



Guidance on Compliance: The Role, Remit and Conduct of the Police and Crime Commissioner for Thames Valley

Introduction

The attached Guidance Note concerning the 'Role, Remit and Conduct of the Police and Crime Commissioner for Thames Valley' sets out the duties, powers and boundaries governing how a Police and Crime Commissioner (PCC) should discharge their statutory role and remit as the PCC for Thames Valley and, as appropriate, their discretionary role and remit as an APCC Lead / Deputy Lead Portfolio Holder.

Background

The production of this Guidance Note was undertaken in response to a recommendation of the independent Thames Valley Police and Crime Panel, that the PCC be asked to *"review internal procedures to ensure there is clarity and transparency when the PCC is acting in his respective roles as the PCC for Thames Valley and the APCC's Deputy Lead Portfolio Holder ..."*

Accordingly, this Guidance Note for the PCC for Thames Valley / Office of the PCC addresses and responds to that Recommendation.

This Guidance Note is cross-referenced within the PCC/Thames Valley Police 'Joint Corporate Governance Framework' as an 'OPCC Policy & Procedures' source document.

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1. Introduction and aims of this Guidance Note

1.1 This internal Guidance Note sets out the role and remit of the Police and Crime Commissioner (PCC) for Thames Valley and how the post-holder is expected to properly discharge their statutory duties and powers under the Police Reform and Social Responsibility Act 2011, The Policing Protocol Order 2011 and in accordance with the requirements of the PCC Code of Conduct and other relevant governance guidance and codes of practice. For avoidance of doubt, this Guidance Note also applies to the Deputy Police and Crime Commissioner (where one is appointed).

1.2 This Guidance also covers the remit of the PCC when undertaking a national role of Lead or Deputy Lead 'Portfolio Holder' for a given policy area on behalf of the Association of Police and Crime Commissioners (APCC).

1.3 It is also acknowledged that the PCC has a key political role to play within the Thames Valley local communities. It is therefore important that the PCC is able to distinguish between when undertaking their statutory role, as the holder of a 'public office' as PCC for Thames Valley (which is 'political' but attracts certain restrictions or expectations of conduct, such as the requirement to adhere to the PCCs 'Oath of Office' and the 'Nolan Principles' of public life as incorporated in the PCC's Code of Conduct), and when acting as a local party politician in their personal capacity as a 'private individual' and as a member of the public.

1.4 The overall purpose of this Guidance Note is to provide clarity and transparency concerning the proper remit and activities of the PCC when undertaking their local and national roles, as PCC for Thames Valley and as a Lead or Deputy Lead Portfolio Holder on behalf of the APCC, respectively. It sets out the boundaries that apply to both roles and, in so doing, presents the circumstances in which the PCC may be deemed to be acting in their personal capacity, as a 'private individual' (or a member of the public).

1.5 Ultimately, the objective is to facilitate accountability and transparency, reduce the risk of the PCC (and the statutory 'public office of the PCC') inadvertently acting ultra vires ('beyond their power'), and thereby protect the integrity and reputation of the public office of the PCC.

2. Good Governance Principles – Legislative and Policy Context

The principles underpinning this Guidance Note are based on the following legislation and policy guidance.

2.1 Statutory Local Role as PCC for Thames Valley (Appendix 1)

2.1.1 There is a PCC (or equivalent) for each police force area across England and Wales. The PCC is a 'corporation sole' which, amongst other things, means that the holder of the public office of PCC can only do the things that the legislation expressly says they can do. For example, if the PCC takes a decision acting outside of their statutory powers then the decision may be deemed to be beyond their powers ('ultra vires') and can be struck down by the Courts (e.g. via judicial review).

2.1.2 Per the Police Reform and Social Responsibility Act 2011, the key functions and statutory responsibilities of a PCC are summarised below:

- Appoint the Chief Constable of their Force, hold them to account for running the Force and, if necessary, dismiss them.
- Secure the maintenance of an efficient and effective police service for the Force area.
- Set the Force budget and determine the precept.
- In consultation with the Chief Constable, and having regard to the views of the public and victims of crime in the Force area about the policing of that area, the relevant priorities of each responsible authority in the force area and the national or international responsibilities of the Force, to set the police and crime objectives for the Force area through a Police and Crime Plan.
- Contribute to national and international policing capabilities set out by the Home Secretary.
- Working with criminal justice partners to make arrangements for the exercise of functions so as to provide an efficient and effective criminal justice system for the police area.
- Commissioning support services for victims of crime.
- Optional - to be the Fire and Rescue 'Authority' and exercise fire and rescue functions effectively and efficiently.

2.1.3 In addition to the above specific functions and responsibilities of a PCC, the Act also provides a PCC with incidental powers (Schedule 1, paragraph 14), i.e. "A PCC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of commissioner". However, it must be noted that these incidental powers are restricted to the exercise and discharge of the PCC's statutory functions.

2.2 The PCC Oath of Office

2.2.1 The 'Declaration of Acceptance of Office' (otherwise known as the 'Oath of Office') requires a PCC to make the following commitments:

"I (name of PCC) do hereby declare that I accept the office of Police and Crime Commissioner for Thames Valley. In making this declaration, I solemnly and sincerely promise that during my term of office I will serve all of the people of Thames Valley in the office of Police and Crime Commissioner. I will act with integrity and diligence in my role and, to the best of my ability, will execute the duties of my office to ensure that the police are able to cut crime and protect the public. I will give a voice to the public, especially victims of crime, and work with other services to ensure the safety of the community and effective criminal justice. I will take all steps within my power to ensure transparency of my decisions, so that I may be properly held to account by the public. I will not interfere with the operational independence of police officers."

2.3 The Policing Protocol Order 2011 – statutory roles and responsibilities of the PCC and the Chief Constable (Appendix 2)

2.3.1 PCCs are elected bodies and are responsible for representing - and are accountable to - the public *within their force area*. This principle of local accountability is reinforced by the fact that the costs of the Office of the Police and Crime Commissioner - including the salary of the PCC - are funded in large part by the policing council tax precept raised by the PCC. This is paid by all council tax-

payers across the three counties of the Thames Valley area (i.e. Berkshire, Buckinghamshire and Oxfordshire).

2.3.2 PCCs are responsible for the 'totality of policing' in their force area. Chief constables are accountable to their PCC for the delivery of efficient and effective policing, management of resources and expenditure and, ultimately, the performance of policing in the PCC's force area.

2.3.3 With regard to operational policing matters, however, a chief constable is accountable to the law for the exercise of police powers. A PCC cannot tell a constable - even the Chief Constable - how to use their police powers. The police are independent at all times and will answer to the law and the courts when carrying out their powers.

2.3.4 The PCC and Chief Constable must work together to protect the principle of 'operational independence' of the police while making sure that the PCC is not restricted from carrying out their proper role.

2.3.5 Within the above context, Section 79 of the Police Reform and Social Responsibility Act 2011 requires the Home Secretary to issue a Policing Protocol. Accordingly, The Policing Protocol Order 2011 was developed and issued which sets out how all PCCs, Chief Constables and Police and Crime Panels should exercise their respective functions in relation to each other to limit or prevent the overlapping or conflicting exercise of functions. However, the Protocol allows for flexibility and judgement to be exercised within force areas.

2.3.6 PCCs and Chief Constables (and their staff and officers) must have regard to the Protocol when carrying out their functions, and should stray from it only if there is a good reason to do so.

2.4 PCC Code of Conduct (Appendix 3)

2.4.1 The core principles applicable to the conduct of people who hold public office are the seven principles of 'Standards in Public Life', otherwise known as the 'Nolan Principles', i.e. 'Selflessness', 'Integrity', 'Objectivity', 'Accountability', 'Openness', 'Honesty' and 'Leadership'.

2.4.2 The Policing Protocol Order 2011 requires the PCC (and the Chief Constable and local Police and Crime Panel) to abide by the above Nolan Principles. Accordingly, the Principles are incorporated into the Thames Valley 'PCC Code of Conduct' (Appendix 3).

2.5 APCC national Policy Portfolio Holder role (Appendix 4)

- 2.5.1 The APCC provides the following services to PCCs who are members:
- Provides information on national policing policy issues and legislation.
 - Consults PCCs to enable them to develop local policy positions and to influence change.
 - Provides a range of opportunities for PCCs to come together to debate and discuss national policing and criminal justice policy, and engage with senior stakeholders.
 - Assists PCCs to share best practice.

2.5.2 The APCC has adopted a 'Portfolio Approach' in which PCCs are given responsibility to lead (or be the deputy lead) on policy development in agreed portfolio areas. The PCC who undertakes the role of 'Lead Portfolio Holder' acts as the national policy lead and spokesperson (where appropriate) for their portfolio area – using the PCCs in their Standing Group to develop positions and/or act as 'sounding boards' on particular matters. The purpose of the APCC 'Portfolio Approach' is to enable more PCCs to be involved with, and to share the workload of, the development of national policy relating to each portfolio area.

2.5.3 As the APCC acts as a national support body to member PCCs, the national work undertaken by the PCC on behalf of the APCC is separate to the work undertaken by the PCC when discharging their local statutory role as PCC for Thames Valley. Accordingly, the work of each APCC Portfolio Holder is intended to be supported primarily by an APCC Policy Officer rather than the local staff of the OPCC of the Lead or Deputy Lead Portfolio Holder.

2.5.4 When acting as an APCC Portfolio Lead or Deputy Lead, PCCs will have responsibilities for developing national policy positions on behalf of the APCC as well as a responsibility to communicate those policy positions both internally (within the APCC) and externally. However, as the holder of a public office as PCC, PCCs will continue to be the elected voice of the public of their local force area, and remain free to speak publically on what issues they see fit and to have a political role in their local communities.

2.5.5 Accordingly, PCCs are expected to be clear when they are speaking in their national capacity, as an APCC Portfolio Lead or Deputy Lead, and when speaking in their local capacity and/or political role as the PCC for their force area. Furthermore, when speaking to the national media, or on an issue that has national considerations, PCCs are expected to have regard to the views of the relevant APCC Portfolio Leads.

