

## **Board: Terms of Reference**

### **Composition**

**Chair:** NCA Director General

**Members:** NCA Deputy Director General  
NCA Director of CEOP Command  
NCA Director of Change and Finance  
Chief Information Officer  
NCA Director of Corporate Services  
NCA Director of Economic Crime Command  
NCA Director of Intelligence and Operations  
NCA Director Organised Crime Command  
NCA Director of National Cyber Crime Unit  
NCA Non-Executive Directors

**Advisors:** Legal Advisor

NCA DD Corporate Affairs (Secretary to the Board)

**Observers:** Home Office official  
Trade Union representative  
[Others as determined by Chair]

**Secretariat:** NCA Corporate Affairs

**Quorum:** Five Members, to include at least one NED plus the DG or DDG

**Frequency:** Every six weeks

### **Purpose**

1. The National Crime Agency (NCA) leads the UK's fight to cut serious and organised crime. Its vision is to be a world-class law enforcement agency, internationally recognised and respected for leading the fight to cut serious and organised crime.
2. The Board's functions will be both **advisory**; setting strategic and business direction for the Agency within the scope of the Home Secretary's strategic priorities, and **supervisory**; scrutinising performance, ensuring strong corporate governance and challenging the Agency on delivery. It will set the standards, both in words and deeds, for how the Agency will do its work and the culture it promotes.
3. As specified in the Crime & Courts Act 2013, the NCA will lead the UK's fight to cut serious and organised crime, with the following functions:

- “Crime-reduction”: securing that efficient and effective activities to combat organised crime and serious crime are carried out (whether by the NCA, other law enforcement agencies or other persons).
- “Criminal intelligence”: gathering, storing, processing, analysing, and disseminating information that is relevant to any of the following:
  - a. activities to combat organised crime or serious crime;
  - b. activities to combat any other kind of crime;
  - c. exploitation proceeds investigations (within the meaning of section 341(5) of the Proceeds of Crime Act 2002, exploitation proceeds orders (within the meaning of Part 7 of the Coroners and Justice Act 2009), and applications for such order.

## **Terms of Reference**

4. In line with Government best practice as set out in the Cabinet Office’s ‘Corporate governance in central government departments; Code of good practice 2011’, the responsibility of the Board includes the following areas: Strategic Clarity; Commercial Sense; Talent Management; and Performance Monitoring.
5. To fulfil these responsibilities, the Board will:

### **Strategic Clarity:**

- set the vision and strategic direction on how the NCA will deliver against the Home Secretary priorities, and ensure activities contribute towards it;
- provide overall priorities for operational activity within the scope of the Home Secretary priorities around serious and organised crime;
- determine and promote the overall culture, ethics and values of the NCA;
- ensure that the NCA has the capability to deliver and is able to meet current and future needs;
- ensure key messaging is communicated to NCA officers and relevant partners as appropriate;
- communicate the work of the agency to the public, the NCA’s partners and the media;
- assure, approve and own the NCA’s Annual Plan;

### **Commercial Sense:**

- establish and oversee sound corporate governance structures for the NCA,
- ensure sound financial management of the NCA, approve the distribution of responsibilities and scrutinise the allocation of financial and human resources within the agency in line with its functions and priorities;
- set the Agency’s risk appetite, and ensure controls are put in place to manage risk and ensure value for money;
- assure the relationship with the Home Office in relation to reporting, budgeting and funding matters;

### **Talent Management:**

- ensure the NCA has the people to deliver current and future needs through appropriate talent management and succession planning;

### **Performance Monitoring:**

- monitor and steer the performance of the NCA and agree any remedial actions required, ensuring clear, consistent, comparable performance information is used to drive improvements;

- assure, approve and own the NCA's Annual Report and Accounts.

### **Roles and Responsibilities**

6. The Board will be chaired by the Director General or in his/her absence the Deputy Director General.
7. The Board may appoint committees and delegate specific and distinct functions and powers to those committees. Committee members may be members of the Board, other NCA officers or outside experts. Board committees will be chaired by a Board member.
8. Each committee has terms of reference, agreed by the Board, and must report back to the Board. Details of each committee terms of reference are set out in the Board Operating Framework. With the agreement of the Board, committees may delegate some of their functions to a sub-committee. The procedures agreed for the Board, as far as they are applicable, shall apply to meetings of any committees or sub-committees established by the Board. A forward work plan should be produced by all committees bi-annually and submitted to the Board for oversight.

### **Governance and Structure**

9. This terms of reference will be reviewed and agreed by the Board on an annual basis.
10. A forward work plan of all matters to be considered by the Board for the year ahead will be maintained by the Board Secretary and reviewed regularly at the mid-point between meetings in consultation with the Chair to ensure scheduled agenda items are pertinent and timely.
11. A review of effectiveness will be conducted on an annual basis, and findings will be used to improve performance going forward.
12. Minutes of the Board will be published on the NCA intranet, following their approval by members. A copy of any 'open' Board paper will be made available to NCA officers upon request to the Secretariat. A public summary version of the Board minutes will also be published on the NCA website, once approved by members.
13. The sponsor of each agenda item considered by the Board will determine whether the item is 'open' or 'closed'. Observers may be asked to leave the meeting for closed items. Closed items will be redacted in the version of the minutes that are published

**Date agreed by the Board:** 17 December 2015.