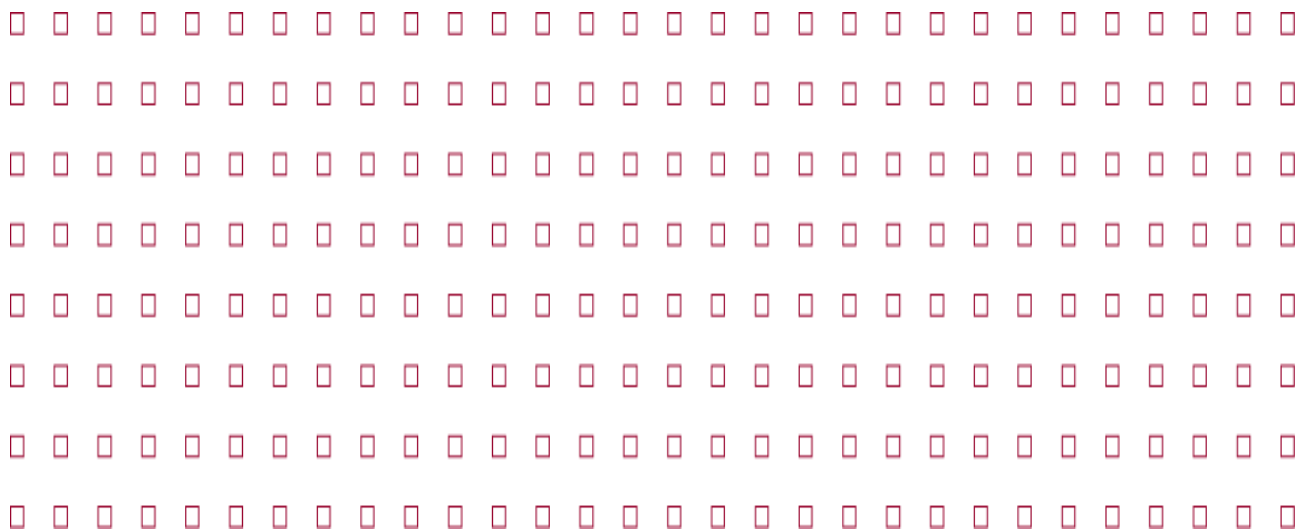




Agency Framework Agreement



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1. Introduction

- 1.1 This framework document has been drawn up by Ministry of Justice in consultation with the Criminal Injuries Compensation Authority (CICA). It does not convey any legal powers or responsibilities. Copies of the document have been made available to members of the public on the CICA website. The CICA is an executive agency of the Ministry of Justice (“the Department”). It was established as a Non-Departmental Public Body (NDPB) in 1996 and converted to an Executive Agency on 1 April 2014.
- 1.2 Criminal injuries compensation was first made available in the United Kingdom in 1964 through an *ex gratia* Scheme, where the award to be paid was set according to what the victim would have received in a successful civil action against the offender. The Criminal Injuries Compensation Act 1995 (“the Act”) required that a statutory scheme be established for the purpose of paying criminal injuries compensation which would set standard amounts to be paid for injuries (“the Tariff”).
- 1.3 The first Tariff based Scheme was made under the Act in 1996. This original Scheme was revised in 2001, 2008 and 2012. Each Scheme makes reference to the Criminal Injuries Compensation Authority (CICA) as the Authority responsible for the administration of the Scheme. Each Scheme included provision for claims for compensation to be determined and awards and payments of compensation to be made by persons (“claims officers”) appointed for the purpose by the Secretary of State.
- 1.4 This Framework Document sets out the arrangements for the governance, accountability, financing, staffing and operation of the CICA, agreed between the Department’s Permanent Secretary and the Chief Executive of the CICA with the approval of the relevant minister. It will be reviewed formally every three years or may be reviewed at any other time at the request of either party.
- 1.5 Any departure from the provisions of this Framework Document must be agreed between the Department and the Chief Executive.
- 1.6 Any questions concerning the interpretation of this Framework Document will be resolved by agreement between the Department and the Chief Executive.

2. Aim and Objectives

- 2.1. The aim of the CICA is to administer the compensation scheme and be sensitive in dealing with applicants, fair in deciding applications and efficient in managing all cases.
- 2.2. The work of the CICA supports the Department's objectives for a modern courts and justice system; provide a prison and probation service that reforms offenders; promote Global Britain; protect the rule of law and create a transformed department that delivers excellent services.
- 2.3. The CICA will:
 - Treat our applicants with sensitivity and fairness at all times;
 - Use digital technology to receive and process applications efficiently and provide an enhanced service to applicants;
 - Have a highly competent and motivated workforce which is fully engaged and operates effectively in a digital environment;
 - Be accountable for the service we provide and the public funds we spend.
- 2.4. The CICA will engage with stakeholders to promote understanding of the statutory compensation schemes it administers. This will include bodies such as the Victims Commissioner, Victim Support Services, police and regulatory bodies who are third party providers of information as well as those organisations who use the services of the Agency. The CICA will be responsible for keeping them informed of any changes in service delivery and responding to issues or concerns raised by stakeholders.
- 2.5. The CICA's objectives are updated annually [on our website](#).

3. Roles, Responsibilities and Governance

Ministerial Responsibilities

- 3.1 The Secretary of State will;
- account for the CICA's business in Parliament;
 - determine policy on the availability of criminal injuries compensation.
 - lay before each House of Parliament, [and the Scottish Ministers shall lay before the Scottish Parliament] a copy of every such Annual Report pursuant to section 6 of the Criminal Injuries Compensation Act 1995.