2.5.6 Given this distinction between the local (statutory) role of a PCC and their national (discretionary) role as an APCC Lead or Deputy Lead Portfolio Holder responsible for contributing to the development of national policy, the APCC has set the following guidelines for PCCs who act as Lead and Deputy Lead Portfolio Holders:

- Reflect the APCC policy lines as agreed where those lines exist.
- Make a conscious and clear distinction between when they are speaking on behalf of the APCC and when they are speaking as a local PCC.
- Where appropriate, reflect that the APCC view may not necessarily reflect the views of all PCCs.
- Where practicable, ensure any public comments are highlighted to the APCC secretariat so they can be disseminated as necessary and/or provide more structured communication support for national policy matters.
- Refrain from making overtly party political statements.

2.6 Statutory role and duties of the PCC's Chief Executive and Monitoring Officer (Appendix 5)

2.6.1 Under the requirements of Section 5 of the Local Government and Housing Act 1989 (as amended by the Police Reform and Social Responsibility Act 2011), every PCC must appoint persons to two separate statutory roles - a chief finance officer and a chief executive (who also acts as the 'monitoring officer'). The two roles cannot be combined.

2.6.2 The person appointed to the role of chief executive must fulfil the legal functions and statutory responsibilities of the monitoring officer, as summarised in the Home Office Guidance for prospective PCCs (*'Have you got what it takes? Delivering through your chief executive and monitoring officer'* – see Appendix 5). The chief executive and monitoring officer role exists in addition to the scrutiny provided by the Police and Crime Panel. It is intended to offer protection to the PCC (and the Office of the PCC) by making sure the PCC complies with the law and by improving the transparency of their actions and decisions.

2.6.3 Specifically, the role and function of the monitoring officer is to report to the PCC about any proposal, decision or omission by the PCC, or by any person holding any office or employment under the PCC, that constitutes, has given rise to, or is likely to or would give rise to:

- a contravention of any enactment or rule of law or of any code of practice, or
 - any such maladministration or injustice,
- with respect to that proposal, decision or omission.

2.6.4 In addition to the above requirement to make a report to the PCC, the monitoring officer must send a copy of that report to their Police and Crime Panel.

3 PCC acting in a personal capacity as a 'private individual'

3.1 A PCC may be approached by members of the public and/or lobbying groups to seek their support to raise the profile of and/or influence matters concerning, for example, the investigation and/or prosecution of individual crime cases.

3.2 Where such matters involve:

- members of the public of the Thames Valley force area (i.e. the electorate and public that the PCC represents), and/or
- policing matters being dealt with by Thames Valley Police (TVP) itself, in which the member(s) of the public are a legitimate interested party,

then it would be legitimate for the PCC to act as an advocate on behalf of those affected members of the public in his/her capacity as the PCC for Thames Valley. For example, this could involve the PCC seeking assurances about the appropriateness of the relevant actions of, and the robustness of the decision-making processes employed by, TVP and the relevant criminal justice agencies involved in the cases in question. Nevertheless, care would still need to be taken to ensure that any such activity and support provided by the PCC to a member of the public did not constitute inappropriate interference, in breach of the principle of operational independence of the police (and Courts).

3.3 Where it is deemed that the PCC is/was acting outside of both his local and national remits, it may be viewed by the Police and Crime Panel and/or the Courts that the PCC is/was acting outside of their jurisdiction (possibly *ultra vires*) and, by default, is/was effectively acting in their personal capacity as a private individual, and not as a PCC. Where the PCC is acting outside of their remit as outlined in this document, they should present themselves and act in such matters in their personal capacity as a *private individual* - as a member of the public - and not as the PCC.

3.4 Finally, when acting in their personal capacity in such matters, it follows that the PCC should not utilise the public-funded resources of the OPCC for Thames Valley to undertake such private activities (e.g. use of the statutory public office title of 'PCC for Thames Valley'; use of OPCC equipment and ICT systems including email facilities and telephones; use and support of OPCC and TVP personnel, etc.).

4 Risks taken by entering into public life as a PCC – appropriate and inappropriate conduct

4.1 It would be impossible to attempt to define exactly what conduct of a PCC is and is not appropriate. The risks taken by entering into public life as the PCC could involve (*this list is not intended to be exhaustive*):

- Physical and/or online harassment of the PCC (and staff of the OPCC) by members of the public who may feel they have been let down by the PCC.
- Serious allegations being brought against the PCC by partners (e.g. police and the Judiciary alleging inappropriate interference with their operational independence).
- Serious complaints and/or criminal legal action being brought against the PCC by members of the public (e.g. alleging criminal conduct such as 'Misconduct in public office').
- Civil legal action being brought against the PCC by members of the public (e.g. libel and slander).
- Resultant legal costs/damages being incurred by the OPCC.
- Personal liability for resultant legal costs/damages incurred if the PCC's actions undertaken in the exercise of one of his/her functions are deemed to have been discharged in bad faith, or to have been undertaken in his/her personal capacity as a private individual (i.e. activities not undertaken in his/her formal statutory capacity as either the PCC for Thames Valley or on behalf of the APCC as a Lead/Deputy Lead Portfolio Holder).
- Damage to the integrity and reputation of the statutory public office of the Police and Crime Commissioner for Thames Valley (and potentially to the OPCC, TVP and APCC).

- 4.2 It would therefore be prudent for the PCC to ensure that at all times he/she acts consistently with:
- a) The Nolan principles.
 - b) The PCC Code of Conduct.
 - c) The Code of Ethics applicable to police officers and staff (it is prudent for the PCC to hold himself accountable to higher standards than those he has direct and indirect responsibility for – if only for reputational reasons).

5 Implications for a PCC acting ultra vires ('beyond their power')

5.1 A PCC can be at risk of being a respondent in a legal claim in either his/her statutory or personal capacity. Accordingly, the Police Reform and Social Responsibility Act 2011 (Schedule 1, paragraph 15) offers a PCC *qualified* protection from personal liability, i.e.

“A person who is a PCC has no personal liability for an act or omission done by the person *in the exercise of the commissioner's functions unless it is shown to have been done otherwise than in good faith*” (italics added).

5.2 Within the context of the above, what this means in brief is that a PCC may be personally liable in a legal claim when either:

- Acting outside of their statutory capacity and remit (as the PCC for Thames Valley), whether knowingly/deliberately or inadvertently, or
- Acting within their statutory remit as PCC for Thames Valley but when discharging their functions in 'bad faith'.

5.3 Accordingly, where it is determined that the PCC has either acted in a personal capacity or in bad faith in the exercise of one of the PCC's functions then the PCC is at risk of being personally liable for:

- Any damages awarded in the litigation.
- Any aggravated and exemplary damages awarded in the litigation.
- The parties' costs of the litigation.

6 Summary Guidance on Compliance

6.1 Based on the above legislative framework and guidance, the key principles, legal parameters and boundaries that apply to the way the PCC is expected to discharge their respective local (PCC for Thames Valley) and national (APCC) roles and responsibilities are summarised below:

- a. When acting as the public office holder of 'PCC for Thames Valley', the PCC represents, and is accountable to, the public and victims of crime resident in the TVP Force area only.
- b. Whilst the Chief Constable is accountable to the PCC, and the PCC has a duty to hold the Chief Constable to account for the exercise of their functions and the delivery of an efficient and effective police service, Chief Constables remain operationally independent.
- c. The PCC must not fetter the operational independence of the Force and the Chief Constable, including their making of operational policing decisions concerning whether or not to investigate or prosecute individual incidences of crime. For avoidance of doubt, a PCC has no powers or authority to investigate or prosecute an alleged crime – such powers and authority fall under the statutory powers of the relevant Chief Constable.

- d. As a PCC does not have the power or remit to interfere with operational policing matters - whether inside or outside of the TVP force area - their undertaking of a national APCC role does not of itself permit the PCC to deal or interfere with matters outside of their statutory role and responsibilities as a PCC, including decisions concerning the investigation and prosecution of alleged crimes. To do so would run the risk of the PCC breaching the principle of the operational independence of the police (and the Judiciary) and of possibly acting ultra vires ('beyond their powers').
- e. Similarly, when undertaking a national role of APCC Lead or Deputy Lead Portfolio Holder responsible for developing national policing and crime policy, the PCC is not expected to get involved personally with, or act as an 'advocate' on behalf of, individual members of the public or victims of crime in other force areas outside of the Thames Valley area. This constraint avoids the risk of the PCC (and APCC) being seen to be interfering with the operational independence of the relevant local police force and/or criminal justice agencies dealing with those matters in that force area, and/or the role of the relevant local elected PCC who represents and is accountable to the affected victims / members of that local community.
- f. When undertaking a national role of APCC Lead or Deputy Lead Portfolio Holder for a designated policy area, the remit of the APCC and the relevant PCC portfolio holder is limited to informing the development of national policy positions on behalf of fellow APCC members.
- g. As a member of the APCC, the PCC (when speaking or acting in a formal capacity as a PCC) is expected to reflect agreed APCC national policy lines, irrespective of whether speaking or acting in their local or national capacity.
- h. When undertaking national work on behalf of the APCC as a Lead or Deputy Lead Portfolio Holder, the PCC is expected to be supported primarily by an APCC Policy Officer (not staff of the OPCC for Thames Valley or TVP).
- i. To facilitate transparency and clarity, it would be prudent for the PCC to ensure that when speaking to the media, the PCC is absolutely clear as to whether they are speaking in a personal or professional capacity. The areas on which they can speak in a professional capacity are closely circumscribed. The PCC is expected to be clear when they are speaking or acting in their:
 - local capacity (as the PCC for the Thames Valley), or
 - national capacity (as an APCC Lead or Deputy Lead Portfolio Holder), or
 - personal capacity (as a private individual and/or as a local party politician).Where there is a doubt then the comment should be made in a personal capacity.
- j. If the PCC is acting outside of their remit as PCC, they should present themselves and act in such matters in their personal capacity as a *private individual* - as a member of the public - and not utilise the resources of the OPCC for Thames Valley in undertaking such matters.
- k. Appropriate conduct should be seen against the background of the PCC Code of Conduct.

Paul Hammond

Chief Executive and Monitoring Officer

Office of the Police and Crime Commissioner for Thames Valley

December 2021

POLICE AND CRIME COMMISSIONERS

HAVE YOU GOT WHAT IT TAKES?

DO YOU HAVE WHAT IT TAKES TO...



- Play a leading role in how crime is tackled in your area?
- Bring the voice of the people into policing and bring the community together to tackle crime?
- Hold the Chief Constable and police force to account for reducing crime?

