



LOCAL GOVERNMENT ACT 1972, PART IX

THE POLICE ACT 1996

**LIST OF POWERS AND DUTIES DELEGATED TO THE CHIEF
CONSTABLE AND OFFICERS OF THE AUTHORITY**

A. To the Chief Executive

1. Urgent matters to the Chief Executive in consultation with the Chair of the Authority and relevant committee.
2. Property matters of an operationally sensitive nature be dealt with by a Chief Officer (Head of Police Authority Support Unit) in consultation with the Chairman of the Authority, except under B8 & B9 below.

B. To the Chief Constable

1. The powers and duties of the Authority in relation to collaboration agreements with other Forces under S23 of the Police Act, 1996.
2. The powers and duties of the Authority in relation to the provision of mutual aid between Police Forces under S24 of the Police Act, 1996.
3. The powers and duties of the Authority to provide advice and assistance to international organisations under S26 of the Police Act, 1996.
4. The power to make awards for diligence under S31 of the Police Act, 1996.
5. The power and duties under the Police Regulations and the Police Pensions Regulations attached hereto.
6. To dispose of police houses in accordance with the Authority's approved scheme and to dispose of other property in consultation with the Director of Property Services and Standing Orders.
7. To grant consent, in consultation with the Director of Property Services and the Chief Executive as may be required, to enable a purchaser or lessee, of Police property, or their successors in title or assigns, to make alterations or additions to property on any such terms and conditions as may be deemed appropriate.
8. To accept proposed or revised rating assessments which are recommended for approval by the Authority's external consultants.
9. The determination of scales of charges for special services provided under S25 of the Police Act 1996, subject to the approval of the Treasurer in any particular case if less than full cost recovery is proposed and the sum concerned is in excess of £5,000.
10. All powers and discretions in respect of payments to and by police staff under all relevant regulations regarding pension contributions and pensionable pay, injury allowances, redundancies, early and ill health retirements, including flexible retirement under the Local Government Pension Scheme Regulations 1997 (as amended), the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 (as amended), the Local Government Pension Scheme (Administration) Regulations 2008 and the Local Government (Early Termination of Employment Discretionary Compensation) Regulations 2006, subject to:-"

- (a) the exercise of such powers being reported to the Authority at three monthly intervals and reports to include an indication of the financial and staffing implications for the Force; and
 - (b) the application for early retirement of a Chief Officer (Director) and those senior support staff whose posts are at Grade K and L (normally Heads of Departments) being retained by the Authority.
11. The discretions under Regulations 16 and 82 of the Local Government Pension Scheme (Administration) Regulations 2008, to accept applications to aggregate or transfer in previous pension rights into the Local Government Pension Scheme which are outside of the twelve month time limit.
 12. To make payments of Legal Protection Insurance premiums for Superintendent ranks.
 13. The Powers of the Police Authority under Section 67 of the Road Traffic Act 1988, as amended by the Road Traffic Act 1991, to appoint a person or persons for a police area under the directions of the Chief Officer of Police for the purposes of acting as an authorised examiner to carry out roadside tests of motor vehicles.”
 16. The Powers and duties of the Authority in relation to the engagement and dismissal of all police staff other than Directors of equivalent status to Assistant Chief Constables. Any appeals against dismissal of police staff will be considered by the Authority with the exception of appeals against dismissal from temporary employees or those dismissed during their probationary period.
 17. The Chief Constable shall have the power to settle ex-gratia claims for loss or damage (so far as they are not otherwise insured) of an individual value of upto £100.

C. To the Chief Constable and the Treasurer Jointly

1. The conduct and defence of any legal proceedings in any court or tribunal and, subject to the approval of the Chief Executive, in actions against the Authority, the settlement of civil claims.
2. In respect of the Assisted Car Purchase Scheme, to set the amount of the maximum advance to take account of future variations in vehicle prices.

D. To the Chief Executive and the Chief Constable Separately

1. The powers of the Authority to accept gifts of money or gifts of loans or other property subject to the approval of the Authority of any such individual item valued in excess of £100,000.

