

**GWENT POLICE AUTHORITY**  
**MEMBERS' ALLOWANCES SCHEME**  
(Effective from 1<sup>st</sup> April 2007)

**1 ENABLING POWERS**

1.1 In exercise of the powers conferred by the Police Act 1996, the Criminal Justice and Police Act 2001 and the Police Reform Act 2002, the Gwent Police Authority hereby makes the following Scheme:-

**2 THE SCHEME**

2.1 The Scheme may be cited as the "Gwent Police Authority Members' Allowances Scheme" and shall have effect from 1<sup>st</sup> April 2007. It amends any previous scheme.

2.2 The Scheme provides for the payment of:-

- a Basic Allowance (BA), payable to each Police Authority Member;
- a Special Responsibility Allowance (SRA) for designated Police Authority Members undertaking "special duties", as defined by the Authority.

2.3 There are also travel, subsistence and other allowances payable in connection with approved duties. These may be payable to both Authority and non-Authority (Lay) Members as further described in this Scheme.

**3 DEFINITIONS**

3.1 "Authority" or "Police Authority" means the Gwent Police Authority.

3.2 "Member" means a Member of the Gwent Police Authority by virtue of being:-

- a lay justice appointed to the Authority; or
- a Councillor appointed to the Authority; or
- an Independent Member appointed to the Authority.

3.3 "Lay Member" means a person appointed as a representative to assist the Authority's Standards Committee, Independent Members' Selection Panel or any Misconduct Panel established by the Gwent Police Authority to which he/ she is invited to attend.

3.4 "Year" means 12 months ending with 31<sup>st</sup> March.

**4 CLAIMS AND ENQUIRIES**

4.1 All claims and enquiries relating to this Scheme should be made to the Chief Executive of the Police Authority, Police Headquarters, Croesyceiliog, Cwmbran, NP44 2XJ (Tel: 01633 642200 Fax: 01633 643095 or e-mail [policeauthority@gwent.pnn.police.uk](mailto:policeauthority@gwent.pnn.police.uk))

## 5 **BASIC ALLOWANCE (BA)**

5.1 A Basic Rate Allowance (BA) as specified in **Schedule 1** is:-

- payable to all Members;
- payable 'currently' ( i.e. allowance for the month of March will be paid on the last working day of that month etc), automatically in 12 equal instalments so that Members do not need to claim it;
- In addition, special supplementary allowances may be payable as specified in Paragraphs 15, 17 and 18 or as may be further authorised by the Authority.

5.2 BA recompenses Members for time devoted to their work on Authority business and is intended to cover:-

- approved duties, including use of the Member's home;
- reading time;
- dealing with correspondence;
- attendance at Authority, Committee, Task and Finish Groups and Away Days (including travelling time to and from meetings);
- attendance at seminars, conferences and training sessions;
- attendance on "outside bodies";
- other incidental costs, such as postage, stationery etc for which no other specific provision is made;
- meetings with Authority and Force officers.

## 6 **SPECIAL RESPONSIBILITY ALLOWANCE (SRA)**

6.1 A Special Responsibility Allowance (SRA) as specified in **Schedule 1**:-

- will be paid to Members who have clearly defined special responsibilities ie. Chair of a Committee;
- will be paid automatically in 12 equal instalments (therefore no need to claim)
- In addition, special supplementary allowances may be payable as set out in Paragraphs 15, 17 and 18.

6.2 Where a Member undertakes more than one special responsibility role, he/she will be entitled to the highest of the allowances attaching to those responsibilities but may only receive one SRA.

## **7 SICKNESS/ILL-HEALTH OR OTHER FACTORS**

- 7.1 A Member in receipt of SRA or BA who, through sickness, ill-health or any other factor is unable to carry out their responsibilities, either in whole or in part, shall continue to receive their allowance for a period of three months from the date on which the Chief Executive is notified of the position by the Member. It is incumbent on the Member to notify the Chief Executive as soon as this situation arises.
- 7.2 If, at the end of the three-month period the Member continues to be unable to fulfil their responsibilities either in whole or in part, the Police Authority shall determine whether that Member should be asked to step down from the office or be removed from the appointment.
- 7.3 Before reaching a decision, the Authority shall notify the Member concerned that it intends to consider whether such a course of action would be appropriate. The Authority shall give the Member concerned an opportunity to make representations both orally and in writing.
- 7.4 The Authority's decision will be taken in closed session by a simple majority of those present and voting. The Authority's decision shall be final.
- 7.5 In considering any case under this section, the Authority shall examine each case on its merits in the light of the general policy framework set out above.
- 7.6 For the purposes of this section, a Member will not be regarded as suffering sickness or ill-health by virtue of any disability which does not impede the Member from carrying out their full responsibilities.

