

# MINISTRY OF DEFENCE POLICE AND GUARDING AGENCY



## Framework Document 2010 - 2013



## **Foreword**

**By Susan Scholefield, Director General Human Resources & Corporate Services, Owner of the Ministry of Defence Police and Guarding Agency.**

The Ministry of Defence Police (MDP) became a Defence Agency in 1996. On 1<sup>st</sup> April 2004 the Agency expanded to include the Ministry of Defence Guard Service (MGS) under the direction of the Chief Constable as Chief Executive. The Agency has since been known as the Ministry of Defence Police & Guarding Agency (MDPGA).

The Agency provides a comprehensive policing and guarding service to the Ministry of Defence, as well as others in the UK and abroad.

The MDP provide armed guarding to nuclear and other key national sites as well as policing services across defence.

The MGS provide civilian unarmed guarding services at over 200 defence sites.

The performance of the Agency, their key outputs to our defence and other customers will be overseen by the Owner's Advisory Board. Police activity will be overseen by the independent Police Committee.

This document outlines the framework that the Agency will operate under for the next three years.

This will be a difficult time of considerable change and adjustment. Costs will need to be reduced across defence and Agency customers are likely to want less and expect more from the Agency.

I know that the Chief Executive, his MDP and MGS officers and other civilian staff will successfully respond to those challenges. I wish them well.

**Susan Scholefield**

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## Section 1

# Status, Roles and Accountability

## Status

**1.1** The Ministry of Defence Police & Guarding Agency (MDPGA) is an Agency of the Ministry of Defence (MOD) that sits within the Director General Human Resources & Corporate Services (DG HR&CS) Higher Level Budget (HLB). The Agency was initially formed in 1996 as the Ministry of Defence Police (MDP) Agency and expanded in April 2004 to become the MDPGA when it was joined by the Ministry of Defence Guard Service (MGS).

**1.2** The requirement for civil policing within the MOD is laid out in the “Ministry of Defence Police – Statement of Requirement” document that was issued to the Chief Constable in September 2008 following agreement by the Chief Operating Officers and the Agency Owner.

## Role of the Secretary of State/Minister

**1.3** The Secretary of State for Defence has ultimate responsibility for determining the policy, financial framework and delegations of authority within which the Agency operates. In practice, the Secretary of State for Defence delegates day-to-day responsibility for the Agency to the DG HR&CS as Owner of the Agency.

**1.4** As the MDP is a statutory Police Force within the Department, the Secretary of State for Defence has additional responsibilities under law. Section 1(5) of The Ministry of Defence Police Act 1987, as amended by the Anti-Terrorism, Crime & Security Act 2001, provides that the Secretary of State for Defence shall appoint a Committee, to be known as the Ministry of Defence Police Committee. The Ministry of Defence Police Committee is chaired by an Independent Chair, as appointed by the Secretary of State for Defence and details of its composition and terms of reference may be found within Annex A2.

## Role of the Agency Owner – The Director General Human Resources & Corporate Services

**1.5** The Agency Owner’s responsibilities are:

- To determine and agree the strategic aims and objectives of the Agency and to set and monitor the performance of the Agency against key financial and performance priorities. The Owner should also be consulted on the Agency’s corporate and business plans.
- To advise Ministers on the strategic direction of the Agency in the context of wider departmental or cross-governmental objectives and on their response to strategic performance management.
- To keep the Chief Executive informed of any central policy developments relevant to the Agency.

- To monitor the high level performance of the Agency and to provide appropriate challenges and support to ensure that the Agency is able to deliver its outputs to its objectives and Priorities.
- To approve the annual budget of the Agency, and to ensure that the Agency has the delegations and authorities necessary for effective delivery and continuous improvement.
- To assist the Chief Executive to work through the implications of any recommendations emerging from any Departmental reviews where they affect the Agency.
- To appoint the individual who will have the joint role of Agency Chief Executive and Chief Constable of the Ministry of Defence Police (see paragraph 1.10 below) following appropriate selection/approval procedures and approval by the Secretary of State.

**1.6** DG HR&CS, as Agency Owner, chairs and is advised as appropriate by an Agency Owners Advisory Board (OAB), whose composition and terms of reference may be found at Annex A1.

## **Role of the Agency Chief Executive**

**1.7** The Chief Executive is accountable to the Agency Owner and the Secretary of State for the Agency's performance. The Chief Executive has key responsibilities involved in the day-to-day management of the Agency. These include:

- To be the Chief Constable of the MDP (see paragraph 1.8 below).
- Responsibility to lead, direct and manage the Agency, delivering aims, objectives and priorities for the Agency as formally determined by the Owner.
- Ensuring the efficient delivery of customer requirements within the cost, quality and timeframe defined in Joint Business Agreements (JBAs).
- Contributing towards the strategic direction of the Agency, including the development of the corporate and business plans.
- Implementing the Agency's approved corporate and business plans, including the achievement of priorities and performance levels, within budget and agreed timescales.
- Ensuring the corporate governance arrangements are consistent with departmental policy, including in relation to corporately identified risk.
- Ensuring that effective procedures for handling complaints from within and outside the Agency are established and publicised and ensuring that all complaints receive appropriate attention as required.
- Managing the Agency, its assets and resources in an efficient and effective manner.
- Ensuring that Investment Proposals are taken forward in accordance with Investment Approval Board-owned procedures.
- Reporting issues concerning the Agency to the Agency Owner, 2<sup>nd</sup> PUS (as Policing Champion in the MOD), the Ministry of Defence Police Committee and Defence Ministers as appropriate.
- Ensuring that the requirements of Government Accounting as set out in 'Managing Public Money' are met, and that the Agency observes the Resource Accounting policy and guidance contained in Joint Services Publication (JSP) 472.

- Implementing recommendations accepted by Government from the Public Accounts Committee, Parliamentary Select Committees, or other Parliamentary authorities.
- Meeting UK, European and International legal requirements that are relevant to the Agency's business.

