



Policing and Crime Act 2009

2009 CHAPTER 26

PART 1

POLICE REFORM

Appointment of senior officers

2 Police Senior Appointments Panel

- (1) In the Police Act 1996 (c. 16) after section 53A insert—

“Police Senior Appointments Panel

53B Police Senior Appointments Panel

- (1) There shall be a Police Senior Appointments Panel constituted in accordance with arrangements made by the Secretary of State.
- (2) The arrangements shall provide for the panel to consist of—
 - (a) a chair and other members appointed by the Secretary of State, and
 - (b) representative members.
- (3) The representative members shall consist of—
 - (a) persons nominated by the Secretary of State,
 - (b) persons nominated by the Association of Police Authorities, and
 - (c) persons nominated by the Association of Chief Police Officers.
- (4) A person may be nominated as a representative member for a particular meeting, for a particular period or otherwise.
- (5) Arrangements under subsection (1) may, in particular, include provision about—
 - (a) the panel's proceedings;

Status: Point in time view as at 04/04/2011.

Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Appointment of senior officers. (See end of Document for details)

- (b) annual or other reports.
- (6) Before making (or revising) arrangements under subsection (1) the Secretary of State shall consult—
 - (a) the Association of Police Authorities, and
 - (b) the Association of Chief Police Officers.
- (7) The Secretary of State may make staff available to the panel; and arrangements under subsection (1) may include provision about staff.
- (8) The Secretary of State may—
 - (a) pay fees to the chair and members of the panel appointed by the Secretary of State;
 - (b) defray expenses incurred by the panel.

53C Functions

- (1) The Police Senior Appointments Panel shall advise the Secretary of State on any matter about which it is consulted by the Secretary of State in connection with—
 - (a) the appointment of a senior officer, or
 - (b) the giving of consent under section 12A(4) or under section 25 of the City of London Police Act 1839.
- (2) The panel shall advise the Secretary of State and police authorities about—
 - (a) ways to increase the pool of potential candidates for appointment as a senior officer, and
 - (b) the training and development needs of potential candidates for such appointment.
- (3) The Secretary of State may refer any report made by Her Majesty's Inspectors of Constabulary to the panel.
- (4) Following such a referral the panel shall consider the report and advise the Secretary of State and police authorities on any matters which it thinks appropriate in connection with—
 - (a) the training and development needs of senior officers;
 - (b) other matters relating to senior officers.
- (5) In discharging its functions under subsections (2) and (4) the panel may give advice to police authorities in general or to any one or more police authorities.
- (6) In this section “senior officer” means—
 - (a) a member of a police force holding a rank above that of chief superintendent;
 - (b) the Commissioner of Police for the City of London.

53D Power to confer additional functions

- (1) The Secretary of State may by order confer additional functions on the Police Senior Appointments Panel.

Status: Point in time view as at 04/04/2011.

Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Appointment of senior officers. (See end of Document for details)

- (2) An order under subsection (1) may, in particular, confer advisory or other functions on the panel in connection with the appointment of senior officers (within the meaning of section 53C(6)).
 - (3) An order under this section may make transitional, consequential, incidental and supplemental provision or savings.
 - (4) Before making an order under this section the Secretary of State shall consult the panel.
 - (5) A statutory instrument containing an order under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”
- (2) In section 54 (appointment and functions of inspectors of constabulary) omit subsection (3A) (delegation of Secretary of State's functions relating to approval of appointments, etc).
 - (3) ^[F1]In Part 2 of Schedule 1A to the Race Relations Act 1976 (c. 74) (persons subject to general statutory duty) insert at the appropriate place—
“The Police Senior Appointments Panel.”]
 - (4) In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (c. 36) (public authorities) insert at the appropriate place—
“The Police Senior Appointments Panel”.

Textual Amendments

- F1** S. 2(3) repealed by The Equality Act 2010 (c. 15), Sch. 27 Pt. 1A (as inserted (E.W.S.) (4.4.2011) by S.I. 2011/1060, arts. 1(2), 3(3)(a), Sch. 3)

Commencement Information

- II** S. 2(2) in force at 1.9.2010 by S.I. 2010/999, art. 4 (as amended by S.I. 2010/1986, art. 3)

3 Regulations about senior officers

In section 50 of the Police Act 1996 (c. 16) (regulations for police forces) after subsection (6) insert—

“(6A) Without prejudice to the powers conferred by this section, regulations under this section may make provision with respect to—

- (a) steps to be taken in connection with the appointment of senior officers;
- (b) payments to senior officers who cease to hold office before the end of a fixed term appointment.

(6B) In subsection (6A) “senior officer” means—

- (a) a member of a police force holding a rank above that of chief superintendent;
- (b) the Commissioner of Police for the City of London.”

Status: Point in time view as at 04/04/2011.

Changes to legislation: There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross Heading: Appointment of senior officers. (See end of Document for details)

Commencement Information

I2 S. 3 in force at 19.4.2010 by S.I. 2010/999, art. 2(a)

4 Metropolitan police force appointments

- (1) The Police Act 1996 is amended as follows.
- (2) In section 9F (Assistant Commissioners of Police of the Metropolis) for subsection (2) substitute—
 - “(2) Any appointment of an Assistant Commissioner shall be made, in accordance with regulations under section 50, by the Metropolitan Police Authority.
 - (2A) Before appointing an Assistant Commissioner the Metropolitan Police Authority shall—
 - (a) consult the Commissioner of Police of the Metropolis, and
 - (b) obtain the approval of the Secretary of State.”
- (3) In section 9FA (Deputy Assistant Commissioners of Police of the Metropolis) for subsection (2) substitute—
 - “(2) Any appointment of a Deputy Assistant Commissioner shall be made, in accordance with regulations under section 50, by the Metropolitan Police Authority.
 - (2A) Before appointing a Deputy Assistant Commissioner the Metropolitan Police Authority shall—
 - (a) consult the Commissioner of Police of the Metropolis, and
 - (b) obtain the approval of the Secretary of State.”
- (4) In section 9G (Commanders in the metropolitan police force) for subsection (2) substitute—
 - “(2) Any appointment of a Commander in the metropolitan police force shall be made, in accordance with regulations under section 50, by the Metropolitan Police Authority.
 - (2A) Before appointing a Commander in the metropolitan police force the Metropolitan Police Authority shall—
 - (a) consult the Commissioner of Police of the Metropolis, and
 - (b) obtain the approval of the Secretary of State.”

Commencement Information

I3 S. 4 in force at 19.4.2010 by S.I. 2010/999, art. 2(b)

Status:

Point in time view as at 04/04/2011.

Changes to legislation:

There are currently no known outstanding effects for the Policing and Crime Act 2009, Cross
Heading: Appointment of senior officers.