

ANNEX B



BUILDING A SAFE, JUST AND TOLERANT SOCIETY

BASIC COMMAND UNIT FUND

GRANT CONDITIONS

2003 – 2004 TO 2005 - 2006

1. Introduction

1.1 The purpose of this document is to make explicit the conditions of grant attached to the payment of funds for the Basic Command Unit Fund.

1.2 The document should be read in conjunction with Home Office Circular 12/ 2003 and addendum which set out the criteria for the fund.

1.3 The grant conditions will cover each of the 43 Police Forces in England and Wales.

2. Statutory Basis for Payment of Grant and Accountability

2.1 The Secretary of State for the Home Department is making this grant payment under the authority of Section 169 of the Criminal Justice and Public Order Act 1994. The grant is for the use of Basic Command Units for the purposes described below.

2.2 The grant is being paid, in the first instance, to the appropriate Police Authority. The grant will be paid in 4 instalments (April, June, October and January).

2.3 The appropriate Force Finance Director is responsible for making the necessary arrangements for local management controls and allocating the funding to Basic Command Units.

3. Purposes and Uses of the Grant

3.1 The grant funding is for the purposes of the BCU Fund as set out in Home Office Circular 12/2003 and addendum.

3.4 The BCU fund is to provide funding to promote partnership working and help deliver crime reduction at the frontline that would not otherwise be provided. The purpose of the funding is not to shore up, or to replace, mainstream local funding.

3.5 No additional awards will be made to cover the cost of Value Added Tax, but grant funding can be used to cover the cost of irrecoverable Value Added Tax.

3.6 If the Police Force or Basic Command Unit fails to comply with any of the conditions set out in this document, or commits any other breach of faith such as misrepresentation or concealment of information, the Secretary of State may require the repayment of all or part of the grant monies paid, as may be determined by the Secretary of State and notified in writing to the local authority. Failure to resolve an adverse audit report on the funds paid under this initiative may also lead to notification of the need to repay all or part of the grant. Such sum as has been notified shall immediately become payable to the Secretary of State.

3.9 Any grant which is unspent by 31 March 2006 will become repayable to the Secretary of State.

4. Reporting Arrangements – Projects and Outcomes

4.1 Reporting arrangements are set out in Home Office Circular 12/2003 and its addendum. Home Office Directors, in the Regions and Wales, may vary the reporting arrangements according to local requirements.

4.2 The reports should provide an insight into the extent of delivery of projects funded under this initiative and whether the desired outcomes have been achieved.

5. Reporting Arrangements – Finance

5.1 Forces and Basic Command Units to which the award has been made, must at all times be able to demonstrate to the satisfaction of the Home Office that it has proper financial and other controls in place. The grant is to be identified separately within accounting systems to facilitate a clear audit trail.

5.2 The BCU Fund should be spent as part of an overall plan to deliver Partnerships' strategies and should be allocated in a strategic way rather than on a piece meal basis. BCUs should use the funding effectively and in the year for which it is allocated. Police Authorities are able to make particular arrangements to carry over funding from one financial

year to the next in their reserves. In the case of the BCU fund, Police Authorities may carry over **up to 5%** of individual BCUs' allocations in reserves. If carry over exceeds this amount then BCUs' allocations may be adjusted by a corresponding sum in the subsequent financial year. But Police Authorities will not be paid any more than the announced allocation in any one year, and for the whole three years together. Any funds carried over from one financial year to another should be clearly identified.

5.3 The BCU Fund may be allocated to current or capital spend.

5.4 Funding for Basic Command Units will be externally audited. The Home Office will send out audit forms in July 2004 covering BCU spend in the financial year 2003 – 2004. The Force Finance Director and external auditor will need to certify the figures shown for expenditure. Any adverse audit report may lead to payments being suspended until and unless the identified problems are resolved. Failure to resolve may result in a request for repayment of all or part of the grant (see para 3.5 above).