## **Independence and Constitutional Position of the Chief Constable**

**1.8** The MDP Act 1987, as amended by the Anti-terrorism, Crime and Security Act 2001 defines at Section 1(3) that the "Secretary of State shall appoint a Chief Constable for the Ministry of Defence Police and the latter shall operate under the Chief Constable's direction and control". The Chief Constable is obliged under statute and other procedures and processes to ensure that offences reported to officers of the Force are investigated. It is fully acknowledged and accepted that the Secretary of State for Defence, the DG HR&CS and the Agency OAB have key roles to perform in setting priorities and in providing constructive advice and strategic guidance to the Chief Constable in relation to Business Planning, including the setting of Agency Priorities, and the financial management of the MDPGA. However, the Chief Constable alone has ultimate responsibility and exclusive statutory authority for the professional direction and control of the sworn constables of the MDP and for determining the investigation of crime within the Chief Constable's jurisdiction.

**1.9** In the exercise of this responsibility, the Chief Constable is answerable to the law alone. The MDP is independent from political or Departmental influence in the maintenance and operation of the law. It is the role of the MOD Police Committee to provide independent scrutiny and assurance to the Secretary of State of the exercise of constabulary authority by the Chief Constable. The MDP's police operations are subject to statutory provisions relating to police activities and also come within the jurisdiction of the Independent Police Complaints Commission (IPCC). The Chief Constable has direct access to the Secretary of State for Defence to whom he is ultimately responsible.

## **Appointment of the Agency Chief Executive**

**1.10** The Chief Executive is selected and appointed through open competition by the Secretary of State for Defence. The Chief Executive is appointed on a fixed term contract and is eligible to be considered annually for a non-consolidated, non-pensionable performance related bonus. The Chief Executive is directly accountable for the performance of the Agency and as such, the appointment can be terminated on the grounds of poor performance.

## **Accountability to Parliament**

**1.11** Notwithstanding the operational independence of the Chief Constable, the Secretary of State for Defence is accountable to Parliament for all matters concerning the Agency, although Defence Ministers will not normally be involved in the day-to-day management of the Agency. The Secretary of State is responsible for deciding which official should represent him/her at Parliamentary Committees and will normally ask the Chief Executive to represent him/her when the Agency's affairs are being discussed.

**1.12** Ministers will decide the appropriate way to respond to written Parliamentary Questions (PQs) about the Agency. They will normally ask the Chief Executive to respond to written PQs on their behalf. Responses will be published in Hansard, which is the edited verbatim report of proceedings in both Houses of Parliament. The Chief Executive will provide Ministers with the information needed to respond to all Parliamentary business concerning the Agency, keeping DG HR&CS informed during the process.

## **Accounting Officers**

**1.13** The Permanent Secretary (PUS), as the Departmental Principal Accounting Officer, retains overall responsibility for the organisation, management and staffing of the Department and for ensuring that there is a high standard of financial management in the Department as a whole. The Agency Chief Executive, as analogous Agency Accounting Officer, is accountable to PUS for the financial management of the Agency. The Chief Executive has:

- Accountability to the Departmental Accounting Officer for ensuring the propriety and regularity of the Agency's expenditure, the adequacy of its financial systems, the prudent and economical administration of the Agency, and the efficient and effective use of the Agency's allocated resources.
- Responsibility, if required, to accompany the Departmental Accounting Officer to the Public Accounts Committee to account for the discharge of his/her responsibilities.

## **Relationship with Central Departments**

**1.14** The Chief Executive is required to keep the Agency Owner, MOD Policy branches and the Director (Strategy & Resources) informed when making direct contact with HM Treasury and the Cabinet Office. Likewise the Department is required to keep the Chief Executive informed when dealing with Central Departments on matters concerning the Agency.

## **Parliamentary Commissioner for Administration**

**1.15** The Agency is subject to the jurisdiction of the Parliamentary Commissioner for Administration. PUS is the Principal Accounting Officer of the Department for this purpose, but may delegate the responsibility for replying on any matter concerning the Agency to the Chief Executive; a decision made on a case-by-case basis.

## **Freedom of Information**

**1.16** The Chief Executive will fully comply with the Freedom of Information Act.



## Section 2

# Agency Business

## Role

2.1 The role of the Agency is delivering effective Policing and Guarding as a part of the UK's Defence capability.

## Strategic Vision

2.2 The strategic vision of the MDPGA is as follows:

***In support of the UK's defence to deliver, by use of Constabulary powers, high quality defensive armed and specialist capability policing; and unarmed guarding.***

## Our Standards

2.3 The Agency incorporates the following Standards in all aspects of its business:

- Operational Match Fitness – A flexible and responsive organisation where all personnel understand, are properly equipped, for their role.
- Crime – Being clear that our focus is crime that harms the defence capability and co-operating with partners whenever required.
- “Two Badges, One Service – 100% co-operation and communication between the MDP and MGS in all areas of business.
- Customer Focus – Maintaining good customer relations and meeting our customers' needs.
- Leadership – Effective leadership and management throughout the organisation.
- Conduct – The Agency will not tolerate such things as: Dishonesty, Actions or Neglect which endanger colleagues or Defence security, Sexual or other forms of harassment at work, Racist language or behaviour, or any form of humiliation of one person by another.

## Agency Outputs

2.4 The main crime and security risks which the Ministry of Defence and Armed Forces face, are:

- Terrorist attack and the threat of such attacks
- Disruption and disorder caused by protestors
- Theft of, and damage to, key assets and material
- Major financial fraud and corruption
- Unauthorised intrusion onto Defence Estate

The Agency will combat these crime and security risks through the Agency's 8 key outputs:

- **Protection:** of the Strategic Nuclear Deterrent
- **Defence Business Continuity:** the ability to reinforce the protection of Defence personnel and property.
- **Defensive Armed Policing:** the capability to deter and to respond to an armed attack on our customers assets.
- **Uniformed Policing:** the effective use of police powers to deter, detect and respond to crime and disorder.
- **Guarding:** the provision of unarmed guarding and access control to Defence personnel and property.
- **Crime Investigation:** the prevention, detection and investigation of crime that impacts significantly against Defence capability and recovery of stolen assets.
- **International Capability:** the contribution of specialist Policing and Guarding expertise in support of wider Defence and foreign policy objectives.
- **Policy:** contributing to Defence policing and guarding policy.

## Agency Customers & Stakeholders

**2.5** As at April 2010, the primary customers for MDPGA services are the Top Level Budget organisations that make-up the MOD:

- Defence Equipment & Support
- Land Forces
- Air Command
- Fleet
- Central
- Defence Estates
- Permanent Joint Headquarters

In addition to the above, the Agency provides services to: The Royal Mint; AWE Management Ltd; the Foreign and Commonwealth Office; the Meteorological Office; the Defence Support Group; the Defence Science & Technology Laboratory; the UK Hydrographic Office; the Crown (in respect of its property) and United States Visiting Forces.