## **8 ARRIVAL OF A NEW CHILD**

- 8.1 A Member in receipt of SRA or BA who is unable to carry out their role either in whole or part due to the arrival of a new child (including through adoption) shall continue to receive that allowance for a period of three months or for as long as he or she continues to hold the office or appointment, whichever is the shorter.
- 8.2 A Member shall notify the Chief Executive of the position as soon as reasonably possible.

## **9 SUSPENSION FROM OFFICE OR APPOINTMENT**

- 9.1 If a Member is suspended from the Authority for any reason, or in the case of a Councillor Member from his or her local authority, that Member shall be likewise suspended from the Authority's proceedings, meetings and events during the period and from carrying out his or her responsibilities. No allowance shall be paid by the Authority to that Member during the period of suspension.
- 9.2 If a Member who has been suspended is subsequently exonerated, he or she should receive the remuneration to which he or she was entitled during the period of suspension.
- 9.3 If there is a dispute about a Member's entitlement to receive remuneration in these circumstances, the matter shall be referred to the Authority for decision. The Authority shall give the Member concerned an opportunity to make representations

both orally and in writing before it considers the matter.

- 9.4 The Authority's decision shall be taken in closed session by a simple majority of those present and voting. The Authority's decision shall be final.
- 9.5 In considering any case under this section, the Authority shall examine each case on its merits in the light of the general policy framework set out above.

## 10 **PENSIONS**

- 10.1 No allowance paid under the Police Authority's Scheme shall give rise to any pension rights and no pension will be paid to any Member under this Scheme.

## 11 **JOB PROFILES AND PERFORMANCE MANAGEMENT**

### **Performance Management**

- 11.1 All Members in receipt of any allowance agree to abide by the performance arrangements as set out below.
- 11.2 The job profiles setting out the role and responsibilities expected of Police Authority Members, including those in receipt of SRA, are set out in **Schedule 4**. All Members are expected to undertake the full range of duties that may be required of them or specifically assigned to them as set out in the job profiles.

### **Attendance**

- 11.3 The Chief Executive will maintain a record of the attendance of all Members in respect of those meetings which they are expected to attend by virtue of their role and job profile.
- 11.4 Any Member who is unable to attend a meeting which he or she is expected to attend shall notify the Chief Executive in advance and, if required and appropriate, assist in finding a replacement.

### **Remedial Action**

- 11.5 Where a Member fails to fulfil the responsibilities set out in the job profile or has a consistently poor attendance record, this will be referred to the Chairman by the Chief Executive.
- 11.6 The Chairman shall, in the first instance, discuss the position with the Member and agree remedial steps to be taken over the next quarter.
- 11.7 If, at the end of the quarter the Member's performance has not improved, the Chairman will consider whether to recommend to the Authority that the Member should be asked to step down from the office or be removed from the appointment.
- 11.8 Before reaching a decision, the Authority shall notify the Member concerned that it intends to consider whether such a course of action would be appropriate and will give the Member an opportunity to make representations both orally or in writing.
- 11.9 The Authority's decision will be taken in closed session by a simple majority of those present and voting. The Authority's decision shall be final.

11.10 In considering any case under this section, the Authority shall examine each case on its merits in the light of the general policy framework set out above.

## 12 **RENUNCIATION**

12.1 A Member may, by notice in writing to the Chief Executive, elect to forego all or any part of his/her entitlement to BA or SRA. Any sum which a Member decides to renounce will remain available for use for other Police Authority purposes.

12.2 A Member may also elect, by giving notice to the Chief Executive, that an amount, not exceeding the amount of his/her unrenounced allowance, be paid to a charity (or charities) under the "Give as You Earn" Scheme. (*Members should note that the amounts notionally received and passed to charity may still attract National Insurance*).

## 13 **ASSOCIATION OF POLICE AUTHORITIES (APA)**

13.1 The contribution which Members make to the work of the APA is factored into the job profiles for Members. However, office holders appointed by the APA or those who are appointed by the APA to represent it on external bodies or organisations will be remunerated directly by the APA for that national work.