The Permanent Secretary

- 3.2 The Permanent Secretary advises Ministers on the CICA's performance.
- 3.3 The Permanent Secretary is responsible for ensuring the CICA conforms to departmental policy and has the relevant delegations and authorities.
- 3.4 The Permanent Secretary is also the Principal Accounting Officer (PAO) whose responsibilities are set out in Chapter 3 of Managing Public Money, issued by HM Treasury. The PAO is accountable to Parliament for the public funds delegated to the Chief Executive of the CICA. The PAO is responsible for advising the Secretary of State on:
- How well the CICA is achieving its strategic objectives and whether it is delivering value for money;
 - How the CICA's strategic aims and objectives contribute to the Department's wider strategy and priorities; and
 - An appropriate budget for the CICA in the light of the Department's overall public expenditure priorities.

The Chief Executive

- 3.5 The Chief Executive is appointed by the Departmental Permanent Secretary. Remuneration will be agreed in accordance with the performance and reward arrangements for members of the senior civil service.
- 3.6 The Chief Executive is accountable to the Permanent Secretary for his or her personal performance and, through the Permanent Secretary, to the relevant minister for the performance of the CICA.
- 3.7 The Chief Executive is responsible for day to day operations and management including:
- Efficient and cost-effective management of the CICA to ensure it achieves its outcomes;
 - Effective leadership of the CICA;
 - Preparing the CICA's business plan, ensuring that it reflects departmental policy and strategy;

- Developing structures which assign responsibilities and accountabilities in such a way that the CICA can effectively deliver its responsibilities within its delegated budget;
 - Ensuring robust financial planning and a full understanding of the costs of the CICA's activities; and
 - Ensuring that the CICA and any providers it commissions comply fully with all relevant legislative and corporate governance requirements;
- 3.8 The Chief Executive will retain a standing right of access to the relevant Minister. Any urgent matters or difficulties arising in the relationships and responsibilities between the Department and the CICA will be escalated, as appropriate, for discussion between the Permanent Secretary and the Chief Executive.

The Chief Executive as Accounting Officer

- 3.9 The Chief Executive is designated as the CICA Accounting Officer (AO) by the PAO with responsibilities as set out in Chapter 3 of *Managing Public Money*. As AO, the Chief Executive is personally responsible for safeguarding the public funds for which he or she has charge; for ensuring propriety, regularity, value for money and feasibility in the handling of these public funds; and for the day to day operations and management of the Authority. In addition, he or she should ensure that the Authority as a whole is run on the basis of the standards that are set out in Box 3.1, Chapter 3 of *Managing Public Money*. The Chief Executive is responsible to the PAO and to Parliament for those responsibilities.
- 3.10 In the event the CICA decides to delegate activities within its remit to other providers, whether they are public sector or private providers, the AO shall ensure that such delegation is subject to a robust governance regime, evidenced in an agreed Memorandum of Understanding.
- 3.11 In providing the Memorandum of Understanding the AO shall ensure that any such regime is supported by a process of regular review and monitoring, to ensure that governance arrangements are current and fit for purpose.

Delegation of Duties

- 3.12 The Chief Executive may delegate the day-to-day administration of his or her AO responsibilities to other employees in the CICA and/or other public or private organisations. However, he or she shall not assign absolutely to any other person any of the responsibilities set out in this document.

4. Responsibilities for accounting to Parliament

4.1 As AO, the Chief Executive's responsibilities to Parliament include:

- Signing the accounts and ensuring they are prepared according to the requirements set out in this document;
- Signing a Statement of Accounting Officer's responsibilities and a Governance Statement for inclusion in the CICA annual report and accounts;
- Ensuring that effective procedures for handling complaints about the CICA are established and made widely known within the Authority;
- Acting in accordance with the terms of this document, Managing Public Money and other instructions and guidance issued from time to time by the Department, HM Treasury and the Cabinet Office; and
- Giving evidence—normally with the PAO—when summoned before the Public Accounts Committee (PAC) on the CICA's stewardship of public funds.

Responsibilities to the Department

4.2 The Chief Executive's responsibilities to the Department include:

- Producing, in agreement with the Department, the CICA's business plan in the light of the Department's wider strategic aims and agreed priorities;
- Informing the Department of progress in helping to achieve its policy objectives and in demonstrating how resources are being used to achieve those objectives;
- Ensuring that timely forecasts and monitoring information on performance and finance are provided to the Department; that the Department is notified promptly if over or under spends are likely and that corrective action is taken and that any significant problems, whether financial or otherwise and whether detected by internal audit or by other means, are notified to the Department in a timely fashion: and
- Ensuring that recommendations addressed to the CICA in reports from the PAC or NAO and—separately—any recommendations made to the CICA in Management Letters are attached to the Audit Completion Report from its external auditors are responded to and are addressed and acted upon in a timely manner to ensure that they are cleared promptly. The Department will work with the CICA to support it in this task and coordinate any responses to HM Treasury.

4.3 If any responsibilities are delegated outside of the CICA to another public or private organisation, they will be so delegated under a robust, monitored and documented system of governance that complies with the principles set out in the departmental Accountability System Statement.

THE CICA Strategy & Performance Board

- 4.4 The Chief Executive will establish and chair a Strategy & Performance Board. The Board will provide support and advice to the Chief Executive regarding the strategic direction of the CICA. The day to day management of the CICA will be the responsibility of members of the Executive Management Board. The Board will receive management information reports as appropriate.
- 4.5 In addition to the Chief Executive, at least three Non-Executive Board Members will sit on the Board. The CICA will hold a Board Operating Framework consistent with the Cabinet Office model Code which details the membership and scope of the Board. There will be a standing invitation to both the Ministry of Justice and the Scottish Government for a representative from either to attend Board meetings.
- 4.6 The Non-Executive Board members will be appointed by the Chief Executive, with the approval of the Permanent Secretary, following an open and transparent recruitment process run in accordance with principles of the Code of Practice of the Commissioner for Public Appointments. The Chief Executive shall be a member, but not the chair, of the selection panel. Non- Executive Board Members should approach the Permanent Secretary if they have any concerns about the conduct of the Chief Executive. Non- Executive Board Members cannot be removed from office without the approval of the Permanent Secretary.