**2.6** The primary Agency customers are represented at the Agency Owner's Advisory Board (details at Annex A1), which enables customer views to contribute to the strategic direction of the Agency.

## Section 3

# Agency Organisation

## Management Organisation

**3.1** The Chief Executive is assisted by a senior management team known as the Agency Management Board, which consists of the senior managers within the Agency. The Agency Management Board (AMB) discusses the business of the Agency through regular AMB meetings and the terms of reference for the Board are shown at Annex A3. The MDPGA AMB structure at April 2009 is as follows:

### Chair:

Chief Constable/Chief Executive

### Members:

Deputy Chief Constable

Agency Secretary (Senior Civil Servant)

Assistant Chief Constable – Professional Development

Assistant Chief Constable – Operational Support

Assistant Chief Constable – Divisional Operations

Head of Unarmed Guarding – (Senior Civil Servant)

MGS Head of Profession – (Civilian Band B1)

## Location

**3.2** The MDPGA Headquarters and Agency Training College is co-located at Wethersfield, Essex and is divided into six portfolios, each of which is headed by the senior staff shown above.

**3.3** The majority of the MDP are deployed at Defence establishments and installations in the UK and are organised into five Divisions each headed by a Chief Superintendent. The MDP Divisions are: Scotland (HQ based at HMNB Clyde); North Eastern (HQ based at York); South East (HQ based at Aldershot); Western (HQ based at Bath) and AWE, covering the Atomic Weapons Establishments at Aldermaston and Burghfield.

**3.4** The MGS is also deployed at Defence establishments and installations around the UK and is organised into five Regions each headed by a Regional Manager at civilian Band C1 level. The MGS Regions are: Region 1 – Scotland (HQ based at HMNB Clyde); Region 2 – Northern England, the Borders, the East Midlands & East Anglia (HQ based at York); Region 3 – Wales & the West Midlands (HQ based at Shrewsbury); Region 4 – London & the South East (HQ based at Aldershot) and Region 5 – the South West (HQ based at Bath). Charts detailing the MDP Divisions and MGS Regions are shown at Annex B1 and B2 respectively.

**3.5** The Agency holds some assets, which consist of a small amount of land and buildings at MDPGA HQ, some plant, machinery, vehicles, weapons, information technology and communications equipment.

## **Staff**

**3.6** The Agency had as at April 2010 a staff of around 7,600, comprising some 3,500 MDP posts, 3,700 MGS posts and 400 civilian staff posts.

## Section 4

# Planning, Tasking, and Resourcing

## Planning

**4.1** The Chief Executive will prepare and agree with the Agency Owner, a Corporate Plan that covers the MOD Planning Round period, which will be updated and rolled forward annually. The MOD will assist the Agency in its corporate planning process by providing information about likely policy developments at Departmental level and other changes that could impact on the Agency. The Corporate Plan will include:

- The Agency's strategic vision, role, outputs, and standards
- The Agency's Governance structure
- A summary of financial issues
- Priorities for Financial Year 1 of the Corporate Plan period

**4.2** The Chief Executive will also prepare an annual Agency Business Plan, covering a one financial-year period, which will be linked to the Agency Corporate Plan and will define the shorter term objectives of the Agency in order to achieve the Agency's Priorities and other key Agency projects and initiatives.

**4.3** The Corporate Plan and Business Plan will be published as a combined document and made available to interested parties. Additionally, the Corporate Plan and Business Plan will be published on the Agency's pages on the MOD internet site. Once endorsed, these Plans will provide the strategic framework under which the Agency will deliver its key outputs.

## Risk Management

**4.4** The Agency operates risk management processes at all levels. The risks associated with delivering the outputs described in the Agency's Corporate and Business Plans are assessed and categorised according to their likelihood of occurrence and the impact on the organisation should the risk materialise. An Agency Corporate Risk Register linked to the Agency Business Plan is maintained and updated on a regular basis, with all risks having a designated owner at Agency Management Board level who is accountable for the regular review, management and control of that risk. The Agency Audit Committee (see Section 6.4) supports and advises the Chief Executive on issues of risk control.

## Tasking

**4.5** The Agency will have a comprehensive suite of Joint Business Agreements (JBAs) with its customers. These documents articulate the level of service the Agency will provide to its customers against agreed tasking levels, which the Agency Owner may agree or prioritise as appropriate.

**4.6** The Agency JBAs exist in two formats; an overarching agreement covering the corporate and financial supply of policing and security key outputs, and local agreements covering operational tasking at establishment level.

## **Resourcing**

**4.7** The Agency is a vote funded body and operates as a Management Group within the DG HR&CS Higher Level Budget (HLB), which is part of the MOD Central Top Level Budget organisation. The Chief Executive manages the Agency budget in accordance with MOD financial policy and procedures, and the delegations detailed in the Letter of Delegation that is issued by DG HR&CS. The online version of this Framework Document has a link to the Chief Executive's current Letter of Delegation.

**4.8** Financial provision for the Agency is made from a delegation to the Chief Executive from DG HR&CS. The Chief Executive has authority to approve expenditure up to the limits prescribed in the Letter of Delegation issued by DG HR&CS.

**4.9** Support at local level will continue to be funded under current arrangements by host establishments. The costs of support will be reflected in the Agency's accounts and included in local JBAs.

## **Services provided to the Agency by the MOD**

**4.10** It should be noted that services not specifically delegated to the Agency will continue to be provided by the MOD and that the costs of these services will be identified and included in the Agency annual accounts. Services provided to the Agency by MOD are detailed in Annex C.

**4.11** The Chief Executive has freedom to go elsewhere to obtain goods and services if better value for money can be secured. The exception to this is where the Chief Executive is limited by the delegations approved for the Agency or where the proposed course of action does not represent value for money for the defence budget overall. In cases of doubt, it should be noted that the Chief Executive should seek agreement of the Agency Owner that the proposed course of action represents value for money for the Defence budget overall.