## 14 **CONFERENCES**

14.1 For the time being, Section 175 of the Local Government Act 1972 (Allowances for attending Conferences and Meetings) still applies to Members of Police Authorities attending conferences or meetings convened by Police Authorities or by the Association of Police Authorities (APA). The Authority's BA and SRA however, include an allowance for this work and Members will no longer be eligible to claim the conference rate.

## 15 **CARERS'/DEPENDANTS' ALLOWANCE**

15.1 A Member may claim a Carers'/Dependants' Allowance where he/she has incurred expenditure on engaging a carer for a dependant in order to carry out approved duties, subject to the following:-

- For an allowance to be payable the dependant being cared for must be in one of the following groups:-
  - ◆ a child under 16 years of age;
  - ◆ an elderly person;
  - ◆ a person with a physical or mental disability
  - ◆ a person with a learning disability;

and must live with the Member as part of his/her family and must not be able to be left unsupervised.

15.2 A carer (ie the person being paid to act as carer whilst the Member is carrying out his/her Police Authority duties) is defined as someone who does not normally live with the Member as part of the Member's family and is not part of the extended family.

15.3 Payments will be made on the basis of the reimbursement of actual expenditure incurred up to a maximum of an hourly rate as specified in **Schedule 1** for each

hour of absence from home, and subject to a daily maximum as stated in the same **Schedule 1**. The claim should be included on the Member's claim form, and will only be payable when a receipt from the carer is attached.

- 15.4 It should be noted that such payments are not covered by any special exemptions for taxation purposes. They are treated as emoluments (remuneration) of the office and will be taxed accordingly.

## 16 **NON-POLICE AUTHORITY (LAY) MEMBERS**

- 16.1 Lay Members appointed to the Authority's Standards Committee and to the Independent Members' Selection Panel will be entitled to remuneration at a daily rate in accordance with the amounts specified in **Schedule 1** to this Scheme.

- 16.2 Lay Members appointed to Police Misconduct Panels will be entitled to remuneration at a daily rate set by the Home Office for Police Appeals Tribunal Members as defined in **Schedule 1**.

- 16.3 Lay Members will also be entitled to claim expenses for Travel and Subsistence at the rates set out in **Schedule 2**.

## 17 **POLICE APPEAL TRIBUNALS**

- 17.1 Police Appeal Tribunals are the final appellate body in police discipline cases. Police Authority Members who are required to sit on these Tribunals will be paid at the same daily rate set by the Home Office for other Tribunal Members (ie in addition to their BA or SRA). These rates are as defined in **Schedule 1**.

## 18 **SPECIFIC TASKS OVER AND ABOVE NORMAL RESPONSIBILITIES**

- 18.1 From time to time, Members may be called upon to carry out other duties beyond those contained within the job profiles. On such occasions, those duties will be designated at a full meeting of the Authority and a decision taken as to the level and type of allowance payable.

## 19 **APPROVED DUTIES**

- 19.1 The list of approved duties for which Members can claim Travel and Subsistence and the Carers'/Dependants' Allowance, as appropriate, is shown at **Schedule 3**.

## 20 **TRAVEL AND SUBSISTENCE ALLOWANCES**

- 20.1 Members and Lay Members may be reimbursed for reasonable and necessary travelling expenses incurred by:-

- public transport including, where appropriate, the cost of taxi fares;
- use of own private vehicle or one belonging to a member of his/her family or otherwise provided for his/her use including, where appropriate, reimbursement of tolls and parking fees;

in order to undertake Police Authority business.

- 20.2 If travelling by rail, Members are entitled, if they so wish to travel first class.
- 20.3 The rates for travel and subsistence have been deregulated by virtue of the provisions of the Police Reform Act 2002 and will be as specified from time to time by the Authority. The current rates are as shown in **Schedule 2**.
- 20.4 In relation to claims for both travel and subsistence, the following points should be noted:-
- if a meal is provided without charge by the Authority or any other body as part of an approved duty, no subsequent claim for subsistence can be made;
  - VAT receipts must be submitted to support expenditure claims as this will enable the Authority to reclaim the appropriate element of VAT. Where VAT receipts are not submitted, claims will be paid net of tax in line with HMRC requirements.