Relationship with the Department and Other Bodies

- 4.7 The Department develops strategic policies under the direction of ministers. Departmental policy officials will engage The CICA Chief Executive when preparing any revisions to the Criminal Injuries Compensation Scheme in order that he or she can offer advice on the operational impact of proposed strategic policy changes.
- 4.8 The CICA will work collaboratively and openly with all bodies, including the devolved administrations and other Government Departments that have an interest in its work and with whom the Agency can engage to deliver an effective and efficient service to its customers.
- 4.9 The CICA will review annually the Memorandum of Understanding between the Scottish Government and CICA on matters relating to the Criminal Injuries Compensation Schemes (CICS), including the arrangements for paying the Scottish contribution towards the cost of the CICS.
- 4.10 The CICA, as an Executive Agency of the MoJ, is part of the Finance Group. The Chief Financial Officer is responsible for advising the Permanent Secretary about issues relating to CICA
- 4.11 The CICA will report on progress against agreed objectives to the Chief Financial Officer, or his delegate, who will be responsible for advising the Permanent Secretary of any issues relevant to the achievement of these objectives.
- 4.12 The CICA will comply with best practice guidance and relevant reports of other Government Departments, the devolved administrations and the National Audit Office insofar as it is relevant to its business.

5. Accountability to Parliament

Parliamentary Select Committees

- 5.1 The Permanent Secretary and the Chief Executive or their delegates may be asked to appear before the Public Accounts Committee concerning their respective AO responsibilities.
- 5.2 Invitations received from other Parliamentary Committees relating to the CICA will be considered by the Chief Executive who will consult and advise the Permanent Secretary as appropriate.

Parliamentary and Health Service Ombudsman

- 5.3 The CICA is subject to the jurisdiction of the Parliamentary and Health Service Ombudsman.
- 5.4 The Permanent Secretary is the Principal Accounting Officer of the Department for the purposes of Parliamentary and Health Service Ombudsman referrals, who will normally delegate responsibility for handling any matters concerning the delivery of the CICA services to the Chief Executive. The Chief Executive should ensure appropriate learning and feedback mechanisms are in place and that difficult or contentious cases are brought to the attention of the Department at the appropriate stage.
- 5.5 The Chief Executive will ensure that the CICA operates in accordance with a published complaints procedure that is clear and accessible to all users.

Parliamentary Questions and Correspondence

- 5.6 The CICA will advise as required on Parliamentary Questions and Parliamentary Correspondence addressed to Ministers or the devolved administrations on matters relating to the policy or administration of the Criminal Injuries Compensation Schemes.
- 5.7 General correspondence addressed to the CICA or the Chief Executive relating to matters solely within the responsibility of the CICA will be responded to directly.

6. Finance, Performance and Reports

The Department's requirements

- 6.1 Unless otherwise agreed by the Department and, as necessary, HM Treasury, the CICA shall follow the principles, rules, guidance and advice in *Managing Public Money*, referring any difficulties or potential bids for exceptions to the Corporate Finance Team in the Department in the first instance.
- 6.2 In particular, the CICA shall comply with the requirements placed upon the Department by HM Treasury and Cabinet Office Spending Controls as though they were addressed directly to it, unless the Department agreed that there was an overriding policy reason for not doing so.
- 6.3 The appropriate letter of delegated authority will be issued to the Chief Executive in their role as Accounting Officer at the time of his/her appointment or as directed by the Permanent Secretary or relevant minister.

Budgeting Procedures

- 6.4 Each year, in light of decisions by the Department on the updated annual Business Plan, the CICA will be provided with a formal statement of the annual budgetary provision allocated by the Department in light of competing priorities across the Department and of any forecast income approved by the Department. This budget allocation will set out the CICA's net expenditure limits within:
 - Resource Departmental Expenditure Limits (DEL);
 - Capital DEL;
 - Resource Annually Managed Expenditure (AME) and Capital AME;
 - Cash - a limit will also be set on cash spend; and
 - A statement of any planned change in policies affecting the CICA.
- 6.5 The approved annual Business Plan will take account of approved funding provision and any forecast receipts and will include a budget of estimated payments and receipts together with a profile of expected expenditure and of draw-down of any departmental funding and/or other income over the year. These elements form part of the approved Business Plan for the year in question.

Funding Allocation to the CICA

- 6.6 The Department aims to provide a proposed and indicative annual budget allocation to the CICA in line with agreed outcomes and levels of service at least three months prior to the start of the year. The Department will also provide provisional budget allocations for future years to inform forward planning within a reasonable period prior to the end of the financial year.
- 6.7 Once the budget has been approved by the Department and subject to any restrictions imposed by statute and the responsible Minister's instructions, The CICA shall have authority to incur expenditure approved in the budget without further reference to the Department on the following conditions:

- The CICA shall comply with the budgetary delegations. These delegations shall not be altered without the prior agreement of the Department;
 - The CICA shall comply with *Managing Public Money* regarding novel or contentious payments or repercussive proposals;
 - The CICA shall comply with the guidance relating to special payments contained in Annex 4.13 of *Managing Public Money* consulting the Department's Corporate Finance Team where appropriate;
 - Inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal departmental approval where any proposed expenditure is outside the delegated limits, or is for new schemes not previously agreed;
 - The CICA shall provide the Department with information about its operations, performance, individual projects or other expenditure as the Department may reasonably require.
- 6.8 The Department will reach agreement with the Chief Executive in respect of the allocation and on any significant in-year adjustments to the CICA allocation.
- 6.9 There will be reviews on in-year spending and forecasting held between the Chief Executive of the CICA and the Department as required. The Chief Executive may put forward proposals to the Department to seek additional funding above the financial allocation in exceptional circumstances.