## **Section 5**

# **Performance Evaluation**

### **Agency Priorities**

**5.1** Performance against the Agency's published Priorities will be reported on a quarterly basis to the Agency Owner. The Agency Priorities are agreed annually following discussion at the Agency Owners Advisory Board, Ministry of Defence Police Committee and Agency Audit Committee and define critical areas of performance against the Agency's key outputs. The Priorities are listed in the Agency Corporate Plan, which also includes a summary of the performance achieved against the Priorities agreed for the previous year. The Agency Priorities will be announced each year by means of a written ministerial statement and will relate to:

- a. The delivery of agreed outputs to cost, time and quality.
- b. The efficient use of resources.

### **Agency Performance Indicators**

**5.2** The Agency utilises the Balanced Scorecard format of Business Plan, which contains set objectives, priorities and performance indicators for the Agency to achieve. Customer satisfaction with the performance of the Agency is measured through responses to annual MDP and MGS customer satisfaction surveys.

## Section 6

# Reports, Accounts and Audit

## Reporting and Accounting

**6.1** The Chief Executive will publish an Annual Report and Accounts, prepared in accordance with the accounting policy and format set out by Cabinet Office, HM Treasury and MOD guidance and will agree the contents of the Accounts direction and the timetable for the accounts. The Chief Executive will ensure that the Annual Report and Accounts are laid before Parliament, normally prior to the summer recess. The Annual Report will include an Operations Report setting out the operational activities of the MDPGA.

## Internal Audit

**6.2** The Agency is subject to internal audit by staff from Defence Internal Audit (DIA) acting on behalf of the Principle Accounting Officer. The Chief Executive will be consulted in determining the programme of audit work and is responsible for implementing agreed audit recommendations in consultation with the Agency's Audit Committee, the Terms of Reference of which is detailed at Annex A4. The Agency Audit Committee supports and advises the Chief Executive on issues of risk control and governance and reviews the comprehensiveness of the assurance measures in place within the Agency and reviews the reliability and integrity of these measures.

## External Audit

**6.3** In addition to internal audit, the Agency is subject to external audit by staff of the National Audit Office (NAO) acting on behalf of the Comptroller and Auditor General. Formal certification of the Agency's accounts is required in accordance with Resource Accounting policy guidance contained in JSP 472. In addition, Her Majesty's Inspector of Constabulary (HMIC) inspects the MDP, and the MGS are audited by the National Security Inspectorate. (NSI). HMIC reports are submitted to the Ministry of Defence Police Committee and are placed in the libraries of the Houses of Parliament.

**6.4** A major role of the MOD Police Committee is to provide independent scrutiny and assurance to the Secretary of State in regard to the exercise of constabulary authority by the MDP. This is reported to the Secretary of State through the MOD Police Committee's Annual Report.



## Section 7

# Human Resources, Pay and Training

## Status and Conditions of Employment

**7.1** The permanent staff of the Agency consists of MDP officers, MGS officers and non-uniformed civilian staff, all of whom are members of the Civil Service and subject to Civil Service terms and conditions of service. However, the conditions of employment of MDP officers in respect of pay, discipline, probation, some allowances and conditions of service are also aligned to Home Department Police regulations. The Chief Executive may introduce changes to Civil Service and MDP terms and conditions of service after securing (where appropriate) clearances from within the MOD and the Cabinet Office, and after appropriate consultation with the Defence Police Federation (DPF) and the Chief Police Officers' Association (CPOA) in respect of MDP officers and with the recognised trade unions representing MGS and non-uniformed staff.

**7.2** Additional support may be engaged, where appropriate, from the private sector, under casual or temporary arrangements, on contract or consultancy terms, although any such arrangement should be consistent with current Departmental guidelines.

**7.3** The Chief Executive will manage staff resources to maximise value for money by structuring the Agency through a cost-effective mix of MDP officers, MGS officers and non-uniformed civilian staff commensurate with delivering the Agency's key outputs and responsibilities.

## Human Resource Management

*In respect of MDP officers:*

**7.4** The MDP are an analogue grade within the MOD and as such the Chief Executive/Chief Constable has the authority to manage MDP officers in accordance with the appropriate Civil Service, Departmental and Police regulations and with relevant UK employment legislation. This includes police recruitment, performance management and career development. Full details are set out in MOD Policy, Rules and Guidance documents.

**7.5** The Chief Executive/Chief Constable has the authority to create and abolish MDP posts, re-grade existing MDP posts and/or change the rank/grade mix in respect of all MDP posts up to and including the rank of Assistant Chief Constable – subject to remaining within resource control totals and within delegated complementing limits.

*In respect of Civilian staff (including MGS officers):*

**7.6** The Chief Executive has the authority to manage all civilian staff working for the Agency in accordance with all relevant Civil Service and Departmental regulations and UK employment legislation. This includes staff recruitment and selection, performance management and career development. Full details are set out in MOD policy, rules and guidance documents.

**7.7** The Chief Executive has the authority to create and abolish civilian, re-grade existing posts and/or change the rank/grade mix in respect of civilian posts within the Agency up to and including Pay Band B – subject to remaining within resource control totals and within delegated complementing limits.

*General points:*

**7.8** The Chief Executive will secure comprehensive HR support for the Agency from the People Pay and Pensions Agency (PPPA) who will deliver transactional HR services that are not provided from within the Agency.

**7.9** Further details on the Chief Executive's delegated authority in respect of Staff Management issues are contained in the Letter of Delegation issued by DG HR&CS.

## **Pay**

**7.10** The Chief Executive has the authority to review and determine MDP pay scales and the allowances that are payable to MDP officers up to and including ACC rank (in consultation with the Defence Police Federation and the Chief Police Officers Association), taking due note of relative arrangements and agreements that are set by the Police Negotiating Board. MDP pay will be calculated at the agreed figure of 95% of the pay scales that apply to Home Department Police Forces. The salaries for the Chief Constable and Deputy Chief Constable will be subject to central arrangements.

**7.11** For civilian staff (including MGS officers) the Chief Executive will operate a pay and grading system that is in accordance with the MOD broader banded structure within Civil Service guidelines. In line with the status and conditions of employment paragraph above, the Chief Executive is free to propose pay and staffing schemes as part of wider plans to improve the efficiency and effectiveness of the Agency.

## **Training**

**7.12** The MDPGA is committed to encouraging and assisting personal development so that all Agency staff are given the opportunity to realise their full potential. The Chief Executive has the authority to identify, prioritise and meet the training needs of all Agency staff based on legislative and business needs. This will include meeting all statutory and mandatory training requirements.