## 21 **PART YEAR ENTITLEMENTS**

- 21.1 BA and SRA are calculated by reference to 12 monthly periods and are paid by instalments through the year. From time to time changes may take place, eg:-
- where a Member becomes or ceases to be a Member of the Authority at sometime during the year;
  - where a Member accepts or relinquishes special responsibilities which attract SRA; or
  - where the Authority amends its Scheme of Allowances.
- 21.2 When a change occurs, a Member will be entitled to payment of the allowance appropriate for the responsibilities being carried out during the period when and at the rate which was current at the time that the responsibilities were performed.

## 22 **CLAIMS AND PAYMENTS**

- 22.1 Payments in respect of BA and SRA will be made automatically after completion of initial details.
- 22.2 Claims for:-
- travelling and subsistence expenses;
  - carers'/dependants' expenses;
  - Standards Committee Lay Members' allowances;
  - Independent Member Selection Panel Lay Members' allowances;
  - Police Appeal Tribunals allowances;
  - Independent Member sitting on a Misconduct Panel allowance.

should be made by the 5<sup>th</sup> of the month following the month in which the duty for which entitlement to the allowance arises is carried out. In any event claims will only be payable if they are submitted within three months of the date on which the entitlement arose. Such claims must be claimed on the Members Expenses claim form, (accompanied by relevant receipts) - copies of which are obtainable from the Authority's secretariat.

- 22.3 Allowances must not be claimed when the Member is entitled to receive payment from another body.
- 22.4 The normal method of payment for any claim will be the BACS (Bankers Automated Clearing System) method. Tax and National Insurance deductions will be made in accordance with the legal requirements on all allowances.

## 23 **PUBLICITY**

- 23.1 Details of this Scheme, or any amended scheme, will be publicised within the Gwent Police Authority's area and must be undertaken before any payments are made under it.
- 23.2 At the end of each financial year, details of allowances paid to Members may be publicised within the Authority's area.

## 24 **ANNUAL REVIEW OF ALLOWANCES**

- 24.1 The allowances provided for within this Scheme will be reviewed automatically on an annual basis using the following criteria:-
- the increase of allowances in **Schedule 1** (with the exception of Police Appeals Tribunal Members) will be index-linked to Police Staff Council cost of living increases;
  - increases for Police Appeals Tribunal (**Schedule 1**) payments will be in line with increases determined by the Home Office;
  - increases for Travel and Subsistence (**Schedule 2**) payments will be as determined by the Authority having regard to the rates applied by the Inland Revenue, Association of Police Authorities (APA) and Police Support Staff Council.

## RATES OF ALLOWANCE

### 1. BASIC ALLOWANCE (BA)

Basic Allowance (BA) for all Members - £7,361 pa

### 2. SPECIAL RESPONSIBILITY ALLOWANCE (SRA) [IN ADDITION TO THE BASIC ALLOWANCE (BA)]

• Chairman of the Police Authority - £14,109 pa  
• Vice Chairman of the Police Authority - £ 7,361 pa

• Chairs of Primary Committees - £6,134 pa  
(Professional Standards, Corporate Planning and Performance,  
Equality and Human Resources, Audit and Resources,  
Community Safety and Engagement).

APA Plenary or Policy Group Representatives - £1,227 pa  
Custody Visiting Panels - £ 610 pa

#### Notes:

(i) Members are only entitled to claim one SRA.

(ii) A Member may elect to forego all or any part of his/her entitlement to BA or SRA.

### 3. CARERS'/DEPENDANTS' ALLOWANCE

Hourly rate not exceeding the actual sums paid up to £7.13 per hour and subject to a maximum daily payment of £57.04.

### 4. INDEPENDENT REPRESENTATIVES ON THE STANDARDS COMMITTEE (LAY MEMBERS)

Daily rate of £159.48 or £79.74 per half day.

#### Notes:

(i) This payment is not payable to Police Authority Members appointed to the Standards Committee.

(ii) Half day is up to four hours. Travelling time may be included for this calculation.

**5. INDEPENDENT MEMBERS SELECTION PANEL REPRESENTATIVES (LAY MEMBERS)**

Daily rate of **£159.48** or **£79.74** per half day.

**Notes:**

(i) This payment is also payable to the Police Authority Members of the Selection Panel.

(ii) Half day is up to 4 hours. Travelling time may be included for this calculation.

**6. POLICE APPEALS TRIBUNAL MEMBERS  
*(Also applicable to Lay Members of Police Misconduct Panels)***

Daily rate of **£211.50** or **£104.50** per half day.