Financial Management

- 6.10 The CICA has responsibility for financial and management accounting and will provide information on its expenditure to the Department at the following intervals:
- Management information will be provided on a monthly basis to the Department's management accounts team, within a timeframe as the Department reasonably requires;
 - Financial Accounts information shall be provided on a quarterly basis to the schedule set out in the Finance and Commercial Instruction issued by the Department (usually six weeks after the accounts close for the quarter).
- 6.11 The CICA will share information with other Government Departments and the devolved administrations as appropriate.
- 6.12 The CICA's Director of Finance will comply with the duties and responsibilities set out in Annex 4.1 of *Managing Public Money*.
- 6.13 The Department and the CICA will work together to ensure there is a strong financial discipline at all levels. The CICA's Director of Finance will be a part of the broader departmental finance function and will have a responsibility for maintaining and developing standards of financial management within the CICA in line with any Departmental objectives.

Financial Delegations

- 6.14 The PAO of the Department will delegate, in writing, responsibility for all financial matters relating to the delivery of Criminal Injuries Compensation Schemes to the Chief Executive.

- 6.15 The CICA will operate within the limits confirmed in the written delegations and authorities for spend, which will be reviewed at least annually. The CICA's delegated thresholds and Financial Transaction Limits are set out in the Budget Variation Letter and its annexes. The CICA will obtain the Department's prior written approval before exceeding or varying any of the delegations or Financial Transaction Limits.
- 6.16 The Chief Executive is accountable for expenditure within the Agency in delivering its services and the income it receives.
- 6.17 The Chief Executive, as the Agency's AO, has the right to approve all items of expenditure, use receipts (subject to departmental guidance), write off losses and make special payments which are within the provision of this Framework Document and are consistent with the CICA's strategic and business plans. This is subject to the financial delegations, controls and approval processes set by the Department, HM Treasury and the Cabinet Office.
- 6.18 The Chief Executive has responsibility for ensuring that the CICA can account for its assets.
- 6.19 The CICA change programmes will have effective governance arrangements agreed by the Chief Executive and the Department, through which expenditure on those programmes is managed.

Capital

- 6.20 If any capital expenditure is needed, this must be agreed in advance and be included as part of the Department's capital allocation included in its funding allocation. The approval of the Department's Finance Management Committee, or equivalent, will be sought for any requests for capital spend above the delegation limit, based on a submitted business case for this spend.

General Accounting Rules

- 6.21 The CICA is subject to the rules and policies laid down by HM Treasury in Managing Public Money, Consolidated Budgeting Guidance, the Corporate Governance Code, the Financial Reporting Manual and other accounting instructions that are issued regularly by the Department.
- 6.22 The CICA shall submit timely quarterly accounts to the Department and comply with the Department's year-end accounts consolidation timetable.

Transparency Framework

- 6.23 The Chief Executive will work with the Department and, where appropriate, other Government Department officials to agree the cost and performance data for the CICA which will be made available to ensure principles of transparency are met.
- 6.24 The Chief Executive will put in place and maintain appropriate management systems to hold the relevant people and providers accountable for delivering outcomes within agreed resources.

Risk

- 6.25 The CICA will maintain a risk management process in accordance with the guidance in HM Treasury *Managing Public Money* and *Management of Risk – Principles and Concepts* and other official guidance that may be issued, and consistent with the Department's risk management policy, escalating risks as necessary.
- 6.26 The CICA will maintain robust contingency and business continuity plans and will review and test these on a regular basis.

Business Plan, Annual Report and Accounts

- 6.27 The CICA's annual Business Plan will be set within the context of the wider departmental corporate strategy and the Transparency Framework to deliver objectives and outcomes set by the Secretary of State. Reporting against the Business Plan will be consistent with reporting in the rest of the Department.
- 6.28 The Chief Executive is responsible for the development of the CICA's long term corporate planning and for ensuring that the CICA has integrated planning and performance arrangements in place.
- 6.29 The annual Business Plan will set out the CICA's strategic direction over the spending review period as well as detailing those activities to be delivered in each year of the Plan. The Plan will include:
- Clear links with the Department's strategic priorities and corporate strategy;
 - The priorities and work programme for the year;
 - Measures and planned achievements against which the Department will assess the CICA performance;
 - The operating assumptions and budget upon which the Plan is based.
- 6.30 The Chief Executive should submit a draft of the annual Business Plan in line with departmental requirements and timelines for Ministerial approval.
- 6.31 The Chief Executive will prepare the Annual Report and Accounts for the CICA, in accordance with the guidance and accounting policy set out by Cabinet Office and HM Treasury, to a timetable agreed with the Department.
- 6.32 The CICA Annual Report and Accounts will be audited by the Comptroller and Auditor General and form part of the Departments consolidated accounts.

7. CICA People

- 7.1 The Department will set terms and conditions (including all issues to do with pay and remuneration) of employment and procedures which will apply to all civil servants who work for the CICA, other than Senior Civil Service grades which will be determined by the Cabinet Office.
- 7.2 The Chief Executive will ensure that the CICA will operate in accordance with departmental corporate policies and processes that provide the CICA with an engaged, diverse and competent workforce that allows for the CICA to meet all relevant statutory obligations.
- 7.3 The Chief Executive will ensure that the CICA complies with the Department's Collective Engagement Framework in relation to consultation with the Trades Union Side.
- 7.4 The Chief Executive will ensure the CICA discharges all health and safety requirements imposed on employers by relevant legislation and statutory bodies including health and safety and fire safety requirements.

8. Audit and Assurance

Internal Audit

- 8.1 The Chief Executive is responsible for making arrangements for the provision of internal audit services for the CICA in accordance with Public Sector Internal Audit Standards and best practice set by HM Treasury. Under the Department's Operating Model this will be carried out by the Department as a shared service.

The Audit & Risk Committee

- 8.2 The Audit & Risk Committee (ARC) will be chaired by a Non-Executive Board Member, who will have recent and relevant financial experience
- 8.3 The ARC will comprise of three independent and non-executive Members of the CICA's Strategy and Policy Board. The role of the ARC is to advise the Chief Executive/Accounting Officer on the good and efficient management of the CICA's assets and operations. The ARC will provide the Executive Management Board and Chief Executive/Accounting Officer with an Annual Report timed to support finalisation of the accounts and Governance Statement summarising its conclusions from the work that it has undertaken during the year.
- 8.4 The Chair of the CICA Audit & Risk Committee will ensure that, where appropriate, effective arrangements for communication with the Department's Audit Committee are maintained. S/he may be asked to attend the MoJ's Corporate Audit Committee from time to time.