## **Conduct & Discipline**

**7.13** In respect of MDP officers, the Chief Executive is responsible for ensuring that all disciplinary and restoring efficiency cases are handled in accordance with the appropriate the MDP (Conduct) Regulations and the relevant HR Policies as set out in MOD Policy, Rules and Guidance documents. For MGS officers and non-uniformed civilian staff, all disciplinary and restoring efficiency cases will be handled in accordance with MOD HR Policies as set out in MOD Policy, Rules and Guidance.

## **Health & Safety**

**7.14** The Chief Executive will ensure that all relevant management responsibilities for Safety, Health and Environment (SHE) are undertaken across the Agency through regular monitoring of all operational activities, accommodation standards and the working environment to maintain a safe place of work for all staff. This will ensure the continued development of best practice and safe working procedures across the Agency, and that regular consultation takes place between Agency personnel in order to raise and discuss SHE matters as appropriate. The Chief Executive will ensure that the Agency's working environment complies fully with the legislative requirements for Safety, Health Environment (SHE) regulations.

## **Employee Relations**

**7.15** The Chief Executive is responsible for promoting good employee relations within the Agency and will consult with the following on all appropriate matters:

- The DPF in respect of MDP Federated Ranks and the CPOA for MDP Chief Officers.
- Those recognised Trade Unions that represent MGS and non-uniformed civilian staff.

In addition, the Chief Executive may consult Agency staff through surveys and other means.

**7.16** The Agency is committed to the MOD policy on Employee Relations and will continue to maintain and support the MDP Joint Consultative Committee, the MGS Joint Consultative Committee and the Agency Whitley Committee in order to enhance employee relations across the Agency.

## **Diversity and Equal Opportunities**

**7.17** The Chief Executive is committed to, and will actively encourage and promote, Equality and Diversity to ensure both are mainstreamed into the Agency's business by being incorporated into policies and processes at all levels and at all stages. The Chief Executive will provide staff with a working environment free from discrimination and harassment. With regard to the management of Agency personnel and the delivery of services (whether carried out by Agency personnel or any subcontractors), the Chief Executive will also take due account of all current and future statutory legislation and requirements. This commitment is reflected in the MOD and MDP Equality & Diversity Schemes and extends to any future statutory duties requiring equality schemes covering other diversity strands.

## **Section 8**

# **Review of the Framework Document**

### **Review**

**8.1** The Framework Document will be reviewed every three years and following any major review of the Agency, in consultation with the Trade Unions, the DPF and the CPOA.

### **Amendment**

**8.2** The DG HR&CS, on behalf of the Secretary of State for Defence, or the Chief Executive may at any time propose amendments to this Framework Document, in the light of any new experience, or to take account of any altered circumstances.

### **Publication**

**8.3** An up to date copy of this Framework Document will be published on the Agency Intranet Website, the MOD website (<http://www.mod.uk>) and will be placed in the Libraries of both Houses of Parliament. Additional copies can be obtained from the Chief Executive, Ministry of Defence Police & Guarding Agency, Wethersfield, Braintree, Essex, CM7 4AZ.

## MDPGA Owner's Advisory Board

### Membership and Terms of Reference

#### Membership

##### Chair and Owner

Director General Human Resources & Corporate Services

##### Members

Director Business Resilience  
Independent Chair of Ministry of Defence Police Committee  
Centre TLB Representative  
Fleet TLB Representative  
Land Forces TLB Representative  
Air Command TLB Representative  
DE&S TLB Representative  
Defence Estates TLB Representative

##### In Attendance

CE MDPGA  
Chair of MDPGA Audit Committee  
Other customer groups (including repayment representatives) as invited

##### Secretariat

Def Sy – Policing Policy

##### Terms of Reference

1. To determine the overall priorities of the Agency;
2. To approve the Corporate and Business Plans, which CE/MDPGA will submit in draft;
3. To set Agency Key Targets, which CE/MDPGA will propose;
4. To determine the arrangements for performance monitoring;
5. To support, guide and advise the CE in the administration of the Agency (excluding day-to-day management) and to determine the resources required by the Agency and its budget;

6. To review the performance of the Agency against its Key Targets;
7. To consider and review Customer Supply Agreements (CSAs) and monitor the MDPGA's performance against the CSAs;
8. To resolve any conflicts of priorities for the Agency's services/outputs among relevant customer groups;
9. To review the Agency Framework Document as required.

## Ministry of Defence Police Committee

### Membership and Terms of Reference

#### Membership

##### Chair:

Independent external appointee

##### Members:

Police Advisor – England & Wales

Police Advisor – Scotland

3 x Independent Members

Director General Human Resources & Corporate Services and Agency Owner (MOD)

Director Business Resilience (MOD)

##### In Attendance:

2nd Permanent Under Secretary (MOD)

Chief Constable MDP

Members of the MDPGA Management Board and subject matter experts as required

Chair of the MDP Chief Police Officers' Association

Chair of the Defence Police Federation

**Secretariat** – Clerk to the Police Committee (Def Sy – Physical Security and Policing Policy)

#### Terms of Reference

The MOD Police Committee's main role is to provide an independent scrutiny and assurance to the Secretary of State for Defence that the Ministry of Defence Police (MDP) is delivering policing services in accordance with the MDP Act 1987.

In order to perform this role the Committee is required to:

1. Provide scrutiny and assurance to ensure that police powers and authority are impartially and lawfully exercised by the Chief Constable;
2. Confirm that MDP is meeting the standards required of a police force;
3. Validate that MDP's exercise of its authority is responsible, proportionate and impartial;

4. Validate that MOD's use of the MDP is appropriate in relation to the exercising of policing powers and authority;
5. Provide scrutiny and guidance on any other matter in relation to the use of policing powers which fall within the responsibility of the MDP;
6. Consider the MDP's targets and performance and the Ministry of Defence Police and Guarding Agency's corporate and business plans as far as required to the exercise the above functions;
7. Consider all complaints made against all members of the Chief Officer ranks of the MDP. This may be delegated to a sub-panel of the MOD Police Committee;
8. Undertake all responsibilities required of the Conduct and Appeal Regulations (Statutory Instruments);
9. Submit an annual report to the Secretary of State for Defence on the MDP's discharge of policing powers;
10. Publish the operating costs and expenses of the Police Committee each year.