IF YOU ANSWERED YES, THEN READ ON...

Policing has always relied on the co-operation and consent of the people. That was true of Robert Peel's time – when the first public minded citizens formed themselves into groups to protect society – and it remains true today.

Police and Crime Commissioners (PCCs) will reinvigorate those democratic principles, ensuring that the public have an elected representative with a duty to the citizen and the welfare of the communities they represent.

The police provide a vital and impartial service to individuals, communities and society as a whole. Men and women of the police put their lives on

the line every day to protect life and property. As well as the many inspirational stories of bravery that make the headlines, thousands of dedicated professionals work hard every day to serve the public and cut crime.

GREATER POLICE ACCOUNTABILITY

On 15 November 2012, for the first time ever public will elect a PCC who will be accountable for how crime is tackled in their police force.

To provide stronger and more transparent accountability of the police, PCCs will be elected by the public to hold Chief Constables and the police forces to account, effectively making the police answerable to the communities they serve. PCCs will be responsible for setting the police force's strategic priorities, cutting crime, appointing if necessary, dismissing the Chief Constable ensuring that policing is efficient and effective.

“The police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.”

Sir Robert Peel, Home Secretary who laid the foundations of modern policing, 1829



I'd like to have a bit more of a say in how the police do things. I mean, they are more visible than they used to be, but I've never really been sure about how I can get involved.

IS THIS FOR ME?

The PCCs will be important figures in the communities they represent, but you don't have to be a politician to stand. In fact, you can be independent of political parties.

If you have a commitment to public service and the skills to be a good leader, then this could be right for you. You could have experience in the private, voluntary or public sector and come from any background.

Women, people from ethnic minorities and disabled people are under-represented in elected office. This is an opportunity for people from all walks of life to stand and make a difference. This is your chance to put yourself forward to help protect the public and help support the police to cut crime. This is your chance to stand for election as a PCC.

CAN I STAND FOR ELECTION AS A PCC?

The duty of a PCC is to ensure that your police force is providing an efficient and effective service on behalf of the public. Anyone can stand for election to this post, as long as you meet the eligibility criteria.

Candidates must be:

- British, Commonwealth or EU citizens
- 18 or over
- resident in the police force area in which they wish to stand.

You cannot stand for election as a PCC if:

- you have ever been convicted of an imprisonable offence
- you are a public servant, including: civil servants, judges, police officers, members of the regular armed forces, employees of councils within the force area, employees of a police related agency, employees of other government agencies, politically restricted post-holders, members of police staff (including Police Community Support Officers) or members of a police authority.

Members of the House of Commons, the Scottish and European parliaments and the National Assembly for Wales may stand, but will need resign their seats before being able to accept post of PCC.

PCC elections will be held in all police force areas in England and Wales, except in London where the City of London will continue to have a police authority and the Mayor of London will take on the powers of a PCC in relation to the Metropolitan Police.



By replacing invisible police authorities with directly elected police and crime commissioners, we can forge a direct link between the police and the public, ensuring that the public have a voice in setting police priorities and have the power to hold the police to account for keeping our streets safe and secure.

Prime Minister David Cameron

DELIVERING FOR THE PUBLIC

As a PCC your role will involve working with the public, the police and local partners to ensure effective policing, as well as contributing to national requirements.

Setting the strategic direction and accountability for policing

Being accountable to the electorate.

Setting strategic policing priorities.

Holding the force to account through the Chief Constable, and consult and involving the public.

Working with partners to prevent and tackle crime

Ensuring that the police respond effectively to public concerns and threats to public safety.

Promoting and enabling joined-up working on community safety.

Increasing public confidence in how crime is cut and policing delivered.

Invoking the voice of the public, the vulnerable and victims

Ensuring that public priorities are acted upon and that the most vulnerable individuals are not overlooked. Complying with the general equality duty under the Equality Act 2010.

Contributing to resourcing of policing response to regional and national threats

Ensuring an effective policing contribution, alongside other partners, to national arrangements to protect the public from other cross-boundary threats in line with the Strategic Policing Requirement.

Ensuring value for money

Being responsible for the distribution of policing grants from central government and setting the police precept raised through Council Tax.

Commissioning services from partners that will contribute to cutting crime.



You hear about the police smashing international drug rings. It's stuff like that which stops it getting to our streets. I've never really thought of it but I suppose you need them out there doing the big things because at the end of the day it helps keep us all safer.

LOCAL POLICING

You will be required to set a Police and Crime Plan in close consultation with your Chief Constable that sets out the priorities for your police force and how they will be delivered. As well as listening to people's views, you must ensure that the public understand how their area is being policed. This means publishing information clearly, reporting progress regularly and helping the public to hold you and the police force to account. The more informed the public feel, the more interest they will take in policing work.

NATIONAL POLICING

As well as ensuring that the Chief Constable responds to local priorities, you will also need to help contribute to dealing with threats which require a national policing response. It is vital that you work with other forces on national policing issues – including work on counter-terrorism and organised crime, as required by the Home Secretary.

POLICE FUNDING

As a PCC, you will be responsible for all police funding, including central government funding and the police precept component of Council Tax. You will decide the budget, allocate funding assets to the Chief Constable and set the level of precept from Council Tax for the police force area. Budgets vary according to the size of the force but they will involve tens, and in some hundreds of millions, of pounds.

THE TEAM

You will need to appoint a chief executive, who will employ administrative staff and will have a monitoring role to ensure that standards are upheld. You will also appoint a chief finance officer to advise on financial matters and the impact of spending decisions.

You will have the power to appoint or dismiss the Chief Constable with agreement, but the Chief Constable will continue to appoint all police officers. Police forces range from a few thousand up to around 10,000 people.



The police deal with a range of duties, from simply walking down my high street, to people who are drunk creating loads of trouble, and even terrorist threats... I hope that if I need them they'll be there for me.

INDEPENDENCE OF THE POLICE

Chief Constables will remain accountable to the law for the exercise of police powers. They will be accountable to you for the delivery of efficient and effective policing, management of resources and expenditure, and ultimately the delivery of policing in your area.

While the Chief Constable, their constables and staff will be operationally independent, you will be able to require a report from the Chief Constable at any time about the execution of their functions.

WORKING IN PARTNERSHIP

A huge role like this cannot be done in isolation. Partners from across the community safety and criminal justice sectors will play a vital part. You will need to work with the right organisations to deliver against your Police and Crime Plan. There will be a reciprocal duty on you and relevant local agencies (including local authorities, the fire service, probation and health) to co-operate. You will be able to bring together Community Safety Partnerships to discuss key issues and require reports from partnerships if you have a significant concern. You will need to reach

agreements with a range of public, private and voluntary partners working in criminal justice, community safety and public protection. This could be done using a mix of grants, contracts or other forms of commissioning.

SCRUTINY AND ACCOUNTABILITY

Being directly elected by the public means that you will be held to account on election day. Police and Crime Panels are being set up in every force area to help ensure that local authorities support you. They will also be scrutinising your work on behalf of the public on a regular basis. They will help to ensure transparency. You will need to discuss your plans with them and take their views into account.

Her Majesty's Inspectorate of Constabulary will also have the power to inspect forces and report back to the public with objective and robust information on which to make informed judgements about the effectiveness of the force and your work as the PCC.



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FIND OUT MORE

If you think you have what it takes, you can start by visiting the following websites:

Police and Crime Commissioner pages

www.homeoffice.gov.uk/police/police-crime-commissioners

Police and Crime Commissioners: Questions and Answers www.homeoffice.gov.uk/police/police-crime-commissioners/questions

Police Reform and Social Responsibility Act 2011
www.legislation.gov.uk/ukpga/2011/13/contents/enacted

Report on the pay of Police and Crime Commissioners by the Review Body on Senior Salaries www.ome.uk.com/Police_and_Crime_Commissioners.aspx

The Protocol: The Home Secretary has laid in Parliament The Protocol, which sets out how the new policing governance arrangements will work. It clarifies the roles and responsibilities of PCCs, the Mayor's Office for Policing and Crime, Chief Constables, Police and Crime Panels and the London Assembly Police and Crime Panel. It outlines what these bodies are expected to do and how they are expected to work together to fight crime and improve policing.
www.parliament.uk

The Strategic Policing Requirement: The Home Secretary has issued a shadow Strategic Policing Requirement which is a statement of the collective capabilities that police forces across England and Wales will be expected to have in place in order to protect the public from

cross-boundary threats such as terrorism, ci emergencies, public disorder, cyber incident and organised crime. www.homeoffice.gov.uk/publications/police/pcc/shadow-spr

OTHER USEFUL INFORMATION

Electoral Commission www.electoralcommission.org.uk

Access to elected office: Support to tackle the particular obstacles faced by disabled people who want to stand for election as MF councillors or other elected officials
<http://homeoffice.gov.uk/equalities/equality-public-political>

Association of Chief Police Officers
www.acpo.police.uk

Association of Police Authorities
www.apa.police.uk

HMIC Crime and Policing Comparator www.gov.uk/crime-and-policing-comparator

Independent Police Complaints Commission
www.ipcc.gov.uk

National Policing Improvement Agency
www.npia.police.uk

Street Level Crime Data www.police.uk

Any more questions? You can email your question to pccinfo@homeoffice.gsi.gov.uk

2011 No 2744

POLICE, ENGLAND AND WALES

The Policing Protocol Order 2011

Made 15th November 2011

Laid before Parliament 21st November 2011

Coming into force 16th January 2012

In exercise of the powers conferred by section 79(1) and (5) of the Police Reform and Social Responsibility Act 2011, the Secretary of State makes the following Order.

1 Citation, commencement and extent

- (1) This Order may be cited as the Policing Protocol Order 2011 and shall come into force on 16th January 2012.
- (2) This Order extends to England and Wales.

2 Policing Protocol

The Secretary of State hereby issues the Policing Protocol set out as a Schedule to this Order.