**Notes:**

(i) This payment is also payable to the Police Authority Member of an Appeals Tribunal and will not be regarded as part of their BA or SRA. It is also payable to Lay Members appointed by the Authority as independent representatives to assist Police Misconduct Panels.

(ii) Half day is up to 4 hours. Travelling time may be included for this calculation.

(iii) Fees are synonymous with those paid by the Home Office to Tribunal Members.

**SCHEDULE 2**  
Wef 1.4.2007

**TRAVEL AND SUBSISTENCE EXPENSES**

<b>Rail</b>		First Class
<b>Motor Vehicle</b>	Inland Revenue Approved Rates Applicable for all car sizes	<ul style="list-style-type: none"><li>• Up to 10,000 miles – 40p per mile</li><li>• Over 10,000 miles – 25p per mile</li></ul>
<b>Taxi</b>		Actual receipted expenditure
<b>Motorcycle Rate</b>		24p per mile
<b>Bicycle Rate</b>		20p per mile
<b>Passenger Rate</b>		Not paid
<b>Tolls and Car Parking Fees</b>		Actual receipted expenditure
<b>Daily Subsistence - Actual receipted expenditure but unless there are extenuating circumstances should not normally exceed:</b>		
<b>Breakfast</b>		£8.73

<b>Lunch</b>	£12.66
<b>Dinner</b>	£20.85
<b>Hotel Accommodation</b>	
To be booked by the Secretariat and either:	<ul style="list-style-type: none"> <li>• Paid directly by the GPA; or</li> <li>• Members reimbursed for actual receipted expenditure</li> </ul>
<b>Meals on Trains – Actual receipted expenditure on the basis of:</b>	
• Absence of more than 4 but no more than 8 hours	Cost of one main meal
• Absence of more than 8 but no more than 12 hours	Cost of two main meals
• Absence of more than 12 hours	Cost of three main meals

### SCHEDULE 3

#### APPROVED DUTIES

1. Meetings of the Gwent Police Authority.
2. Meetings of the Authority's Committees, Sub-Committees, Panels, Working Groups, Project Boards, Seminars, Training Sessions or inspection visits.
3. Community Consultative Groups and Consultation meetings.
4. Gwent Custody and Animal Welfare Visiting Panel meetings, Conferences or Seminars.
5. Meetings, Conferences or Seminars convened by the Independent Custody Visiting Association (ICVA).
6. Meetings of the Area Consultative Committees of the National Crime Squad (NCS) and/or National Criminal Intelligence Service (NCIS) or any successor bodies.
7. Meetings with Ministers, National Assembly for Wales officials, Government Departments, HM Inspector of Constabulary; where the Member has been appointed to represent the Authority and provided that the business of the meeting relates to the Gwent Police Authority.
8. Meetings of Community Safety Partnership Groups where the Member has been appointed to represent the Authority.
9. Meetings with officers of the Authority or Force in relation to Police Authority business.

10. Representing the Authority at local ceremonies, presentations or awards.
11. National, Regional, or local conferences as may be approved by the Authority.
12. Opening of Tenders.
13. Association of Police Authorities (APA) meetings or related business.
14. Police Authorities of Wales (PAW) meetings or related business.
15. Regional Training Committee meetings.
16. Meetings of Crimestoppers, Neighbourhood Watch Associations, Crime Prevention Panels, Community Council Associations or any "outside body" approved by the Police Authority.
17. Approved rota visits to the Force Professional Standards Department and satellite offices.
18. Any other attendance for which prior approval has been given by the Authority or the Chief Executive or Treasurer acting under delegated powers.

**GWENT POLICE AUTHORITY MEMBER**

**ROLE**

- To ensure that there is an effective and efficient police force for Gwent.
- To ensure that local communities receive best value in local policing services.
- To personally contribute to setting the strategic direction for the Police Force.
- To represent the interests of all those who live in, work or visit Gwent and to ensure that the views of local people are reflected in the nature and style of local policing.
- To ensure that policing services are provided fairly and in a way which does not discriminate against any group or individual.
- To participate constructively in the good governance of both the Authority and the Force.