## MDPGA Management Board

### Membership and Terms of Reference

#### Terms of Reference

1. The Chief Executive of the Ministry of Defence Police and Guarding Agency (CE/MDPGA) is accountable to the Agency Owner for the delivery of the Agency Corporate and Business Plans.
2. To execute this responsibility, the Agency Management Board (AMB) is required to assist CE/MDPGA to:
  - a. Define, develop and endorse the Agency's corporate strategy and policy in relation to its role, vision and values
  - b. Define and monitor the effectiveness and delivery of the Agency outputs
  - c. Ensure the delivery of the Agency Corporate Planning Cycle
  - d. Develop and deliver Agency annual Key Targets
  - e. Develop and monitor the achievement of Agency Critical Success Factors through Portfolio Plans and letters of delegation

#### Membership of the AMB

Chief Constable/Chief Executive - Chair  
Deputy Chief Constable  
Agency Secretary (Senior Civil Servant)  
Assistant Chief Constable – Professional Development  
Assistant Chief Constable – Operational Support  
Assistant Chief Constable – Divisional Operations  
Head of Unarmed Guarding – (Senior Civil Servant)  
MGS Head of Profession (Civilian Band B1)

#### In Attendance

AMB Advisors  
AMB Secretary

### TERMS OF REFERENCE FOR MDPGA AUDIT COMMITTEE

The Agency Management Board (AMB) has established an Audit Committee (AC) as a Committee of the MDPGA to support them in their responsibilities for issues of risk control and governance by reviewing the comprehensiveness of assurances in meeting the AMB and Chief Executives' (CE/MDPGA) assurance needs and reviewing the reliability and integrity of these assurances.

#### MEMBERSHIP

- The members of the AC are:
  - Three Independent External members, one of whom will Chair the AC.
  - The AC will be provided with a secretariat function by the MDPGA Assurance Team.

#### REPORTING

- The AC will formally report in writing to the AMB and CE/MDPGA after each meeting.
- The AC will provide the AMB and CE/MDPGA with an Annual Report, timed to support finalisation of the accounts and the Statement on Internal Control, summarising its conclusions from the work it has done during the year. This report is likely to also offer the basis for preparing a further report suitable for publication in fulfilment of the reporting requirements of the **“Corporate governance in central government departments: Code of Good Practice.”**

#### RESPONSIBILITIES

The AC will advise the AMB and CE/MDPGA on:

- The strategic process for risk, control and governance and the Statement on Internal Control;
- The accounting policies, the accounts, and the annual report of the organisation, including the process for review of the accounts prior to submission for audit, levels of error identified, and management's letter of representation to the external auditors;
- The planned activity and results of both internal and external audit;
- Adequacy of management response to issues identified by audit activity, including the NAO's management letter;

- Assurances relating to the corporate governance requirements for the organisation;
- Anti-fraud policies, whistle-blowing processes, and arrangements for special investigations;
- The AC will also annually review these Terms of Reference and its own effectiveness and report the results of the reviews to the Chief Executive and AMB.

## **RIGHTS**

The AC may after consultation with CE/MDPGA:

- Co-opt additional members for a period not exceeding a year to provide specialist skills, knowledge and experience;
- Procure specialist ad-hoc advice at the expense of the organisation.

The Chair has a responsibility to inform the Agency Owner of any assurance issues that cannot be resolved with CE/MDPGA.

## **ACCESS**

- The representatives of Defence Internal Audit (DIA) and National Audit Office (NAO) will have free and confidential access to the Chair of the AC.
- The AC should liaise as appropriate with the Central Top Level Budget (CTLB) AC.

## **MEETINGS**

- The AC will meet at least four times a year. The Chair of the AC may convene additional meetings, as they deem necessary.
- A minimum of 2 members of the AC will be present for the meeting to be deemed quorate.
- AC meetings will normally be attended by CE/MDPGA, Agency Secretary MDPGA, Head of Unarmed Guarding MDPGA, DCC MDPGA, ACC Divisional Operations MDPGA, ACC Operational Support MDPGA, ACC Professional Development MDPGA, Head of Profession MDPGA, Head of Finance MDPGA, Head of Performance, Secretariat and Communications MDPGA, Assurance Team Leader MDPGA and representatives of the DIA and NAO.
- The AC may ask any other officials of the MDPGA to attend to assist it with its discussions on any particular matter.
- The AC may ask any or all of those who normally attend but who are not members to withdraw to facilitate open and frank discussions of particular matters.
- CE/MDPGA may ask the AC to convene further meetings to discuss particular issues on which they want the AC's advice.

