear the backlog of audits. This three-stage approach requires a Reset - clearing the backlog of historical audit opinions up to and including financial year 2022/23 by 30 September 2024; Recovery - that does not cause a recurrence of the backlog by using backstop dates to allow assurance to be rebuilt over multiple audit cycles; Reform - addressing systemic challenges in the local audit system and embedding timely financial reporting and audit. EY informed Kent PCC and Police and the JAC that they would not be auditing our accounts for 2022/23 in order for them to meet their obligations for 2023/24 accounting period. EY have carried out a Value for Money review and issued an interim report to the JAC in March 2024. No weaknesses were identified aside from the ongoing issue with the North Kent PFI project which is highlighted elsewhere in this statement.

North Kent PFI

North Kent Police Station is one of two Private Finance Initiative (PFI) police stations built through this initiative in Kent. The building has experienced significant issues with its roof, fire stopping and most significantly its ground source heating system. After a protracted period of failed negotiations to repair the building, Kent Police began making withholdings as allowed within the contractual arrangements. Subsequent to these withholdings the project company, Justice Support Services (JSS), went into administration. Further extended discussions and negotiations were conducted between the administrator and Kent Police and the Kent Police & Crime Commissioner (PCC). Ultimately, a negotiated settlement was not achievable. The PCC therefore served a notice on JSS on 27 May 2023 which stated the PCC's intention to terminate the PFI contract on the grounds of JSS's default. That notice started a process under the PFI contract and related contractual documents which ultimately resulted in the PFI contract terminating on 31st August 2023 and responsibility for the North Kent Police Station passed to the PCC on that date. The PCC and the administrators of JSS are currently in a formal dispute as to the grounds on which the PFI contract terminated and the amount of damages or compensation payable (if any) arising from the relevant termination grounds. The PCC is in the process of responding to and robustly refuting the claims made by the administrators of JSS. Throughout this protracted period, the Chief Constable and the PCC have been advised by specialist solicitors, barristers and other financial and technical advisers, making decisions based on this formal advice. Additionally the Home Office (HO) and Infrastructure and Projects Authority (IPA) have been actively supporting and scrutinising throughout the development of this contract dispute.

Other significant governance issues

Responsibility to repair the building now falls to the PCC, as landowner. Funding equivalent to the 'PFI Credits' has been agreed for the financial years 23/24 & 24/25 by the HMG Treasury and supported through the Home Office and the Infrastructure and Projects Authority. Subsequent years will require annual justification for continued funding until Kent Police is in a 'no better/no worse' financial position. The repair costs which Kent Police will need to incur to bring the North Kent Police Station up to the appropriate standard are likely to be significant. Therefore continued funding support will be required for many years to come.

Commissioned services

During 2023/24 concerns were raised regarding one of our grant funded services. The OPCC engaged with the service and conducted a review of the service under our governance processes. The review concluded that the charity had failed to meet the terms and conditions under which the grant funding was issued. This led to the withdrawal of funding for the organisation for 2024/25 and a request to return funding for 2023/24. The issue has been reported to the Charity Commission. A review of our governance processes to identify any learning points from this significant issue will be conducted during 2024/25.

Conclusion

The internal auditors' view is that:

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

Therefore, the view of the PCC, supported by his statutory officers and of the Internal Auditors, is that overall, the effectiveness of governance, risk management and controls remain generally sound and that no significant weaknesses have been identified.



Matthew Scott
PCC for Kent