Theresa May

Secretary of State

Home Office

15th November 2011

SCHEDULE
THE POLICING PROTOCOL

Article 2

Purpose

1

This Protocol is issued in accordance with the requirements of the Police Reform and Social Responsibility Act 2011 ("the 2011 Act"). It sets out to all Police and Crime Commissioners ("PCCs") and the Mayor's Office for Policing and Crime ("MOPC"), Chief Constables, Police and Crime Panels and the London Assembly Police and Crime Panel how their functions will be exercised in relation to each other. An effective, constructive working relationship is more likely to be achieved where communication and clarity of understanding are at their highest. Mutual understanding of, and respect for, each party's statutory functions will serve to enhance policing for local communities.

Scope

2

This Protocol applies to every PCC in England and Wales and, unless specifically stated, a reference in the Protocol to a PCC includes the MOPC.

3

This Protocol applies to every Chief Constable of a police force maintained by a PCC and unless specifically stated, a reference in the Protocol to a Chief Constable includes the Commissioner of Police of the Metropolis.

4

This Protocol applies to every Police and Crime Panel in England and Wales and, unless specifically stated, a reference to a Police and Crime Panel (or simply the Panel) includes the Panel formed by the London Assembly.

5

The staff of each PCC and the constables and staff of each police force are expected to have regard to this document.

6

This Protocol does not legally bind the Commissioner of the City of London Police or the Common Council of the City of London, which continues to form the police authority for the City of London. However, they are encouraged to abide by the working principles of this Protocol.

7

Where reference is made to both PCCs and the Common Council of the City of London, the Protocol describes them collectively as Local Policing Bodies.

8

The establishment and maintenance of effective working relationships by these parties is fundamental. It is expected that the principles of goodwill, professionalism, openness and trust will underpin the relationship between them and all parties will do their utmost to make the relationship work.

9

This Protocol does not supersede or vary the legal duties and requirements of the office of constable. Chief Constables remain operationally independent.

10

All parties will abide by the seven principles set out in Standards in Public Life: First Report of the Committee on Standards in Public Life (known as "the Nolan Principles").

Legislative Framework

11

The 2011 Act establishes PCCs within each force area in England and Wales with the exception of the City of London. The 2011 Act gives these PCCs responsibility for the totality of policing within their force area. It further requires them to hold the force Chief Constable to account for the operational delivery of policing including in relation to the Strategic Policing Requirement published by the Home Secretary.

12

The 2011 Act does not impinge on the common law legal authority of the office of constable, or the duty of constables to maintain the Queen's Peace without fear or favour. It is the will of Parliament and Government that the office of constable shall not be open to improper political interference.

13

Each PCC and their respective Chief Constable are established in law as corporations sole within the 2011 Act. In doing so both the PCC and the Chief Constable are enabled by law to employ staff and hold funds. Chief Constables are charged with the impartial direction and control of all constables and staff within the police force that they lead. The staff of the PCC are accountable to the directly elected holder of that office to enable the PCC to exercise their functions.

14

The public accountability for the delivery and performance of the police service is placed into the hands of the PCC on behalf of their electorate. The PCC draws on their mandate to set and shape the strategic objectives of their force area in consultation with the Chief Constable. They are accountable to the electorate; the Chief Constable is accountable to their PCC. The Panel within each force area is empowered to maintain a regular check and balance on the performance of the PCC in that context.

The PCC

15

The PCC within each force area has a statutory duty and electoral mandate to hold the police to account on behalf of the public.

16

The PCC is the recipient of all funding, including the government grant and precept and other sources of income, related to policing and crime reduction and all funding for a force must come via the PCC. How this money is allocated is a matter for the PCC in consultation with the Chief Constable, or in accordance with any grant terms. The Chief Constable will provide professional advice and recommendations.

17

The PCC has the legal power and duty to—

- (a) set the strategic direction and objectives of the force through the Police and Crime Plan ("the Plan"), which must have regard to the Strategic Policing Requirement set by the Home Secretary;
- (b) scrutinise, support and challenge the overall performance of the force including against the priorities agreed within the Plan;
- (c) hold the Chief Constable to account for the performance of the force's officers and staff;
- (d) decide the budget, allocating assets and funds to the Chief Constable; and set the precept for the force area;
- (e) appoint the Chief Constable (except in London where the appointment is made by the Queen on the recommendation of the Home Secretary);
- (f) remove the Chief Constable subject to following the process set out in Part 2 of Schedule 8 to the 2011 Act and regulations made under section 50 of the Police Act 1996;
- (g) maintain an efficient and effective police force for the police area;
- (h) enter into collaboration agreements with other PCCs, other policing bodies and partners that improve the efficiency or effectiveness of policing for one or more policing bodies or police forces in consultation with the Chief Constable (where this relates to the functions of the police force, then it must be with the agreement of the Chief Constable);
- (i) provide the local link between the police and communities, working to translate the legitimate desires and aspirations of the public into action;
- (j) hold the Chief Constable to account for the exercise of the functions of the office of Chief Constable and the functions of the persons under the direction and control of the Chief Constable;
- (k) publish information specified by the Secretary of State and information that the PCC considers necessary to enable the people who live in the force area to assess the performance of the PCC and Chief Constable;
- (l) comply with all reasonable formal requests from the Panel to attend their meetings;
- (m) prepare and issue an annual report to the Panel on the PCC's delivery against the objectives set within the Plan;
- [(n) monitor all complaints against the force, its officers and staff, have responsibility for complaints against the Chief Constable and exercise other functions in relation to complaints under Part 2 of the Police Reform Act 2002 (including functions acquired in accordance with any notice given by the PCC to the Chief Constable under section 13A of that Act)].

18

In addition, the PCC must not fetter the operational independence of the police force and the Chief Constable who leads it.

19

In order to enable the PCC to exercise the functions of their office effectively, they will need access to information and officers and staff within their force area. Such access to any information must not be unreasonably withheld or obstructed by the Chief Constable and/or fetter the Chief Constable's direction and control of the force.

20

A PCC has wider responsibilities than those relating solely to the police force, namely—

- (a) a specific responsibility for the delivery of community safety and crime reduction;
- (b) the ability to bring together Community Safety Partnerships at the force level, except in Wales;
- (c) the ability to make crime and disorder reduction grants within their force area;
- (d) a duty to ensure that all collaboration agreements with other Local Policing Bodies and forces deliver better value for money or enhance the effectiveness of policing capabilities and resilience;
- (e) a wider responsibility for the enhancement of the delivery of criminal justice in their area.

The Chief Constable

21

The Chief Constable is responsible for maintaining the Queen's Peace, and has direction and control over the force's officers and staff. The Chief Constable holds office under the Crown, but is appointed by the PCC except in London where the Commissioner and Deputy Commissioner of Police of the Metropolis are appointed by the Queen on the recommendation of the Home Secretary.

22

The Chief Constable is accountable to the law for the exercise of police powers, and to the PCC for the delivery of efficient and effective policing, management of resources and expenditure by the police force. At all times the Chief Constable, their constables and staff, remain operationally independent in the service of the communities that they serve.

23

The Chief Constable is responsible to the public and accountable to the PCC for—

- (a) leading the force in a way that is consistent with the attestation made by all constables on appointment and ensuring that it acts with impartiality;
- (b) appointing the force's officers and staff (after consultation with the PCC, in the case of officers above the rank of Chief Superintendent and police staff equivalents);
- (c) supporting the PCC in the delivery of the strategy and objectives set out in the Plan;
- (d) assisting the PCC in planning the force's budget;
- (e) providing the PCC with access to information, officers and staff as required;

- (f) having regard to the Strategic Policing Requirement when exercising and planning their policing functions in respect of their force's national and international policing responsibilities;
- (g) notifying and briefing the PCC of any matter or investigation on which the PCC may need to provide public assurance either alone or in company with the Chief Constable (all PCCs will be designated as Crown Servants under the Official Secrets Act 1989, making them subject to the same duties in relation to sensitive material as Government Ministers);
- (h) being the operational voice of policing in the force area and regularly explaining to the public the operational actions of officers and staff under their command;
- (i) entering into collaboration agreements with other Chief Constables, other policing bodies and partners that improve the efficiency or effectiveness of policing, and with the agreement of their respective Policing Bodies;
- (j) remaining politically independent of their PCC;
- (k) managing all complaints against the force, its officers and staff, except in relation to the Chief Constable [and subject to any notice given to the Chief Constable by the PCC under section 13A of the Police Reform Act 2002,] ensuring that the PCC is kept informed in such a way as to enable the PCC to discharge their statutory obligations in relation to complaints in a regular, meaningful and timely fashion. Serious complaints and conduct matters must be passed to the [Director General of the Independent Office for Police Conduct] in line with legislation;
- (l) exercising the power of direction and control in such a way as is reasonable to enable their PCC to have access to all necessary information and staff within the force;
- (m) having day to day responsibility for financial management of the force within the framework of the agreed budget allocation and levels of authorisation issued by the PCC.

The Panel

24

The Panel provides checks and balances in relation to the performance of the PCC. The Panel does not scrutinise the Chief Constable — it scrutinises the PCC's exercise of their statutory functions. While the Panel is there to challenge the PCC, it must also exercise its functions with a view to supporting the effective exercise of the PCC's functions. This includes —

- (a) the power of veto (outside the Metropolitan Police District), by a two-thirds majority of the total Panel membership, over the level of the PCC's proposed precept;
- (b) the power of veto (outside the Metropolitan Police District), by a two-thirds majority of the total Panel membership, over the PCC's proposed candidate for Chief Constable;
- (c) the power to ask Her Majesty's Inspector's of Constabulary ("HMIC") for a professional view when the PCC intends to dismiss a Chief Constable;
- (d) the power to review the draft Plan and make recommendations to the PCC who must have regard to them;
- (e) the power to review the PCC's Annual Report and make reports and recommendations at a public meeting, which the PCC must attend;
- (f) the power to require relevant reports and information in the PCC's possession (except those which are operationally sensitive) to enable them to fulfil their statutory obligations;
- (g) the power to require the PCC to attend the Panel to answer questions;
- (h) the power (outside the Metropolitan Police District) to appoint an acting Police and Crime Commissioner where the incumbent PCC is incapacitated, resigns or is disqualified; and

- (i) responsibility for complaints about a PCC, although serious complaints and conduct matters must be passed to the [Director General of the Independent Office for Police Conduct] in line with legislation.