E. To the Chief Executive and Treasurer Jointly

1. The conduct and defence of any legal proceedings in any court or tribunal relating only to the Authority and the settlement of civil claims.

F. General

1. All officers may further delegate to any officer any power or duty delegated to him by the Authority.
2. Any officer can decline to exercise these delegated powers in particular circumstances and refer any such matter to the Authority for decision or approval.

POLICE PENSIONS REGULATIONS 1987

DISCRETIONARY POWERS OF POLICE AUTHORITY

<u>Regulation</u>		<u>Description</u>
A11	Injury on duty	Determining whether the injury should be treated as one received because the officer was known to be a police constable
A19	Compulsory retirement in interest of efficiency of the Force	Authority requires officer to retire who has 30 years service.
A20	Retirement on grounds of disablement <u>**See Note Below**</u>	Authority requires officer to retire due to disablement.
C3(1)	Widows augmented award	Augmenting award in certain circumstances where a police officer dies after an injury received on duty
C9(1) & (2)	Reinstatement of Widows Pension and Gratuity	Where a re-marriage ends a widow may apply for reinstatement of widow's pension and gratuity.
D5(5) D8(b)	Childs Awards	Payment of child's pension after age 19.
E1(2)	Adult Dependants	Payment of special pension in case of death due to injury on duty.
E2(2)	Adult Dependants	Payment of Gratuity in case of death due to an injury on duty.
E4(2+3)	Widows Pension	Payment of Gratuity in lieu of pension commutation of annual pension.
E5(2+3)	Childs Pension	Payment of Gratuity in lieu of pension.
E6(2)	Gratuity in Lieu of Pension	Limitation on amount of gratuity.
F5(1+2)	Previous Pensionable Service	Reckoning of previous service with another Police Force.

F6(3)	Previous Pensionable Service	Reckoning of previous service - other pension schemes.
F7(1) (c+e) (2) (c)	Time Limits - Previous Service	Extension of time limits for transferring previous service.
F8(2)	Transfer Values payable between Police Authorities	Calculation of Transfer Value where only past service counts.
F9(3)	Payment of Transfer Value to another scheme	Conditions for payment.
F9(1)(c)	Time Limits - Transfer Value payable to other scheme	Extension of time limit for application to transfer police service.
H1	Referral to Medical Practitioner <u>**See Note Below**</u>	Refer officers to a qualified medical practitioner.
Regulation H2 – Schedule H – part 8	Medical Appeals	Reclaiming Expenses in cases where the appointed medical Referee finds in favour of the Authority
I2(3+4)	Awards to Servicemen	Payment of awards where officer is disabled after service in the Armed Forces.
I3(3+5)	Awards on Death of Servicemen	Payment of awards on death during Armed Forces service or relating to such service.
I5	Awards to Ex-Servicemen who resume police service.	Payment of awards on death or disablement - no loss of benefit.
K1+2	Cancellation of ill health and injury pensions.	Pensioner resumed health and is fit for police duties - option to resume.
K4(1)	Withdrawal of pension	Where pensioner is in receipt of a pension and resumes police service.

** **The scope of this delegation does not extend to consideration of matters relating to the possible medical retirement of an officer of ACPO rank.**

Police Regulations 2003

These Regulations (which extend to England and Wales) replace the Police Regulations 1995. The Police Regulations 1995 are now revoked in accordance with Part 1 of Schedule 4 (“the 1995 Regulations”)