**RESPONSIBILITY**

1. To carry out collectively all statutory and locally determined requirements of a police authority member, including participation in the formulation of policy, decision making and other activities of the full authority (such as determining budget and precept, determining local policing priorities, agreeing the annual policing plan and the three year strategic plan and other strategies).
2. To participate effectively as a member of any committee, panel, task group or other authority forum to which the member is appointed.
3. To participate in best value reviews, as nominated by the Authority.
4. To comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics.
5. To maintain an up to date knowledge and awareness of national and local policing priorities.
6. To maintain a good working knowledge of force policies and practices and to establish good working relationships with officers of both the Authority and the Force.
7. To scrutinise, challenge and monitor all aspects of force performance.
8. To report back to the Authority on actions taken, meetings attended as a Police Authority representative/lead member.
9. To develop a satisfactory level of competency in relation to information technology to assist with the efficient and effective operation of the Authority.

10. To participate fully in local consultative arrangements and actively engage in communication and dialogue with local people about local policing services.
11. To represent the views of the Police Authority within local communities and the views of local communities to the Authority.
12. To participate actively in any outside body or forum on which the member is appointed to represent the Authority.
13. To be involved in the appointment, discipline or dismissal of senior officers as appropriate.
14. To promote equality of opportunity and work to eliminate unlawful discrimination both internally within the Authority and Force and in the provision of policing services.
15. To attend local, regional and national conferences/seminars/briefing, if nominated by the Authority.
16. To participate in inspections and audits of the Force and the Authority as appropriate.

Remuneration for Gwent Police Authority members – the basic allowance is based on the estimate that a member has to make a time commitment of one to one and a half days per week to fulfil his/her responsibilities.

## **CHAIRS OF COMMITTEES**

### **ROLE**

To fulfil the basic responsibilities of an authority member and to chair a committee.

### **ADDITIONAL RESPONSIBILITIES**

1. To lead the work of a committee of the Authority.
2. To act as spokesperson on the areas within the Committee's remit.
3. To develop and maintain up to date knowledge and specialist expertise in the area for which responsible.
4. To liaise closely with the Authority and Force staff in developing and managing the work of the Committee.
5. To contribute to national policy development, national events or APA networks or initiatives on the areas for which responsible.

The Special Responsibility Allowance for Chairs is based on the estimate that a member has to make a time commitment of one and a half to two days per week to fulfil his/her responsibilities.

## **CHAIR OF THE AUTHORITY**

### **ROLE**

To fulfil the basic responsibilities of a police authority member and hold the office of Chair of the Authority.

### **ADDITIONAL RESPONSIBILITIES**

1. To provide leadership, ensuring that the authority works as a coherent and corporate body.
2. To preside at authority meetings, applying standing orders and ensure that members have a fair opportunity to participate in debates.
3. To represent the Authority to the press and outside organisations.
4. To oversee co-ordination of police authority business at member level and develop, review and monitor implementation of the policies and strategies of the Police Authority.
5. To liaise with the Chief Executive, Treasurer and Chief Constable to facilitate Authority business.
6. To hold regular strategic meetings with the Chief Constable and to maintain the tripartite arrangement with the Home Secretary and the Chief Constable.
7. To satisfy himself/herself that arrangements are in place for effective management of the Police Authority.
8. To be involved in the performance appraisal and objective setting for the Chief Executive and the Chief Constable.
9. To represent the Authority on the Association of Police Authorities and Police Authorities, Wales.
10. To attend regional networks and national tripartite gatherings as required.

The role of Chair will attract a special responsibility allowance which is based on the assumption that a time commitment of two and a half to three days a week is required. (This includes the commitment of a member and is not an addition thereto).

## **VICE- CHAIR OF THE AUTHORITY**

### **ROLE**

To fulfil the basic responsibilities of a police authority member and to hold the office of deputy chair of the Authority.

### **ADDITIONAL RESPONSIBILITIES**

1. To deputise for the Chair when necessary.
2. To liaise closely with the Chair and assist him/her in overseeing conduct of the Authority's business as described in the Chairs job profile.
3. To represent the Authority on the Association of Police Authorities and Police Authorities Wales

The Vice Chair role attracts a special responsibility allowance based on the estimated time commitment of one and a half to two days a week. (This includes the commitment of a member and is not an addition thereto).

### SUMMARY OF POLICE AUTHORITY STATUTORY DUTIES/RESPONSIBILITIES

#### The Police Authority's three key functions are:

- To secure an efficient and effective Police Service (Section 6, Police Act 1996).
- To secure best value i.e. continuous improvement in the way (its functions) are exercised having regard to economy, efficiency and effectiveness (Section 3, Local Government Act 1999).
- To make arrangements for obtaining:
  - the views of local people about the policing of their area; and
  - the co-operation of local people in preventing crime.

