

Social Justice and Regeneration Committee

SJR(2)-08-06(p.3) Annex A

Date: Wednesday 17 May 2006

Time: 9.30am-12.30pm

Venue: National Assembly for Wales

Title: The Police Authorities of Wales Evidence to Social Justice and Regeneration Committee: Summary of Police Authority Statutory Duties/Responsibilities

Introduction

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.

Statutory Duties/Responsibilities

(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 PCA (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).