External Audit

- 8.5 The Comptroller and Auditor General audits the CICA's expenditure, income, assets and liabilities, examines its regularity and propriety and certifies and reports on the CICA Statement of Accounts.
- 8.6 The Comptroller and Auditor General sends copies of all management letters and correspondence relating to those letters to the CICA's Director of Finance, who draws issues of significance to the attention of the CICA Executive Management Board. The Board will escalate issues of particular importance to the Department.
- 8.7 The Comptroller and Auditor General has access to the CICA books and records under the National Audit Act 1983, for the purposes of carrying out examinations into the economy, efficiency and effectiveness with which the CICA has used its resource and discharged its functions.

9. Provision of corporate services

- 9.1 The CICA will work collaboratively with a range of the Department's corporate functions to ensure effective delivery.
- 9.2 A number of support functions will be provided as a shared service across the Department reflecting the departmental Operating Model.
- 9.3 Where appropriate, the operation of these services will be supported by a Memorandum of Understanding that sets out shared expectations of how the arrangements will work for efficient and effective delivery. Where expectations are not met, or the cost of the service is not competitive, the Chief Executive and relevant Directors in the Department will discuss and agree action, including the potential to make use of other service delivery models.

Estates

- 9.4 The Department will support the CICA in relation to any Estates functions (including strategic planning, project and programme management, sustainability, estates financial services and facilities where appropriate).

Communications

- 9.5 The Department will set its wider communications strategy and the CICA will formulate its communications strategy in line with this.
- 9.6 Within this wider strategy, the Chief Executive will be responsible for communications issued to the CICA staff, providers and stakeholders.
- 9.7 Media requirements and press handling will be managed by the Department's Press Office, with the appropriate delegations to the Chief Executive in line with devolved responsibility. In particular, any press enquiries relating to matters solely within the responsibility of the Chief Executive, will be referred to the Chief Executive for a statement.
- 9.8 The CICA branding will be consistent and integrated with the Department's guidelines.

Finance

- 9.9 The finance function within the CICA will conduct short-term/long-term financial planning, manage budget setting process, and establish long-term and in-year management / risk-based systems to provide frameworks that underpin corporate control and assurance. The CICA will also locally process payments to customers and manage retained awards deposits on behalf of minors.
- 9.10 The CICA will work with the Department to agree the recharging policy of the Corporate Services functions each year where this is not defined by a strategy already in existence within the Department.



Human Resources

- 9.11 The Department will set the strategic Human Resources (HR) direction for the CICA, and determine the HR business partnering and commissioning of services from the HR Expert Centre in line with the HR Operating Model and Civil Service HR. This will include learning and development and HR policy.
- 9.12 All advice and guidance, resourcing and processing of HR transactions will be provided by the Department in accordance with requirements agreed between the CICA's Chief Executive, the Department's Group HR Director and Director of Shared Services. Any concerns about these services that cannot be resolved through normal governance can be escalated by the CICA's Chief Executive to the Department's Operational Group Director.
- 9.13 The CICA will retain responsibility for workforce and talent planning, in line with Department guidelines and procedures. The CICA will also be responsible for the specification and delivery of any unique operational training needed by its staff.

Digital Services

- 9.12 The CICA will identify business strategy and requirements to provide internal digital services. In particular supporting, maintaining and developing the CICA's digital services within infrastructure and electronic case system capabilities. The CICA will work with the Department on the ways in which shared services are delivered.

Procurement

- 9.14 The CICA's procurement activity will be consistent with government and departmental procurement guidelines and policies. The CICA will provide information on procurement and commissioning to the Department's Procurement Directorate as requested. The Department's Procurement Directorate will be responsible for procurement policy and tenders and contract management for the CICA as a shared service.

Legal Services

- 9.17 The CICA will have its own legal team who will advise on and, where they consider it appropriate, instruct the Government Legal Department, the Office of the Advocate General, external counsel or solicitors, in relation to:
- Matters relating to the interpretation of the Schemes;
 - Operational policy and Scheme guidance;
 - Raising and defending judicial reviews and other legal challenges;
 - Setting up of Trusts and other mechanisms relating to the payment of awards;
 - Legal action taken against the CICA; and
 - Other legal issues which affect the CICA and its operations.

9.18 The CICA should ensure that the Department's legal team is alerted to, and where appropriate involved in, cases including those which:

- raise significant policy or political issues or could give rise to significant negative publicity;
- are in substance a challenge to the terms of the Scheme made by the Secretary of State, rather than an individual decision or an issue of interpretation of the Scheme;
- would give rise to the risk of significant additional costs if lost;
- raise significant or novel human rights points or Equality Act 2010 points; or
- would impact on future Scheme reform.

9.19 The Department will alert, and where appropriate engage, the CICA in any claim against the Secretary of State which concerns the legality or operation of the CICS. The Department and the CICA may agree that some legal services shall be provided by the Treasury Solicitor's Department and external counsel where necessary.

Access

9.20 The Department will have the right of access to all the CICA's records as required to discharge the obligations of the Department and the PAO and for any other purpose, including, for example, sponsorship audits and operational investigations.