5.6 All invoices, receipts, accounting records and other documents relating to the expenditure of the award must be retained for at least six years after completion of the activity funded. These must be made available at any reasonable time for inspection by officials of the Home Office/ National Assembly for Wales, as appropriate, including the Home Office Audit and Assurance Unit, the National Audit Office or those acting on their behalf, to ensure monies have been properly spent. The Comptroller and Auditor General may also investigate the economy, efficiency and effectiveness with which the funds have been used.

6. Economy

6.1 The Police Forces and Basic Command Units to which the award has been made must administer the grant funds carefully and economically and avoid extravagance and waste. They must also be able to demonstrate it has obtained value for money in respect of any procurement activities. Procurement should follow normal force tendering procedures.

6.2 Any CCTV systems purchased with the grant funds will need to be properly specified and planned, in accordance with the CCTV operational requirements provided on the crime reduction web site at www.crimereduction.gov.uk.

7. Capital Assets

7.1 An inventory should be maintained of capital assets purchased using grant funds.

7.2 Any capital asset costing more than £1,000 purchased by the award must not be sold or otherwise disposed of within 5 years of purchase without the prior written consent of the Home Office, which may also determine how any sale proceeds might be used. The

Home Office must also be informed if any capital asset ceases to be used for the purpose for which it was funded.

7.3 The prior written approval of the Home Office is required before a mortgage or other charge is raised on an asset funded by the grant.

7.4 Where the grant is used to purchase capital assets they must be adequately stored maintained, insured and available for inspection on request.

8. Statutory Compliance

8.1 Police Forces and Basic Command Units, to which the award has been paid, must ensure that anyone acting on behalf of the organisation complies with the law for the time being in force in the United Kingdom.

8.2 Compliance includes the requirements of: the Data Protection Act 1998 and the Human Rights Act 1998. In particular, partnerships need to ensure that anyone acting on its behalf does not commit any act of discrimination that is unlawful under the Sex Discrimination Act 1975, the Race Relations Act 1976, as amended by the Race Relations Amendment Act 2001, or the Disability Discrimination Act 1995.

9. Information Sharing and Exchanges of Good Practice

9.1 Any information, know how, system or process arising from or relating to an intervention funded wholly or partly from this award (including examples of good practice in the design and implementation of an intervention) shall be shared freely with the Home Office, and other agencies with a drug or crime reduction responsibility (except where sharing information would compromise sensitive police operations).

9.2 Each Police Force and Basic Command Unit to which an award has been paid agrees, by accepting these terms and conditions, that it does not regard such information, know how, systems or processes to be of a confidential nature. In particular, it agrees that the parties described at paragraph 9.1 above may use such information, know how, systems or processes for their own purposes.

10. Intellectual Property Rights

10.1 Any intellectual property right (including any copyright) arising from or relating to an crime or drug intervention project funded wholly or partly by this award that is developed by any organisation to which the award has been made will become the property of the Crown as absolute beneficial owner, without any payment being made to the Basic Command Unit or Police Force for it.

11. Publicity

11.1 Any publicity material, press releases, crime prevention material, handouts etc produced as part of the project should include an acknowledgement that the project had received funding from the Basic Command Unit Fund, including use of the Home Office logo on, for example, literature and vehicles.

12. Schedule of Payments

12.1 The schedule of payments are set out at paragraphs 3 and 4 of the addendum to Home Office Circular 12/2003.

13. Acceptance of these Grant Conditions

13.1 Please confirm that these terms and conditions are acceptable by signing a copy of this document, in the space provided below, and returning it as soon as possible, to the Home Office Director for your region or in the National Assembly for Wales.

13.2 The document should be signed by the Chief Constable.

Home Office
20 March 2003

CONFIRMATION

I formally agree to abide by the above conditions:

Name of Police Force

Signature of Chief Constable.....

CRIME REDUCTION TEAM USE ONLY

Date received.....Checked by.....Date.....

Arrangements accepted