25

In order to reflect London's unique governance arrangements, the powers of the London Assembly Police and Crime Panel are different to those outside London in the following ways—

- (a) the London Assembly has the power to amend the Mayor's proposed budget for the Mayor's Office for Policing and Crime by a two-thirds majority vote as part of the budget-setting process of the Greater London Authority ("GLA");
- (b) in London, if the Mayor is incapacitated, resigns or is disqualified, the Deputy Mayor of London would occupy the office of Mayor, and thus the Mayor's Office for Policing and Crime, under the provisions of the Greater London Authority Act 1999 ("the 1999 Act");
- (c) the London Assembly Police and Crime Panel does not have a formal role in the appointment or dismissal of the Commissioner of Police of the Metropolis or other senior police officers;
- (d) the London Assembly Police and Crime Panel has the power to veto the appointment of a Deputy Mayor for Policing and Crime if the individual is not an Assembly Member, and has other statutory powers under the 1999 Act in relation to the Mayor's Office for Policing and Crime as a functional body of the GLA;
- (e) complaints against the holder of the Mayor's Office for Policing and Crime, and the Deputy Mayor for Policing and Crime if he is an Assembly Member, will be dealt with in accordance with the GLA's existing standards regime, which operates under local government legislation.

26

The Chief Constable retains responsibility for operational matters. If the Panel seek to scrutinise the PCC on an operational matter, the Chief Constable may be invited to attend alongside the PCC to offer factual accounts and clarity (if needed) of the Chief Constable's actions and decisions. The accountability of the Chief Constable remains firmly to the PCC and not to the Panel.

The Home Secretary

27

The establishment of PCCs has allowed for the Home Office to withdraw from day-to-day policing matters, giving the police greater freedom to fight crime as they see fit, and allowing local communities to hold the police to account.

28

The Home Secretary is ultimately accountable to Parliament and charged with ensuring the maintenance of the Queen's Peace within all force areas, safeguarding the public and protecting our national borders and security. The Home Secretary has reserved powers and legislative tools that enable intervention and direction to all parties, if it is determined by the Home Secretary that such action is necessary in order to prevent or mitigate risk to the public or national security. Such powers and tools will be used only as a last resort, and will not be used to interfere with the democratic will of the electorate within a force area, nor seek to interfere with the office of constable, unless the Home Secretary is satisfied on the advice of Her Majesty's Inspectorate of Constabulary that not to do so would result in a police force failing or national security being compromised.

29

The Home Secretary retains the legal accountability for national security and the role that the police service plays within the delivery of any national response. The Home Secretary has a duty to issue a Strategic Policing Requirement that sets out what are, in her view, the national threats at the time and the appropriate national policing capabilities that are required to counter them.

Operational Matters

30

The operational independence of the police is a fundamental principle of British policing. It is expected by the Home Secretary that the professional discretion of the police service and oath of office give surety to the public that this shall not be compromised.

31

The current arrangements are defined in part by the 2011 Act.

32

Section 2 of the 2011 Act provides that a police force, and the civilian staff of a police force, are under the direction and control of the Chief Constable of the force. Section 4 makes identical provision for the Commissioner of the Metropolitan Police.

33

The direction and control of a Chief Constable will include—

- (a) the ability to issue a warrant to an attested officer with which that officer may exercise their police powers;
- (b) decisions in relation to the appointment and dismissal of officers and staff;
- (c) decisions concerning the configuration and organisation of policing resources (or) the decision whether, or whether not, to deploy police officers and staff;
- (d) total discretion to investigate or require an investigation into crimes and individuals as he or she sees fit;
- (e) decisions taken with the purpose of balancing competing operational needs within the framework of priorities and objectives set by the PCC;
- (f) operational decisions to reallocate resource to meet immediate demand; and
- (g) the allocation of officers' specific duties and responsibilities within the force area to meet the strategic objectives set by the PCC.

34

This list is not exhaustive and is by way of illustration only. The Chief Constable is expected to ensure that their PCC is regularly informed of their decisions and operational activity in a timely manner so that the PCC can hold the Chief Constable to account for the totality of policing within their force area, including the operational delivery of the police service. The direction and control of the Chief Constable does not just remain under the scrutiny of the PCC but is open to investigation and scrutiny by the [Director General of the Independent Office for Police Conduct] within the parameters of their terms of reference.

35

The PCC and Chief Constable must work together to safeguard the principle of operational independence, while ensuring that the PCC is not fettered in fulfilling their statutory role. The concept of operational independence is not defined in statute, and as HMIC has stated, by its nature, is fluid and context-driven.

36

The relationship between the PCC and Chief Constable is defined by the PCC's democratic mandate to hold the Chief Constable to account, and by the law itself: primary legislation and common law already provide clarity on the legal principles that underpin operational independence and the Office of Constable.

37

In order to respond to the strategic objectives set by the PCC and the wide variety of challenges faced by the police every day, the Chief Constable is charged with the direction and control of the Force and day-to-day management of such force assets as agreed by the PCC.

38

(Revoked by SI 2020/2, reg 53(1), (4))

Financial Responsibilities

39

The PCC is ultimately accountable to the public for the management of the police fund. The PCC and Chief Constable share a responsibility to provide effective management of the policing budget and to secure value for money on behalf of the public that they both serve.

40

The Chief Constable has day to day responsibility for managing their allocated budgets after they have been approved by the PCC. The Chief Constable must ensure that the financial management of their allocated budget remains consistent with the objectives and conditions set by the PCC.

41

The working financial relationship between the PCC and their Chief Constable is set out in the Financial Management Code of Practice issued from time to time by the Home Secretary under statute.

Resolving differences

42

The PCC is a publicly accountable individual who together with their Chief Constable will need to establish effective working relationships in order to deliver policing within England and Wales. Where differences occur they should be resolved where possible locally between the PCC and Chief Constable. Professional advice may be offered by HMIC.

Review

43

The Home Secretary has a duty to issue the policing Protocol, to which all parties must have regard when discharging their functions. This Protocol will be subject to periodic review, in particular during the first term of office of the first PCCs.

44

When there is a need to vary or replace this Protocol, the Home Secretary is under a duty to consult with those parties bound by this Protocol, and any other person that the Home Secretary sees fit before any changes are made.

Amendments

Para 17: sub-para (n) substituted by SI 2020/2, reg 53(1), (2).

Date in force: 1 February 2020: see SI 2020/2, reg 1(1).

Para 23: in sub-para (k) words from “and subject to” to “Police Reform Act 2002,” in square brackets substituted by SI 2020/2, reg 53(1), (3).

Date in force: 1 February 2020: see SI 2020/2, reg 1(1).

Para 23: in sub-para (k) words “Director General of the Independent Office for Police Conduct” in square brackets substituted by SI 2017/1250, reg 19(1), (2).

Date in force: 8 January 2018: see SI 2017/1250, reg 1; for transitional provisions see regs 37, 38.

Para 24: in sub-para (i) words “Director General of the Independent Office for Police Conduct” in square brackets substituted by SI 2017/1250, reg 19(1), (3).

Date in force: 8 January 2018: see SI 2017/1250, reg 1; for transitional provisions see regs 37, 38.

Para 34: words “Director General of the Independent Office for Police Conduct” in square brackets substituted by SI 2017/1250, reg 19(1), (2).

Date in force: 8 January 2018: see SI 2017/1250, reg 1; for transitional provisions see regs 37, 38.

Para 38: revoked by SI 2020/2, reg 53(1), (4).

Date in force: 1 February 2020: see SI 2020/2, reg 1(1).

Modification

Modified by the Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017, SI 2017/470, art 3(2), Sch 1, Pt 2, para 51 (as amended by SI 2017/1250, reg 35(1), (3)).

EXPLANATORY NOTE

(This note is not part of the Order)

Section 79 of the Police Reform and Social Responsibility Act 2011 requires the Secretary of State to issue a Policing Protocol, namely a document setting out, or otherwise making provision about, the ways in which relevant persons should exercise or refrain from exercising functions so as to encourage, maintain or improve working relationships or limit or prevent the overlapping or conflicting exercise of functions. “Relevant persons” for these purposes are the Secretary of State (in the exercise of her policing functions), elected local policing bodies (namely police and crime commissioners and the Mayor’s Office for Policing and Crime), chief officers of police forces maintained by elected local policing bodies, and police and crime panels. These persons must have regard to the Policing Protocol in exercising their functions.

This Order issues the Secretary of State’s Policing Protocol.



THAMES VALLEY ELECTED LOCAL POLICING BODY

POLICE AND CRIME COMMISSIONER/ DEPUTY POLICE AND CRIME COMMISSIONER CODE OF CONDUCT

1. Introduction

1. This Code applies to me in the office of Police and Crime Commissioner when acting or representing to act in that role. It also applies to my deputy (if appointed) when acting or representing to act in that role.
2. This code does not apply when I am acting in a purely private capacity.
3. I have adopted this code and have agreed to abide by its provisions.
4. The Policing Protocol¹ provides that all parties will abide by the seven principles set out in 'Standards in Public Life: First Report of the Committee on Standards in Public Life' known as 'the Nolan Principles'.
5. I agree to abide by the Nolan Principles which are set out below:

THE SEVEN PRINCIPLES OF PUBLIC LIFE

SELFLESSNESS

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

¹ The Policing Protocol Order 2011 No. 2744

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

2. General Obligations

I agree:-

- 1(a) To treat others with dignity and respect.
- (b) Not to use bullying behaviour or harass any person.
- (c) Not to conduct myself in a manner which:-
 - (i) is contrary to the policing protocol.
and/or
 - (ii) could reasonably be regarded as bringing my office into disrepute.

3. Use of resources

I agree:-

- 1 Not to use the resources of the elected local policing body for my personal benefit or for the benefit of myself, my friends, or any other person in relation to any business interest of mine.
- 2 Not to use the resources of the elected local policing body improperly for political purposes (including party political purposes).
- 3 To claim expenses and allowances only in accordance with the published expenses and allowances scheme of the elected local policing body.

4. Register of Disclosable Interests

(including those arising in relation to gifts and hospitality and those of a pecuniary nature)

I agree:-

1. To act solely in the public interest and in exercising the functions of my office, not act to gain financial or other benefits for myself, my family, my friends, or any person in relation to any business of mine or use or attempt to use my office to confer or secure for any person, including myself, an advantage or a disadvantage.

