

SCHEDULE 5

Modifications of police and crime commissioner enactments in their application to the Mayor

PART 2

Secondary legislation

Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012

52.—(1) The Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012⁽¹⁾ are modified as follows.

(2) In regulation 2—

(a) after the definition of “document”, insert—

““head of paid service” means the head of paid service designated by the Combined Authority under section 4(1)(a) of the Local Government and Housing Act 1989⁽²⁾;”;

(b) in the definition of “police and crime panel”, in paragraph (a), for “deputy police and crime commissioner” substitute “deputy mayor for policing and crime”;

(c) in the definition of “relevant office”, for paragraph (b) substitute—

“(b) deputy mayor for policing and crime;”.

(3) In regulation 7—

(a) for paragraph (1)(a), substitute—

“(a) the monitoring officer appointed by the Combined Authority under section 5(1)(a) of the Local Government and Housing Act 1989;”;

(b) in paragraph (2), omit “a chief executive or”;

(c) for paragraph (3), substitute—

“(3) Where the police and crime panel delegates powers or duties conferred or imposed by or under regulation 9 (notification and recording of complaints), 11 (notification and recording of conduct matters arising in civil proceedings) or 12 (recording of conduct matters in other cases) to the monitoring officer appointed by the Combined Authority, the monitoring officer shall notify the head of paid service of any complaint or conduct matter considered by the monitoring officer in accordance with those regulations.”.

(4) In regulation 15(3)(a), for “the office holder’s staff” substitute “staff deployed by the Combined Authority wholly or partly in relation to the Mayor’s PCC functions”.

(5) In regulation 28(1)—

(a) omit paragraph (a);

(b) for paragraph (b), substitute—

“(b) the deputy mayor for policing and crime who is not a member of the Combined Authority at the time when the complaint is recorded;”.

(6) For regulation 29, substitute—

(1) [S.I. 2012/62](#), to which there are amendments not relevant to this Order.

(2) [1989 c. 42](#).

“Resolution in accordance with the Combined Authority’s code of conduct

29.—(1) If a complaint to which this Part applies concerns the conduct of—

- (a) the Mayor; or
- (b) the deputy mayor for policing and crime who is a member of the Combined Authority at the time when the complaint is recorded,
the police and crime panel shall pass the complaint to the monitoring officer appointed by the Combined Authority under section 5(1)(a) of the Local Government and Housing Act 1989 (“the monitoring officer”).

(2) On receiving a complaint in accordance with paragraph (1), the monitoring officer shall deal with it in accordance with the Combined Authority’s code of conduct adopted under section 27(2) of the Localism Act 2011⁽³⁾.

(3) The monitoring officer shall as soon as practicable inform the police and crime panel of the outcome of the complaint.”.

(3) 2011 c. 20.