## **INFORMATION REQUIREMENTS**

### **For each meeting the AC will be provided with:**

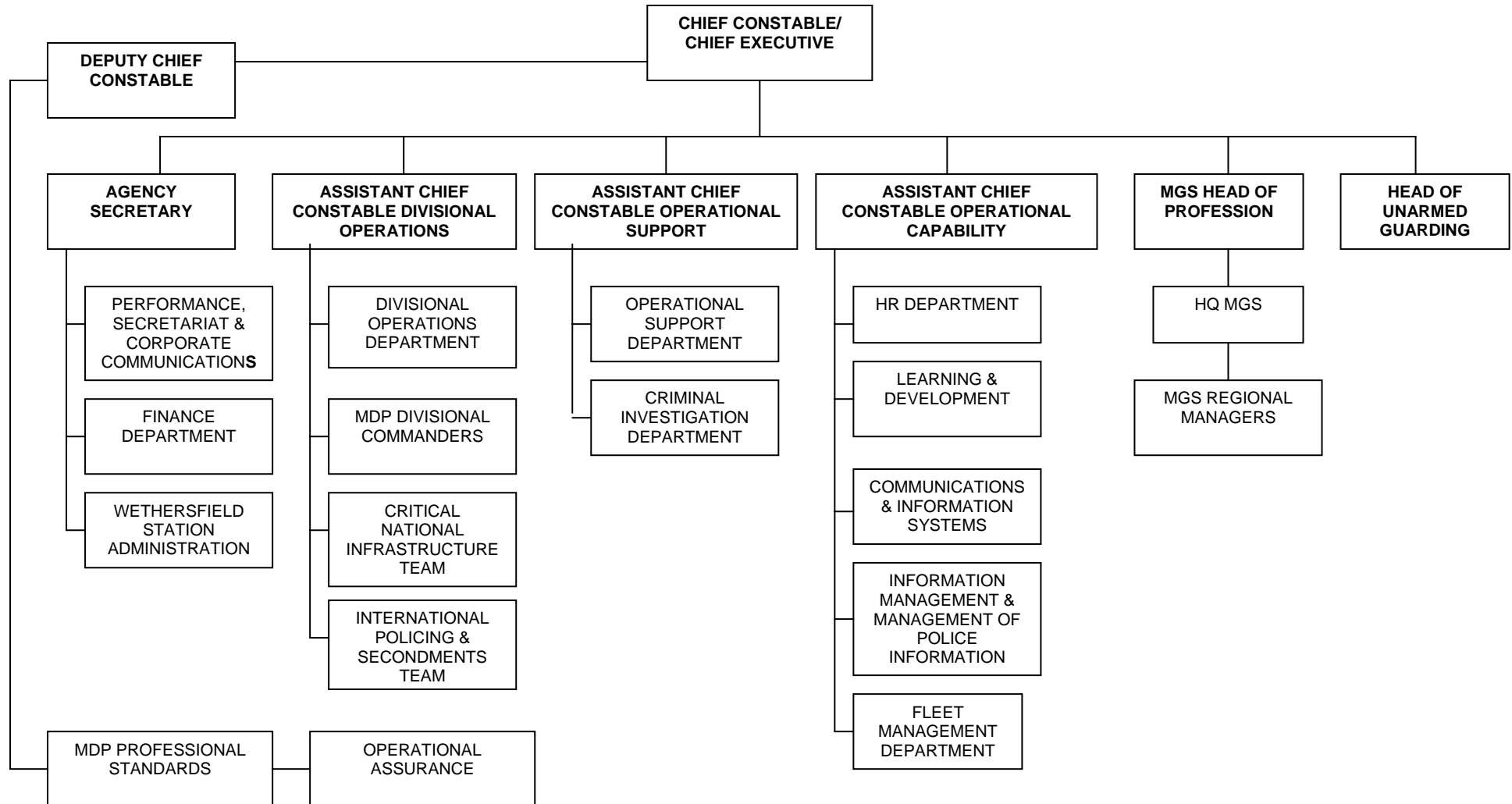
- A report summarising any significant changes to the organisation's Risk Register;
- A progress report from the DIA representative summarising:
  - Work performed (and a comparison with work planned);
  - Key issues emerging from Internal Audit work;
  - Management response to audit recommendations;
  - Changes to the Periodic Plan;
  - Any resourcing issues affecting the delivery of Internal Audit objectives;
- A progress report from the NAO representative summarising work done and emerging findings.
- A progress report from Head of Assurance Team MDPGA summarising:
  - Work performed (and a comparison with work planned);
  - Key issues emerging from Assurance compliance reviews;
  - Management response to review recommendations;
  - Changes to the Annual Assurance Programme.

### **As and when appropriate the AC will also be provided with:**

- Proposals for the Terms of Reference of Internal Audit;
- The Internal Audit Strategy;
- The DIA's Annual Opinion and Report;
- Quality Assurance reports on the Internal Audit function;
- The draft accounts of the Agency;
- The draft Statement on Internal Control;
- A report on any changes to accounting policies;
- NAO's management letter;
- A report on any proposals to tender for audit functions;
- A report on co-operation between Internal and External Audit;
- Copies of every Internal Audit assignment report.