2. Within 28 days of taking office to enter in the register of disclosable interests maintained by the monitoring officer of the elected local policing body every disclosable interest as set out in the Schedule.
3. Within 28 days of any change in circumstances to enter in the register of interests the changes in so far as are related to disclosable interests.
4. If the nature of the interest is such that I and the Monitoring Officer consider that disclosure could lead to me or a person connected with me being subject to violence or intimidation, then any entry in the register should not include details of the interest but should indicate that the interest has been disclosed and is withheld by virtue of this section.

5. Conflicts of interests

In any case where the interests of exercising the functions of my office may conflict with any disclosable or other interest, which has become known to me, I shall as soon as possible declare such conflict as is required in accordance with the policy issued under Para 3 of the Elected Local Policing Body (Specified Information) Order 2011 and determine whether the conflict of interest is so substantial that the function should not be exercised personally but should be delegated or dealt with in some other manner to ensure the conflict of interest does not arise.

6. Disclosure of information

1. I agree not to disclose information given to me in confidence or information acquired by me which is of a confidential nature, unless I have the consent of a person authorised to give it or I am required by law to do so or for the lawful purposes of my office provided that I shall not be prevented from disclosure to a third party for the purpose of obtaining professional legal advice where the third party agrees not to disclose the information to any other person;
2. Any disclosure made by me shall be reasonable, be in the public interest and made in good faith.
3. I agree not to prevent another person from gaining access to information to which that person is entitled by law.

Signed by:



Police and Crime Commissioner

NOTES

7. Transparency

The register of interests and gifts and hospitality shall be published on the elected policing body's website.

8. Complaints

Any complaint about the conduct of the Police and Crime Commissioner or Deputy Police and Crime Commissioner shall be referred to the Police and Crime Panel for Thames Valley Police via the following contact details:

Khalid Ahmed

Thames Valley Police & Crime Panel Scrutiny Officer

Tel: 07990 368048

Email: khalid.ahmed@oxfordshire.gov.uk

20 September 2016

Dear Police and Crime Commissioners,

I am very pleased to be launching the process for PCCs to put themselves forward for APCC Portfolios and Standing Groups. The purpose of this letter is to recap on the background, and set out the process as to how you can put yourself forward for Portfolios and Standing Groups.

You will recall that the 'Portfolio approach' was unanimously supported at our last General Meeting in July. Each Standing Group will have a number of 'Policy Portfolios' contained within it. A single PCC would be the 'Portfolio Lead' and they would act as the national policy lead and spokesperson (where appropriate) for their portfolio area - using their fellow PCCs in the Standing Group to develop positions and/or act as sounding boards on particular matters. PCCs may also wish to join a Standing Group without being a Portfolio Lead so that can contribute to the debate and discussion across a number of portfolio areas. The Portfolio Approach will be a new way of working for the APCC, one that will enable more PCCs to be involved with national policy as well as distributing the workload.

Seeking your Portfolio and Standing Group preferences

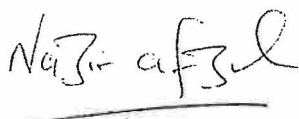
The APCC has produced an electronic form where members can put forward their Portfolio and Standing Group preferences. Attached to this letter are a number of annexes which provide some frequently asked questions, a summary of each Portfolio as well as a schematic of the Standing Group structure. The form also captures some information concerning skills and experience. We would be grateful if you could submit your preferences via the online form by **29th September 2016**.

Once the electronic forms have been filled in and submitted, all preferences will be collated by the APCC Secretariat and put forward to the Group Representatives for discussion and agreement. We anticipate that the final membership of the Standing Groups and Portfolios will be agreed at the General Meeting on 20 October 2016.

If you have any further questions around the process, please contact Oliver Shaw, oliver.shaw@apccs.police.uk (07714399762) or Cat McIntyre, cat.mcintyre@apccs.police.uk (07714399754).

- Annex A - Guidance & FAQ
- Annex B - Diagram of new Standing Group / Portfolio Structure
- Annex C - Portfolio Descriptions

Yours sincerely



Nazir Afzal OBE
APCC Chief Executive

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The APCC provides support to all
Police and Crime Commissioners
and policing governance bodies in
England and Wales

New APCC Portfolio Structure – Getting Started

Introduction

This document provides members with information concerning the new APCC Portfolio arrangements.

Portfolio Structure

Annex A sets out the new Portfolio structure and includes the names of the Police and Crime Commissioner Leads and Deputy Leads for each subject. The chart provides a short summary of policy themes covered for each Portfolio area and who the APCC contact is.

Q. Will I have dedicated APCC Portfolio officer?

Yes. Each Portfolio will have an APCC Policy Officer as well as an APACE and/or PACCTS lead who can support you in role. The APCC is currently recruiting a number of new policy leads and we hope to have the full staffing complement in place by early 2017. In the meantime, the secretariat have arranged temporary cover. APACE and PACCTS are currently reviewing the chart and a further update will be circulated shortly once the nominated CEX / Treasurer leads are identified. For some portfolios the College of Policing and / or the Police ICT Company may be called upon to provide important input into your areas.

Standing Groups

A Standing Group is a cluster of Portfolios meeting to discuss similarly themed policy areas. Practice has shown that the wider debate and discussion PCCs have on particular topic, the richer the policy output. Standing Groups can also provide a sounding board for developing policy lines and wider exchange of views. In the past Standing Groups have met approximately 4-5 times a year.

Standing Group Membership will comprise of the Portfolio Leads and Deputy Leads in addition to other PCCs / Deputy PCCs who have an interest in the general policy area. During our consultation in late Summer, a number of PCCs gave their preferences to join Standing Groups. This list can be found at **Annex B**. We appreciate the members may have had further time to reflect on this following the consultation, therefore if you could let us know whether you are still interested in being a part of the Standing Group or wish to join a Group.

Communications and Media

Under the new Portfolio structure, Portfolio Leads should be in a much stronger position to communicate key messages to the media in a more timely and streamlined way. This should help to raise the profile of PCCs in the media, to stakeholders and ultimately to the public.

However, the Group Reps have suggested it may be appropriate to have some guidelines when speaking as Portfolio Lead. These include:

- Refrain from making overtly party political statements.
- Reflect the policy lines as agreed where those lines exist.
- Make a conscious and clear distinction between when they are speaking on behalf of the APCC and when they are speaking as a local PCC.
- Where appropriate, reflect that the APCC view may not necessarily reflect the views of all members.
- Where practicable, ensure any public comments are highlighted to the APCC secretariat so they can be disseminated as necessary.

It difficult to anticipate every situation that could arise, however the APCC Communications team are on hand if you are unsure about an enquiry on a national policy issue. They can also provide you with more

structured communication support for national policy matters. APCC Communications Manager, Jamie Hurst (jamie.hurst@apccs.police.uk 07710716659) can assist with any queries you may have.

Q. Will this impact on my ability to speak on behalf of my local community?

Absolutely not. PCCs will continue to be the voice for their force areas and are free to speak publically on what issues they see fit.

However, Portfolio Leads will have responsibilities for developing policy positions on behalf of the APCC and as well as responsibility to communicate these positions both internally and externally, so PCC will want to be clear when they are speaking in their national capacity as a Portfolio Lead, and when in their local capacity. When speaking to national press or on an issue that has national considerations PCCs are asked to have regard to the views of the Portfolio Leads.

Q. What happens if a policy issues arises which isn't covered by a Portfolio?

In producing the Portfolio structure we have attempted to cover the broad areas of policy that may arise. There will always be policy issues which don't fit neatly into a Portfolio area and these situations will need to be managed on the case by case basis and the APCC can help advise on this.

Q. Will there be additional spokespeople?

Each Portfolio will have a Lead and a Deputy Lead. How responsibilities are aggregated are at the discretion of each Portfolio.

Q. How will the Portfolio structure be communicated?

This is a new approach to managing the development of policy and our media profile. We are mindful that some Portfolios are more established than others, therefore it will be up to the relevant Portfolio Leads to indicate when they feel suitably ready to speak on national policy issues. We envisage that once Leads feel comfortable in role, ways of working concerning national media will emerge. In the meantime, the APCC communication team will continue to act as national contact for enquiries.

What happens next?

Between now and the end of the year, the APCC Secretariat will be in touch with their respective Portfolio Leads to discuss the portfolio ways of working. This might include:

- Understanding any particular priorities or issues you wish to focus on.
- Briefing on any ongoing work or issues associated with the policy portfolio.
- Agreeing the scope of the portfolio area as well as linkages with other policy areas.
- Agreeing a plan for any introductory meetings with stakeholders.
- Establishing reporting and feedback mechanisms to the wider APCC membership & Standing Groups.
- Considering any handover requirements (if a policy area is passing from one PCC to another).
- Discussing communications and media management (see below)
- Any other general housekeeping issues – How do you like to be contacted? / updated / any other requirements. Etc.

Each Commissioner will have their own way of working, and the initial discussion will be an opportunity to decide on how the APCC can best support you.

More questions?

Please get in touch with Oliver Shaw (oliver.shaw@apccs.police.uk, 07714399762) or Cat McIntyre (cat.mcintyre@apccs.police.uk) 07714399754 from the APCC Secretariat.