Security and information assurance

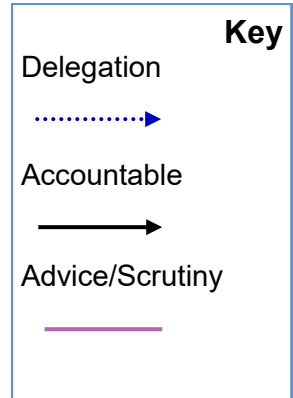
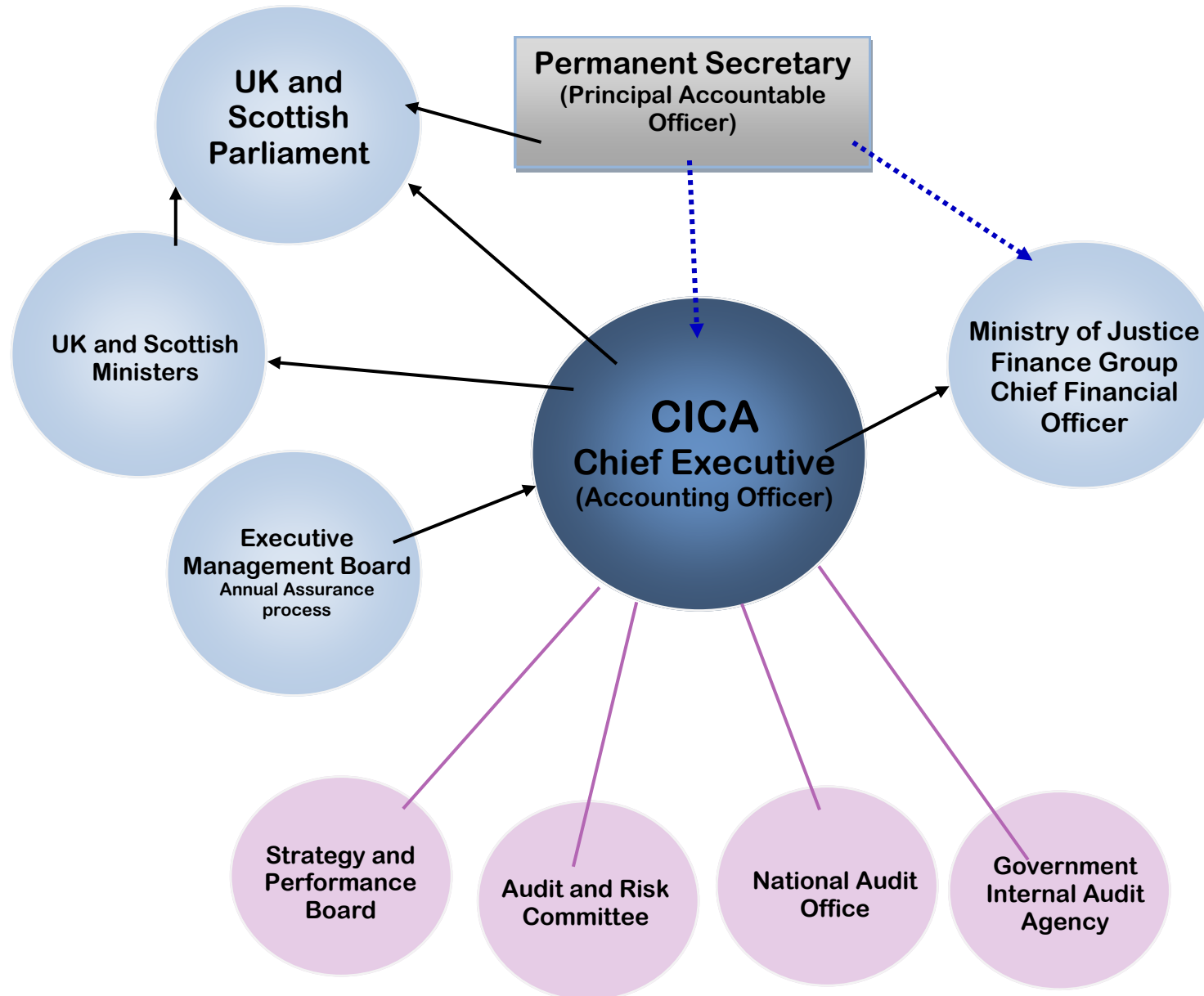
9.21 The CICA is required to comply with government and Department standards for management of security and information risk, and report on its compliance as necessary.