(Section 96, Police Act 1996)

The Authority has a whole range of statutory duties which underpin these functions. The following is not an exhaustive list – in particular, it does not detail procedural matters under Local Government legislation or those relating to the appointment or responsibilities of Police Authority Officers/Staff under Police/Local Government legislation. Instead, it focuses on key responsibilities that the Police Authority is required to fulfil as part of its functions. These are:

- To determine the local priorities for policing – after consulting local people and the Chief Constable (Section 7, Police Act 1996).
- To publish an Annual Policing Plan including Ministerial Priorities, local policing objectives and any performance targets set by the Authority and including Best Value Performance Plan (Section 8, Police Act 1996 & Section 6, Local Government Act 1999 and associated Regulations).
- To report back to the community at the end of the year on the extent to which the Policing/Best Value Performance Plan has been met (Section 9, Police Act 1996).
- To appoint and dismiss the Chief Constable and subject to the approval of the Secretary of State (Section 11, Police Act 1996).
- To appoint and dismiss the Deputy Chief Constable, Assistant Chief Constables (Section 12, Police Act 1996 and Police Regulations).
- To hold the Police Fund and maintain accounts (Section 14, Police Act 1996 and Section 40, Local Government Finance Act 1992).

- To nominate one or more Members of the Authority to answer questions on the discharge of the Authority's functions at a meeting of a relevant Council when given reasonable notice of this by the Council (Section 20, Police Act 1996).
- To collaborate with other Police Authorities to jointly provide equipment, premises, to other material facilities, where appropriate (Section 23, Police Act 1996).
- To decide the charges for the provision of special Police Services (Section 25, Police Act 1996).
- To provide advice and assistance to an international organisation, institution or a police body outside the UK (includes secondment of Police Officers), subject to the consent of the Home Secretary (Section 26, Police Act 1996). The Authority can charge for such advice/assistance.
- To comply with any direction given by the Secretary of State on performance targets for Ministerial priorities (Section 38, Police Act 1996).
- To comply with any Codes of Practice issued by the Secretary of State relating to the discharge of Police Authority functions (Section 39, Police Act 1996).
- To comply with any direction made by the Secretary of State following an adverse report by HMIC i.e. that the force is not, or will cease to be, effective or efficient (Section 40, Police Act 1996).
- To comply with any direction made by the Secretary of State as to the budget requirement (Section 41, Police Act 1996).
- To comment on any HMIC report on the Force and any comments made by the Chief Officer about the report and to publish those comments (Section 55 Police Act 1996).
- To investigate complaints about the conduct of ACPO officers (Section 68, Police Act 1996) or where appropriate refer complaints to the IPCC (Section 70, Police Act 1996).
- To keep itself informed of the workings of the complaints and discipline procedures (Section 77, Police Act 1996).
- To have regard to any guidance issued by the Home Secretary on complaints or disciplinary matters (Sections 83 & 87 Police Act 1996).
- To pay out of the Police Fund, in such cases and to such extent as it thinks appropriate, any damages or costs awarded against the police in respect of torts or in relation to the settlement of a claim (Section 88, Police Act 1996).
- To receive grants from any local Council which falls wholly or partly within the Authority area either unconditionally or, subject to conditions agreed with the Chief Officer of Police (Section 92, Police Act 1996).

- To accept gifts of money or gifts and loans of other property, including commercial sponsorship of any activity of the Authority or force on such terms as appear to it to be appropriate (Section 93, Police Act 1996).
- To conduct Best Value Reviews of its functions in accordance with any order made by the Secretary of State (Section 5, LGA 1999).
- To publish any audit report on its Best Value Performance Plan (Section 9, LGA 1999).
- To work with other 'responsible authorities' in formulating and implementing crime and disorder audits and strategies for each Unitary Council in its area (Section 5, Crime & Disorder Act 1998).
- To exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (Section 17, Crime & Disorder Act 1998).
- To comply with the requirements of the Freedom of Information Act 2000.
- To have due regard of the need to:
  - Eliminate unlawful racial discrimination
  - Promote equality of opportunity and good relations of persons of different racial groups.  
(Section 2, Race Relations (Amendment) Act 2000)
- To maintain an effective Independent Custody Visitors Scheme.
- To maintain an effective Animal Welfare Visiting Scheme (non-statutory).