APCC Portfolios - June 2019

KEY:

L: Lead
DL: Deputy Lead
PS: APCC Policy Support

Workforce & Equalities, Diversity & Human Rights (EDHR)

Workforce

- reward and conditions & workforce link
- review bodies
- workforce planning
- staff/employee relations
- EE (Durham)
- in Holloway (Bedfordshire) PS: Andy

EDHR

- er and staff diversity and search
- crime
- ing diverse communities
- Aunro (Surrey)
- al Dhinda (Derbyshire)
- id Denham

Citizens in Policing

- community involvement in policing
- interfing, including Police Cadets, al Constables & Police Support
- ichael (South Wales)
- Campton (West Mercia)
- Tremayne

Police Standards & Leadership

- ernance/engagement with College of :ing
- onal policing standards
- tership Review, Fast Track, Direct y & and workforce PRTB link
- if officer appointments
- in Mold (Northants) & Dafydd (Dydd-Pawys)
- Tremayne

Performance & Integrity

Performance

- HMICFRS / Inspections
- Crime recording & statistics
- Demand Management
- FMS
- Inspections Response Register
- L: Matthew Scott (Kent)
- DL: Keith Hunter (Humburside)
- PS: Cat McIntyre

Transparency & Integrity

- IOPC
- Police complaints: reform
- Ethics & Transparency
- FOI/GDPR for PCCs
- L: Julia Mulligan (North Yorkshire)
- DL: Vacant
- PS: Cat McIntyre

CIS & Victims

Victims

- Devolution of victims' services
- Violence Against Women and Girls
- Restorative Justice
- Preventative education (PSHE & SRE)
- Family & Civil Courts
- Special measures including Section 28
- Joint Leads: Sophie Linden (MOPAC) and Julia Mulligan (North Yorkshire)
- PS: Mark Darby

CIS (Efficiency & Effectiveness)

- CIS partnership working
- CIS local performance
- CIS Digital, PRTB link
- Court modernisation
- Rehabilitation & prevention work
- Offender management & CRCs
- Early intervention
- Female offenders
- Prison reform
- L: David Lloyd (Hertfordshire)
- DL: Sue Mountstevens (M&S)
- DL: Sophie Linden (MOPAC)
- PS: Mark Darby

Communities & Safety

Local Policing & Partnerships

- Local policing & crime reduction
- Public/third sector partnerships
- Roads safety
- Anti-social behaviour & gangs
- Automatic Number Plate Recognition
- Police use of personal data
- Link to Police Reform (Local Policing strand)
- L: Keith Hunter (Humburside)
- DL: Alison Hernandez (Devon & Cornwall)
- PS: James Hughes

Mental Health & Custody

- Crisis Care Concordat
- Mental health funding & places of safety
- Custody visitors & appropriate adults
- Use of force (control, restraint)
- Homelessness Strategy
- L: Matthew Scott (Kent)
- DL: Martyn Underhill (Dorset)
- PS: Eddie Smithwick

Alcohol & Substance Misuse

- Funding, licensing, late night levy
- Engaging industry & partners
- Night-time economy
- Drugs, legal highs & psychoactive Substances
- L: Hardyal Dhinda (Derbyshire)
- DL: Arfon Jones (North Wales)
- DL: Tim Passmore (Suffolk)
- PS: Simon Efford

National Networks - led by or involving PCCs

- Rural Crime: Links with Rural Crime Network - Julia Mulligan (North Yorkshire)
- Modern Slavery: links with Modern Slavery Network - Mark Burns-Williamson (West Yorkshire)
- National Police Air Service: Links with NPAS Strategic Board - Mark Burns-Williamson (West Yorkshire)
- Counter Terrorism: Links with the Counter Terrorism Policing Collaboration Agreement Strategic Board - David Jamieson (West-Mids), Philip Seccombe (Warwickshire)
- Brexit Working Group: Lord Willy Bach (Leicestershire); Matthew Scott (Kent); and Martyn Underhill (Dorset)
- CSE and CSA: Marc Jones (Lincs)

Policing Delivery

International & Strategic Policing

- International policing & borders
- Overnight of SPR / NPH
- NCA Engagement
- EU & cross-border programmes (Brexit)
- L: Kathryn Holloway (Bedfordshire)
- DL: Simon Duckworth (City of London)
- DL: Martin Suri (Gloucestershire)
- PS: Will Price

Serious Violence

- Lead the APCC serious violence taskforce
- Work with national taskforce to shape funding available
- Lead PCC response in relation to Serious Violence Strategy
- L: Mark Burns-Williamson (West Yorks)
- DL: Marc Jones (Lincolnshire)
- PS: Darryl Preston

S & O Crime & Specialist Capabilities

- Engagement with NCA
- ROCU reform
- SOC Strategy
- Specialist Capabilities
- L: Marc Jones (Lincolnshire)
- L: Baroness Hughes (Greater Manchester)
- PS: Darryl Preston

Fraud and Cyber Crime

- Reporting of online crime/fraud
- Sexing & revenge pornography
- Online harassment
- Hacking & Economic Crime
- Identity Theft (online)
- L: Clive Grunshaw (Lancashire)
- DL: Anthony Stansfeld (Thames Valley)
- PS: Darryl Preston

Forensics

- Transforming Forensics
- Market place
- L: Martyn Underhill (Dorset)
- DL: Mark Burns-Williamson (West Yorkshire)
- PS: Darryl Preston

Finance & Collaboration

- Funding Formula, CSR & Grants
- CSR Submission
- Funding Formula Review
- Resource & Demand
- Non-grant funding
- Estates & sustainability
- L: Roger Hirst (Essex)
- DL: Paddy Tipping (Nottinghamshire)
- PS: Simon Efford

- Emergency Services Collaboration
- Overnight of emergency services policy
- National & local governance of emergency services
- Cross-service demands
- Emergency services transformation
- L: Matthew Ellis (Staffordshire)
- DL: Alan Billings (South Yorkshire)
- PS: Eddie Smithwick

Business Enablers

- Procurement
- Efficiency of police support functions
- Link to Police Reform (Enabling Programmes)
- Effective reform management
- L: Jason Ablewhite (Cambridgeshire)
- PS: James Hughes

Police Technology & Digital

- Digital Policing Programmes (link with Police Reform)
- Major Home Office ICT Programmes
- Links with The Police ICT Company
- L: Katy Bourne (Sussex)
- DL: Ron Hogg (Durham)
- PS: Paul Dutton

Have you got what it takes?

Delivering through your chief executive and monitoring officer



Have you got what it takes?

Delivering through your chief executive and monitoring office

Important facts

Every Police and Crime Commissioner (PCC) must have a chief executive, who also acts as the monitoring officer.

The chief executive works with the PCC to deliver the PCC's vision, strategy and identified priorities.

They make sure the office of the PCC is led effectively through ongoing management and public involvement.

They help make sure that the police force's activities are checked accurately and appropriately.

The chief executive's role is to support and advise the PCC in delivering their manifesto, through the Police and Crime Plan and legal duties and responsibilities.

This includes:

- planning how resources will be used;
- commissioning (contracting) services; and overseeing how they are delivered;
- providing information, gathering the views of the public and carrying out research and strategic needs assessments;
- checking on and evaluating performance; and
- making sure the PCC's office is efficient and effective

They must fulfil the legal functions of the monitoring officer.

The role of monitoring officer is to tell the PCC about any actual or possible law breaking, or any other action that could be seen as causing an injustice.

Background

The Police Reform and Social Responsibility 2011 transferred the chief executive role from the existing police authority to the office of the PCC. It is one of the two roles that a PCC appoint. The other role that a PCC must appoint is that of the chief finance officer (CFO). P see the separate briefing on balancing the for more information on this role. Both roles are politically restricted (see below) and must be appointed on merit.

Politically restricted post holders are not to be involved in certain political activities set out in law. These activities include standing as or canvassing on behalf of a candidate in an election, and speaking in public in support of a political party or publishing material that supports a political party.

The role of chief executive and the role of finance officer cannot be combined.

Duties of the chief executive as monitoring officer

The role of the monitoring officer is to report to the PCC if it appears that any proposal, decision or failure within their organisation constitutes, has given rise to, or is likely to break the law or a code of practice or constitutes maladministration.

The monitoring officer must send a copy of that report to the police and crime panel (PCP).

The chief executive and monitoring officer role exists in addition to the scrutiny provided by the PCP. It offers protection for the PCC by making sure they comply with the law and improving the transparency of their actions and decisions.

The PCC has a legal duty to give the monitoring officer the staff, accommodation and other resources which are needed so that they can carry out their duties.

The PCC's chief finance officer has similar legal duties and responsibilities in connection with any unlawful, or potentially unlawful, spending by the PCC or those acting on the PCC's behalf.

Role of the chief executive

The main responsibilities of the chief executive include:

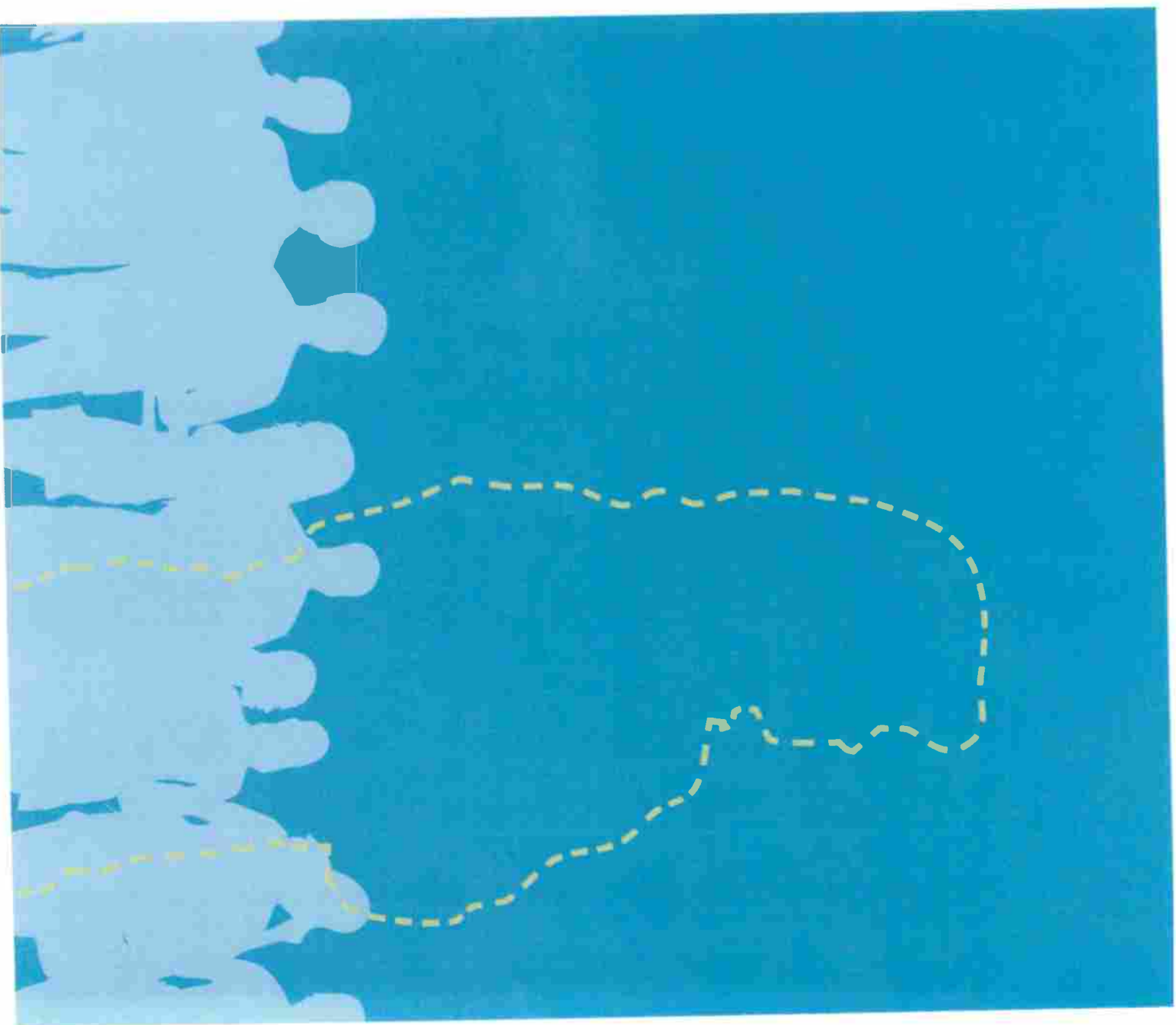
- making sure they give the PCC appropriate advice;
- leading the continued development and delivery of the PCC's activities and operations;
- providing clear and visible leadership to the PCC's staff;
- helping to deliver the Police and Crime Plan effectively and efficiently, together with any associated delivery plans;
- delivering, reviewing and improving performance against the PCC's information strategy;
- making sure that strategic needs assessments allow the PCC to prioritise their budget effectively;
- helping the PCC to challenge the force's strategic and financial planning as appropriate;
- developing and maintaining a constructive working relationship with the police and crime panel;
- making sure audits are carried out efficiently and effectively, and that any other appropriate control (from within the police or the P office) or inspection (from outside the force) are carried out in the same way;
- overseeing the way complaints are managed so this is efficient and effective;
- involving those with an interest (from inside and outside the organisation) in the commissioning of services at local, regional and national level;
- overseeing how the finances, budgets resources and assets are managed for the PCC;
- making sure that the PCC carries out its duties and responsibilities in terms of opportunities and diversity according to relevant laws as well as promoting the commitment to equality and diversity that the PCC does; and
- alongside the chief financial officer, making sure that the PCC's business is carried out appropriately, fairly and honestly, including making proper arrangements for tendering procedures and letting contracts.