Freedom of Information and Data protection

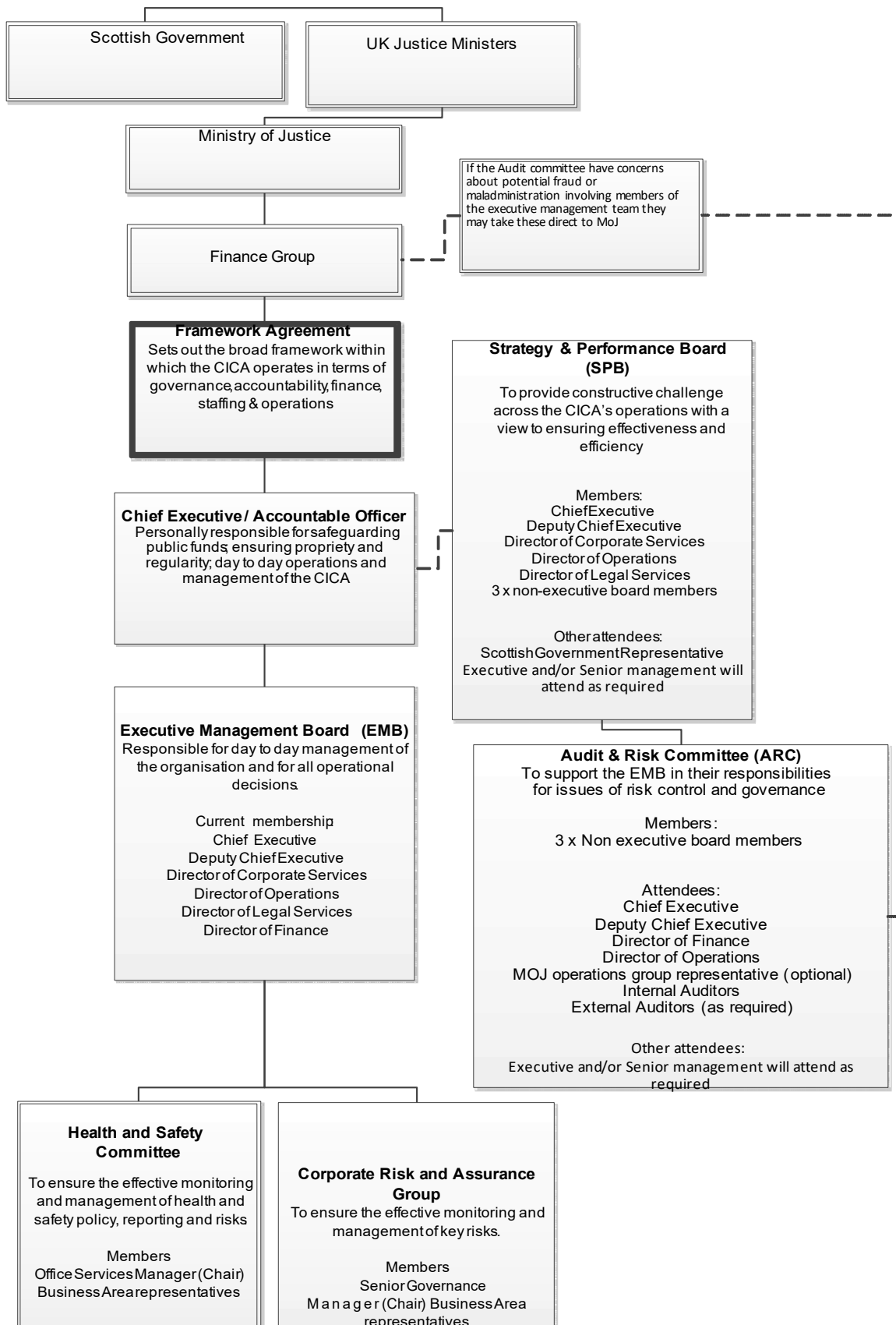
9.22 The CICA will carry out its obligations under the Freedom of Information Act, the Data Protection Act and the Environmental Information Regulations, including ensuring requests are handled in line with agreed departmental processes. The CICA will respond to requests on matters related to the operational delivery of criminal injuries compensation. This will be carried out with assistance from the Department where appropriate.



Annex A – Accountability Landscape



Annex B – Governance Framework Diagram



Annex C – Relevant Legislation

The Authority operates in compliance with the following legislations:

PRIMARY LEGISLATION

Criminal Injuries Compensation Act 1995
Crime and Security Act 2010 (s.47)

DELEGATED LEGISLATION

Criminal Injuries Compensation Scheme 1996
Criminal Injuries Compensation Scheme 2001
Criminal Injuries Compensation Scheme 2008
Criminal Injuries Compensation Scheme 2012
The Victims of Overseas Terrorism Compensation Scheme 2012

OTHER GOVERNMENT INSTRUMENTS

Criminal Injuries Compensation Scheme 1964
Criminal Injuries Compensation Scheme 1969
Criminal Injuries Compensation Scheme 1979
Criminal Injuries Compensation Scheme 1990
The CICA Hardship Fund



Annex D - Compliance with government-wide corporate guidance and instructions

CICA shall comply with the following general guidance documents and instructions:

- this document;
- Corporate Governance in Central Government Departments: Code of Good Practice; <https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-departments-2017>;
- Code of Conduct for Board Members of Public Bodies; https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/409604/code-of-conduct_tcm6-38901.pdf
- Code of Practice for Ministerial Appointments to Public Bodies; <http://publicappointmentscommissioner.independent.gov.uk/wpcontent/uploads/2012/02/Code-of-Practice-2012.pdf>
- Managing Public Money (MPM);
- Public Sector Internal Audit Standards; <https://www.gov.uk/government/publications/public-sector-internal-audit-standards>;
- Management of Risk: Principles and Concepts; <https://www.gov.uk/government/publications/orange-book>
- HM Treasury Guidance on Tackling Fraud; http://webarchive.nationalarchives.gov.uk/20130129110402/http://www.hmtreasury.gov.uk/d/managing_the_risk_fraud_guide_for_managers.pdf
- Government Financial Reporting Manual (FReM); <https://www.gov.uk/government/collections/government-financial-reporting-manual-frem>
- Fees and Charges Guide, Chapter 6 of Managing Public Money;
- Departmental Banking: A Manual for Government Departments, annex 5.6 of Managing Public Money;
- relevant Dear Accounting Officer letters <https://www.gov.uk/government/collections/dao-letters>;
- Regularity, Propriety and Value for Money; http://webarchive.nationalarchives.gov.uk/20090211144141/http://www.hm-treasury.gov.uk/psr_governance_valueformoney.htm
- The Parliamentary and Health Service Ombudsman's Principles of Good Administration; <https://www.ombudsman.org.uk/about-us/our-principles/principles-good-administration>

- relevant Freedom of Information Act guidance and instructions (Ministry of Justice);
- other relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts;
- other relevant instructions and guidance issued by the central Departments;
- specific instructions and guidance issued by the sponsor Department;
- recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and relevant to the Agency.