## Annex B1

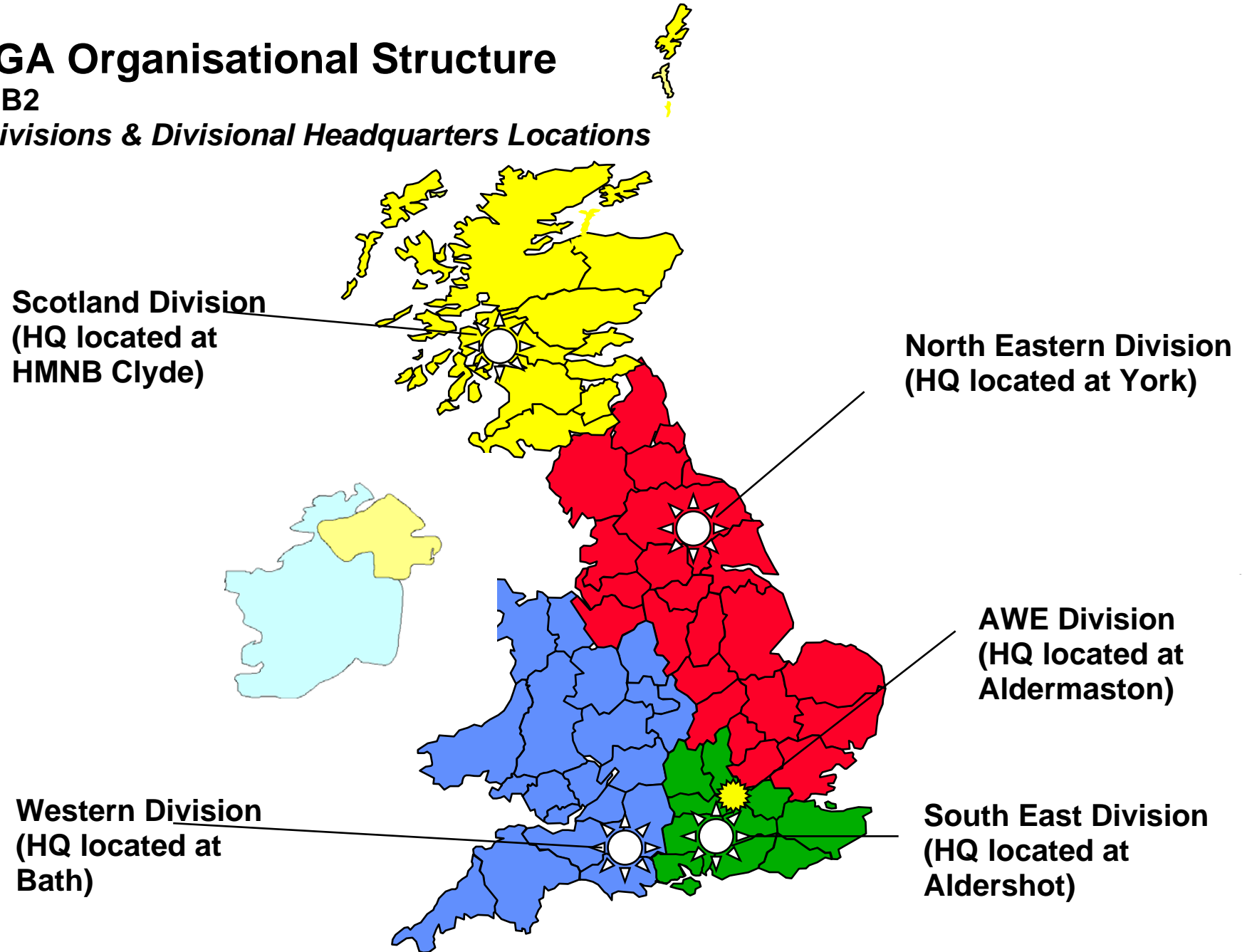
# MDPGA Organisational Structure



# MDPGA Organisational Structure

## Annex B2

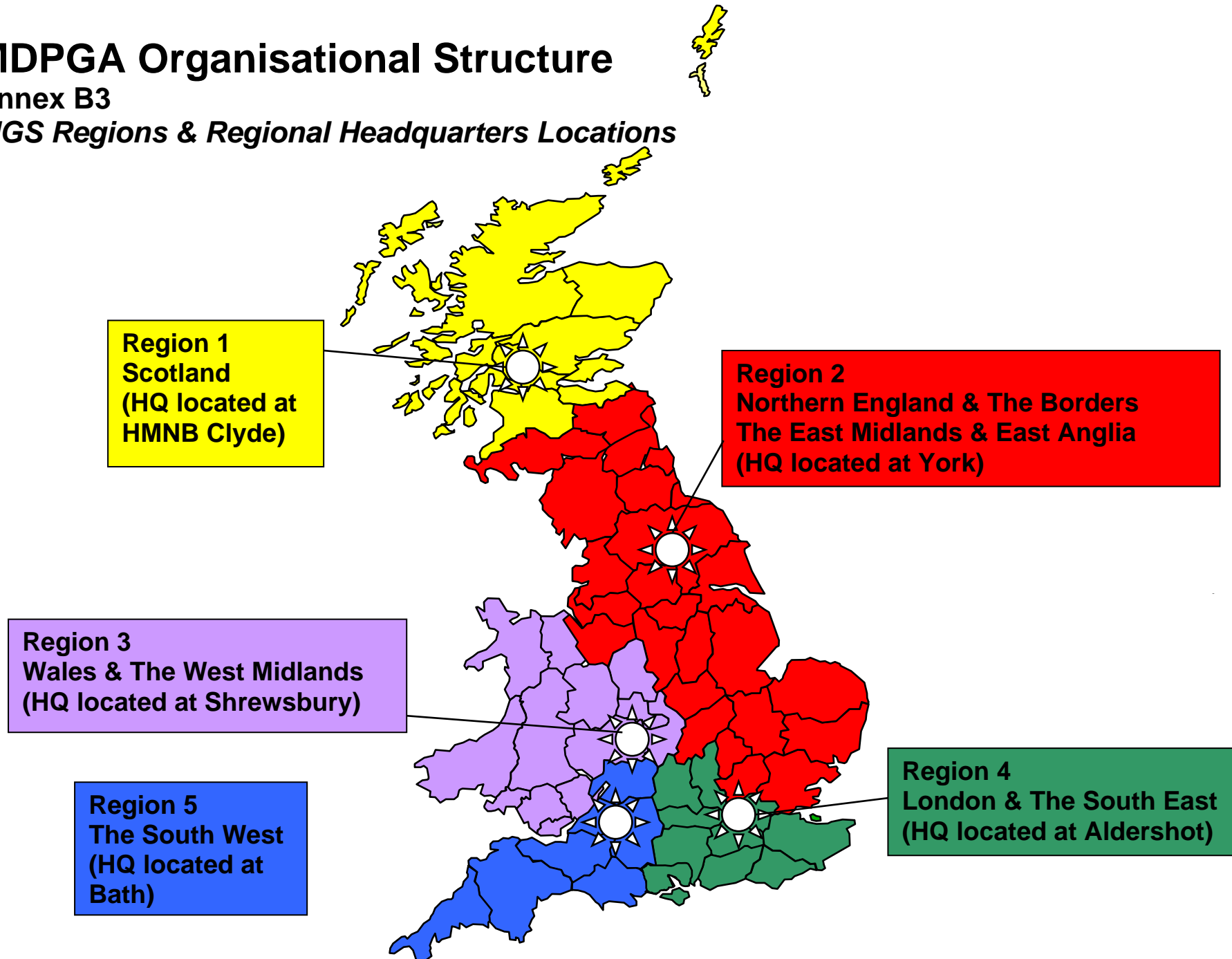
### *MDP Divisions & Divisional Headquarters Locations*



# MDPGA Organisational Structure

Annex B3

*MGS Regions & Regional Headquarters Locations*



## **Services Provided to the Agency by the MOD**

The Chief Executive has the freedom to procure services in the most cost effective manner, subject to the delegations approved for the Agency and in accordance with departmental standards. Listed below are those services, which will be provided to the Agency on a non-chargeable basis, but which will be reflected in the Agency's Resource Accounts. Where appropriate, these services will be defined by JBA's between the provider of the Service and the Agency. The following list is not exhaustive:

- HR management functions and support not specifically delegated
- Contractual functions not specifically delegated
- Legal Services, including insurance cover
- Internal Audit
- Processing and payment of bills not specifically delegated
- Training not included in the list of Agency training courses
- Postal and telecommunications services
- Welfare services and facilities
- Pensions Advice
- Some Occupational Health Services
- Some Public Relations and Media Services
- Management consultancy support
- Training support consultancy
- IT support for infrastructure systems
- Payment of salaries, travel, subsistence and other allowances for all Agency staff
- Equipment support



The Chief Executive may go elsewhere to obtain goods and services if better value for money can be secured, while continuing to meet departmental standards. The exception to this is where the Chief Executive is limited by the delegations approved for the Agency or where the proposed course of action does not represent value for money for the Defence budget overall.