Doing the right thing

The chief executive and chief constable should agree how they can make sure that they, their officers and staff keep to all laws and regulations by using effective structures, arrangements and instruments approved by the PCC.

In particular, they need to make sure that:

- decisions taken by the PCC or chief constable are taken after receiving legal advice where necessary;
- the chief constable's legal advisor has full access to the chief executive;
- the main regulatory instruments of both the PCC and the chief constable clearly outline roles for the legal staff and the chief executive so that they can effectively oversee the legal effect of all decisions;
- the chief executive has access to any documents which the PCC or chief constable is relying on when making non-operational decisions;
- the chief finance officers, the chief executive and the chief constable develop effective relationships and share information effectively;
- the chief executive is able to advise on any decision that binds the PCC before it is taken; and
- the chief executive has direct access to the PCC's audit committee.



PCC Functions

Function	Reference
Secure the maintenance of an efficient and effective police force for that area	s1(6)
To be the Fire and Rescue Authority (optional – see elsewhere)	s6 P&CA'17

Strategic Planning	
Prepare a draft and issue a police and crime plan	s5 (Regs)
Review the police and crime plan, particularly in the light of (i) any report or recommendations made by the police and crime panel; and (ii) any changes in the strategic policing requirement	s5(9)

Holding to account	
Hold the chief constable to account for:	
• the functions of the chief constable, and of persons under the direction and control of the chief constable.	s1(7)
• the exercise of the duty to have regard to police and crime plan	s1(8)(a)
• the exercise of the duty to have regard to strategic policing requirement	s1(8)(b)
• the exercise of the duty to have regard to codes of practice issued by Secretary of State	s1(8)(c)
• the effectiveness and efficiency of the chief constable's arrangements for co-operating with other persons	s1(8)(d)
• the effectiveness and efficiency of the chief constable's arrangements for engagement with local people	s1(8)(e)
• the extent to which the chief constable achieves value for money	s1(8)(f)
• the exercise of duties relating to equality and diversity	s1(8)(g)
• the exercise of duties in relation to the safeguarding of children and the promotion of child welfare	s1(8)(h)

Partnership working	
To provide or arrange for the provision of— (a) services to secure crime and disorder reduction; (b) services to help victims or witnesses of, or other persons affected by, offences and anti-social behaviour; (c) services specified by the Secretary of State	s143 ASBP&CA'14
Have regard to the relevant priorities of each responsible authority	s10(1)
Act in co-operation with responsible authorities	s10(2) (CDA Regs)
Make arrangements with criminal justice agencies for the exercise of functions so as to provide an efficient and effective criminal justice system for the area	s10(3)
Prepare a community remedy document for the area	S101 ASBP&CA'14
Enter into collaboration agreements	s22A PA'96
Keep collaboration agreements under review	s22C PA'96
Enter into emergency service collaboration agreements	s1 P&CA'17
Keep considering emergency services collaboration	s2 P&CA'17
Provide advice and assistance to a body outside the UK	s26 PA'96

People	
Appoint, manage complaints regarding, suspend and remove the chief constable	s38 and sch8 (Regs)
Appoint a chief executive and chief finance officer (and may appoint other staff, including a Deputy Police and Crime Commissioner)	sch1 para6 to 8

Information and Engagement	
Publish specified information in the time or manner specified	s11 (Regs)
Produce an annual report	s12
Provide the police and crime panel with any information which the panel may reasonably require	s13
Make arrangements for obtaining <ul style="list-style-type: none"> the views of people about matters concerning the policing of the area, their co-operation with the police in preventing crime and anti-social behaviour in that area; the views of victims of crime in that area about matters concerning the policing of that area. the views of <ul style="list-style-type: none"> (a) the people in that police area, and (b) the relevant ratepayers' representatives, on the proposals of the police and crime commissioner for expenditure before the first precept for a financial year is issued by the police and crime commissioner 	s96(1) and (2) PA'96 (Regs) S96(1B) PA'96

Finance	
Enter into agreements for supply of goods and services	s1 Local Authorities (Goods and Services) Act 1970; s15
Keep the police fund	s21 (Pension Regs)
Receive grants for police purposes	s46 PA'96
Receive grants for capital expenditure	s47 PA'96
Receive national security grants	s48 PA'96
Receive grants from local authorities	s92 PA'96
Accept gifts or loans	s93 PA'96
Borrow monies	s94 PA'96
Issue a precept	s39 Local Government Finance Act 1992(Regs)
Receive emergency financial assistance	s155 Local Government and Housing Act 1989
Do anything calculated to facilitate the exercise of their functions, including: <ul style="list-style-type: none"> entering into contracts and other agreements acquiring and disposing of property (including land) borrowing money 	sch1 para 14
To assess, decide and pay, any valid claim for compensation in respect of property that has been damaged, destroyed or stolen in the course of a	s1, Riot Compensation Act

Chief Constable's Functions within the Police Reform and Social Responsibility Act 2011

Function	Reference
To direct and control the police force and its civilian staff, in such a way as is reasonable to assist the relevant PCC to exercise the PCC's functions	s2(3) and (5)
Operational functions (decisions)	
Not listed here as set out in other legislation	s2(4)
Information and Engagement	
Make arrangements for obtaining the views of people within each neighbourhood about crime and disorder in that neighbourhood	s34
Make arrangements for providing people within each neighbourhood: <ul style="list-style-type: none"> information about policing there information about how policing is aimed at reducing crime and disorder regular meetings 	s34
Give PCC such information the PCC requires, in the form required	s36
Provide the Secretary of State information as required, in the form required	s44 PA'96
Value for money	
Secure good value for money	s35
Partnership working	
Formulate and implement strategies for reducing crime and disorder, etc, with other responsible authorities, having regard to the police and crime plan	s6 CDA'98 (CDA Regs)
Enter into policing collaboration agreements	s22A PA'96
Keep policing collaboration agreements under review	s22B PA'96
Enter into emergency service collaboration agreements	s1 P&CA'17
Keep considering emergency services collaboration	s2 P&CA'17
Provide mutual aid	s24
Provide special police services	s25
People	
Appoint, manage complaints regarding, suspend and remove deputy and assistant chief constables	ss39 to40 and sch8 (Regs)
Appoint a chief finance officer (and other staff)	sch2 para 4 to 6
Appoint special constables	s27 PA'96
Appoint police cadets	s28 PA'96
Contractual ability	
Do anything calculated to facilitate the exercise of their functions, including: <ul style="list-style-type: none"> entering into contracts and other agreements with PCCs consent acquiring and disposing of property (apart from land) with PCCs consent 	sch2 para 7(2)
Enter into contracts of employment	sch2 para 7(4)
NB A Chief constable may not borrow money except within treasury management	sch2 para 7(3)

PCP Functions

Function	Reference
Review and report on every issue of the PCC's police and crime plan	s28(3)(a) (Regs)
Review and report on the PCC's annual report	s28(4)
Review senior appointments (Deputy PCC, chief executive and chief finance officer)	s28(5), sch1 para9 to 11
Review (and if necessary veto) chief constable appointments	s28(5) and sch8
Review and report on PCC's proposals to remove a chief constable	sch8 para15
Review (and if necessary veto) PCC's level of precept	s28(5) and sch5
Review or scrutinise decisions made and actions taken by the PCC	s28(6)
Publish any reports and recommendations made	s28(7) to (9)
Suspend the PCC on their being charged	s30 (Regs)
Appoint an Acting PCC if necessary	s62
Initial handling and informal resolution of complaints against PCC / DPCC	sch7 para3 (Regs)

These functions must be exercised with a view to supporting the effective exercise of the functions of the PCC	s28(2)
A police and crime panel may not exercise any functions other than those conferred by the PRSRA'11.	sch6 para4(6)

Supporting powers	
Require reasonable information	s13
Require the relevant PCC and their staff to attend to answer questions	s29(1)
Require a response in writing to a report or recommendation	s29(3)
Request the relevant chief constable to attend on the same occasion as the PCC to answer any question	s29(6)