Annex E - Glossary

Name	Definition
Accounting officer	A person appointed by the Treasury or designated by a department to be accountable for the operations of an organisation and the preparation of its accounts. The appointee is the head of a department or other organisation or the Chief Executive of a non-departmental public body (NDPB) or other arms-length-body.
Accounts direction	A direction issued setting out the accounts which a body must prepare, and the form and content of those accounts.
Annually Managed Expenditure, AME	Spending included in Total Managed Expenditure (TME), which does not fall within Departmental Expenditure Limits (DELs). Expenditure in AME is generally less predictable and controllable than expenditure in DEL.
Arm's length bodies, ALBs	Central government bodies that carry out discrete functions on behalf of departments, but which are controlled or owned by them. They include executive agencies, NDPBs and government-owned companies.
Capital spending	Spending on the purchase of assets (including buildings, equipment and land), above a certain threshold (set by the body concerned), which are expected to be used for a period of at least one year. Items valued below it are not counted as capital assets, even where they have a productive life of more than one year.
Central government bodies	Departments and departmental executive agencies, NDPBs, and NHS health authorities and boards. The Office for National Statistics determines which bodies are classified to central government.
Chief executive	Title for the head of an arm's length body, normally appointed as accounting officer.
Civil Service Code	A concise statement issued by the Cabinet Office setting out the framework within which all civil servants work, and the core values and standards they are expected to hold.
Committee of Public Accounts	A committee of the House of Commons which examines the accounting for, and the regularity and propriety of, government expenditure. It also examines the economy, efficiency and effectiveness, and feasibility of expenditure. Commonly known as the Public Accounts Committee (PAC).
Comptroller and Auditor General, C&AG	The chief executive of the National Audit Office, appointed by the Crown, and an Officer of the House of Commons. As Comptroller, the C&AG's duties are to authorise the issue by the Treasury of public funds from the Consolidated Fund and the National Loans Fund to government departments and others: As Auditor General, the C&AG certifies the accounts of all government departments and some other public bodies, and carries out value-for-money examinations

Glossary

Consolidated Fund, CF	The government's current account, operated by the Treasury, through which most government payments and receipts pass.
Consolidated Fund standing services	Payments for services which Parliament has decided by statute should be met directly from the Consolidated Fund, rather than financed annually by voted money.
Consolidated Fund extra receipt (CFER)	Income, or related cash, that passes through a department's accounts but may not be retained by the department and is surrendered to the Consolidated Fund.
Contingent liabilities	Potential liabilities that are uncertain but recognise that future expenditure may arise if certain conditions are met or certain events happen.
Corporate governance	The system and principles by which organisations are directed and controlled.
Cost of capital	The cost to the government of financing investment, i.e the rate at which it borrows. This is included in the calculation when setting fees and charges and is calculated as a percentage of the net asset value.
Data Protection Act	Legislation (2018) which governs how organisations can use personal information which they hold.
Delegated authority	A standing authorisation by the Treasury under which a body may commit resources or incur expenditure from money voted by Parliament without specific prior approval from the Treasury. Delegated authorities may also authorise commitments to spend (including the acceptance of contingent liabilities) and to deal with special transactions (such as write-offs) without prior approval.
Depreciation	A measure of the wearing out, consumption or other reduction in the useful life of a fixed asset whether arising from use, passage of time or obsolescence through technological or market changes.
Devolved administrations	The administrations established in Scotland, Wales and Northern Ireland under the Scotland Act 1998, the Government of Wales Act 1998 and the Northern Ireland Act 1998.
Feasibility	The principle that proposals with public expenditure implications should be implemented accurately, sustainable and to the intended timetable.
Framework document	A document setting out the accountabilities and relationships of arms-length-bodies with their sponsor departments – see annex 7.2
Freedom of Information	Legislation designed to promote public access to a wide range of public sector data and information (but not personal data).
Funding	Transferring monies to an account, so that they are available when needed for payments.

Glossary

Generally accepted accounting practice in the UK, UK GAAP	The accounting and disclosure requirements of the Companies Act and pronouncements by the Financial Reporting Council (principally accounting standards and Urgent Issues Task Force abstracts), supplemented by accumulated professional judgements.
Governance Statement	An annual statement that accounting officers are required to make as part of the accounts on a range of risk and control issues.
Grant	Payments made by departments to outside bodies to reimburse expenditure on agreed items or functions, and often paid only on statutory conditions.
Grant in aid	Regular payments by departments to outside bodies (usually NDPBs) to finance their operating expenditure.
International Financial Reporting Standards (IFRS)	International accounting standards reflected in UK GAAP. Adapted by government for the public sector.
Judicial review	A procedure by which the courts can review the legality of decisions and actions of public authorities, including the government. Judicial review looks at the fairness of the decision-making process rather than the merits of the decision itself.
Non-departmental public body NDPB	A body with a role in the processes of government, but not a government department or part of one. NDPBs accordingly operate at arm's length from Ministers.
Orange book	The informal title for <i>Management of Risks: Principles and Concepts</i> , guidance published by the Treasury for public sector bodies.
Parliamentary authority	Parliament's formal agreement to authorise an activity or expenditure.
Primary legislation	Acts which have been passed by the Westminster Parliament and, where they have appropriate powers, the Scottish Parliament and the Northern Ireland Assembly. Begin as Bills until they have received Royal Assent.
Propriety	The principle that patterns of resource consumption should meet high standards of public conduct, and robust governance and respect Parliament's intentions, conventions and control procedures, including any laid down by the PAC. See box 2.4.
Public corporation	A trading body controlled by central government, local authority or other public corporation that has substantial day to day operating independence. See section 7.7.
Public Private partnership, PPP	A structured arrangement between a public sector and a private sector organisation to secure an outcome delivering good value for money for the public sector. It is classified to the public or private sector according to which has more control.
Regularity	The principle that resource consumption should accord with the relevant legislation, delegated authorities and this document.

Glossary

Select Committee	Both Houses of Parliament have select committees that scrutinise the work and expenditure of government. In the House of Commons, responsibilities of departmental select committees include oversight of the policies, administration and spending of particular government departments.
Spending review	A cross-government review of departmental aims and objectives and analysis of spending programmes. Results in the allocation of multi-year budgetary limits.
Supply	Resources voted by Parliament in response to Estimates, for expenditure by government departments.
Value for money	The process under which organisation's procurement, projects and processes are systematically evaluated and assessed to provide confidence about suitability, effectiveness, prudence, quality, value and avoidance of error and other waste, judged for the Exchequer as a whole.
Voted expenditure	Provision for expenditure that has been authorised by Parliament. Parliament 'votes' authority for public expenditure through the Supply Estimates process. Most expenditure by central government departments is authorised in this way.



Ministry
of Justice

OGL

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