- 10(d) **Qualifications for appointment to a police force**
Approval of registered medical practitioners certifying appointments.
- 14(a) **Retirement**
Receipt of written notice from officer who intends to retire
- 22(3b) **Duty**
Fixing of limits on the amount of the expenses which may be reimbursed in respect of travelling time
- 24 (1a) **Pay**
Functions in relation to the pay above the rank of Chief Superintendent
- 30
(Annex P) **Fixing of pay day and calculation of monthly, weekly and daily pay**
Fixing of intervals at which police officers are to be paid
- 33 (1) **Leave**
Determination of the annual leave year
- 33(6)
(Annex P) **Leave**
Management of sick leave in respect of self certification, and appointment and approval of medical practitioners.
- 34(1) **Allowances**
Functions in relation to the calculation of an allowance
- Schedule 2
Annex U Approval of insurance terms required by officers in receipt of a motor vehicle allowance.
- 35 (2) **Expenses**
Functions specifying conditions subject to which expenses are to be reimbursed.
- Annex V(2) Determine the payment of removal expenses when a police officer moves home due to the exigencies of duty or voluntarily transfers to another force.
- 45 **Issue of uniform and equipment**
Determination of uniform and equipment issued to officers in the rank of Inspector and above.

POLICE (INJURY BENEFIT) REGULATIONS 2006

Regulation

Description

6(2)	Injury on duty	Determining whether the injury should be treated as one received because the officer was known to be a police constable
7	Disablement	Refusal of person to receive appropriate medical treatment
14	Adult survivors augmented award	Entitlement to award where a police officer dies after an injury received on duty
16	Termination of adult survivors award	Where a remarriage ends a widow may apply for reinstatement of widows special pension or gratuity
19	Child's special allowance	Payment of child's allowance after age 19
20	Adult dependant's special pension	Payment of special pension in case of death due to injury on duty.
21	Death Gratuity	Payment of Gratuity in case of death due to an injury on duty
24	Gratuity in Lieu of pension	Limitation on amount of gratuity
25	Childs pension	Payment of gratuity in lieu of child's pension
30	Reference of medical questions	Refers officers to a medical practitioner
31	Medical Appeal	Appeal against the decision of a Medical practitioner
32	Further reference to a medical authority	Referral of a medical decision for reconsideration

33	Refusal to be medically examined	Medical decision where person refuses to be examined.
39	Withdrawal of pension	Where a pensioner is in receipt of an injury pension and resumes police service.
43	Payment of awards	Timing of pension payments
44	Payment of beneficiary awards	Payment to person other than beneficiary
Schedule 6	Medical Appeals	Timing of and payment of expenses and fees

POLICE PENSION REGULATIONS 2006

Regulation

Description

6.	Application of regulations	Extension of opting-out period
8.	Eligibility for pension membership	Determination of pension contribution rate
9.	Medical examination requirement	Medical requirement for re-joiners to the pension scheme
13	Previous service reckonable on payment	Extension of election period beyond 6 months
18.	Voluntary retirement	Period of notice required
19	Compulsory retirement	Postponement of date
20	Compulsory retirement in interest the Force	Officer required to retire efficiency of on completion of 35 years service.
21	Retirement on grounds of disablement	Officer required to retire on grounds of disablement
40	Partners pension	Required period of cohabitation.
41	Adult survivor's pension	Withholding of pension
44	Death Gratuities – dependants of leavers	Payment of gratuity to a dependant
46	Death Grant- dependants of serving officers	Payment of grant to a dependant or Estate
51	Review and cancellation of ill health pensions	Periodic review of such pensions
52	Withdrawal of pension	Where a pensioner is in receipt of a pension and resumes police service
54	Withdrawal of early payment of deferred pension	Where officer ceased to serve under the Conduct Regulations

57	Purchase of increased benefits	Medical requirement and discontinuance of contributions
62	Commutation of ill health pension payable to pension credit member	Commutation of pension in case of terminal illness
63	Death Gratuity – pension credit member	Payment of death gratuity to next-of-kin
70	Appeal against eligibility for pension membership	Time limit for appeal
72	Appeal to board of medical referees'	Time limit for appeal
74	Medical Appeals	Payment of expenses and fees
75	Refusal to be medically examined	Determination of appeal
78	Payment of Transfer Values on leaving	Time limit for application
80	Receipt of Transfer Values	Time limit for payment
82	Payment and duration of awards	Timing of pension payments
83	Payment of beneficiary awards	Payment to person other than beneficiary
Schedule 3		
1.	Transfer election to join New Scheme	Extension of election period