

EXPLANATORY MEMORANDUM TO
THE ELECTED LOCAL POLICING BODIES (SPECIFIED INFORMATION)
ORDER 2011

2011 No. 3050

1. This explanatory memorandum has been prepared by the Home Office and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
 - 2.1 This instrument specifies the information that must be published by elected local policing bodies, and the time of publication of that information.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.
4. **Legislative Context**
 - 4.1 The Police Reform and Social Responsibility Act 2011 (“the 2011 Act”) makes changes to the governance arrangements for policing in England and Wales, with the exception of the City of London police area. The Act abolishes the police authorities responsible for maintaining police forces outside London and replaces them with directly elected Police and Crime Commissioners (“PCCs”). The Act also abolishes the Metropolitan Police Authority and replaces it with the Mayor’s Office for Policing and Crime (“MOPC”) – an office held by the Mayor of London. PCCs and the MOPC are referred to collectively in the Act as elected local policing bodies.
 - 4.2 Section 11(1) and (2) of the 2011 Act requires an elected local policing body to publish any information specified by the Secretary of State by Order. The Secretary of State may also specify by Order the time and manner of publication.
5. **Territorial Extent and Application**
 - 5.1 This instrument applies to England and Wales.
6. **European Convention on Human Rights**
 - 6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- *What is being done and why*

7.1 This Order specifies the information that must be published by elected local policing bodies. Information is specified in relation to matters which are of public interest, and the instrument follows the general approach taken in the Code of Recommended Practice for Local Authorities on Data Transparency issued by the Department for Communities and Local Government in September 2011 under section 2 of the Local Government Planning and Land Act 1980. The Order specifies the timing of publication of the various categories of information listed, but not the manner of publication, which is left to the discretion of the individual body.

- *Consolidation*

7.2 The Order does not amend any existing instrument.

8. Consultation outcome

8.1 The Secretary of State consulted with a wide range of partners involved in the introduction of elected local policing bodies, and in particular those involved in the PCC Transition Programme.

9. Guidance

9.1 The Order is intended to speak for itself, but there may be a need to issue light-touch guidance to help ensure that all information is made as accessible and easily understood as possible.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 The impact on the public sector is minimal. The information required under these regulations is partly based on the information that police authorities publish at present, and much of it is information that elected local policing bodies would publish in any event in order to comply with the separate duty under section 11(3) of the 2011 Act (which requires the publication of information necessary for the public to assess the performance of the body). We would expect this additional transparency to drive efficiencies as public scrutiny is applied. Any additional costs that could be generated would be met from these savings in public expenditure.

10.3 An Impact Assessment has not been prepared for this instrument. The impact of requiring the publication of information by the new policing bodies is covered by the impact assessment that was prepared for the Act, which is available at <http://www.homeoffice.gov.uk/publications/about-us/legislation/police-reform-bill/>.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The replacement of police authorities with elected local policing bodies is a matter of significant interest to the Home Office – the impact of this Order will be monitored as part of the ongoing consideration of the success of the policy. It is not intended to have a separate formal process of review.

13. Contact

13.1 Oscar Ramudo at the Home Office Tel: 020 7035 4870 or email: oscar.ramudo2@homeoffice.gsi.gov.uk can answer any queries regarding the instrument.