



Police Reform and Social Responsibility Act 2011

2011 CHAPTER 13

PART 1

POLICE REFORM

CHAPTER 1

POLICE AREAS OUTSIDE LONDON

1 Police and crime commissioners

- (1) There is to be a police and crime commissioner for each police area listed in Schedule 1 to the Police Act 1996 (police areas outside London).
- (2) A police and crime commissioner is a corporation sole.
- (3) The name of the police and crime commissioner for a police area is “the Police and Crime Commissioner for” with the addition of the name of the police area.
- (4) The police and crime commissioner for a police area is to be elected, and hold office, in accordance with Chapter 6.
- (5) A police and crime commissioner has—
 - (a) the functions conferred by this section,
 - (b) the functions relating to community safety and crime prevention conferred by Chapter 3, and
 - (c) the other functions conferred by this Act and other enactments.
- (6) The police and crime commissioner for a police area must—
 - (a) secure the maintenance of the police force for that area, and
 - (b) secure that the police force is efficient and effective.

Status: This is the original version (as it was originally enacted).

- (7) The police and crime commissioner for a police area must hold the relevant chief constable to account for the exercise of—
- (a) the functions of the chief constable, and
 - (b) the functions of persons under the direction and control of the chief constable.
- (8) The police and crime commissioner must, in particular, hold the chief constable to account for—
- (a) the exercise of the duty under section 8(2) (duty to have regard to police and crime plan);
 - (b) the exercise of the duty under section 37A(2) of the Police Act 1996 (duty to have regard to strategic policing requirement);
 - (c) the exercise of the duty under section 39A(7) of the Police Act 1996 (duty to have regard to codes of practice issued by Secretary of State);
 - (d) the effectiveness and efficiency of the chief constable's arrangements for co-operating with other persons in the exercise of the chief constable's functions (whether under section 22A of the Police Act 1996 or otherwise);
 - (e) the effectiveness and efficiency of the chief constable's arrangements under section 34 (engagement with local people);
 - (f) the extent to which the chief constable has complied with section 35 (value for money);
 - (g) the exercise of duties relating to equality and diversity that are imposed on the chief constable by any enactment;
 - (h) the exercise of duties in relation to the safeguarding of children and the promotion of child welfare that are imposed on the chief constable by sections 10 and 11 of the Children Act 2004.
- (9) The police authorities established for police areas under section 3 of the Police Act 1996 are abolished.
- (10) Schedule 1 (police and crime commissioners) has effect.

2 Chief constables

- (1) Each police force is to have a chief constable.
- (2) The chief constable of a police force is to be appointed, and hold office, in accordance with—
- (a) section 38, and
 - (b) the terms and conditions of the appointment.
- (3) A police force, and the civilian staff of a police force, are under the direction and control of the chief constable of the force.
- (4) A chief constable has the other functions conferred by this Act and by other enactments.
- (5) A chief constable must exercise the power of direction and control conferred by subsection (3) in such a way as is reasonable to assist the relevant police and crime commissioner to exercise the commissioner's functions.
- (6) Subsection (3) is subject to any provision included in a collaboration agreement (see section 22A of the Police Act 1996).

- (7) Schedule 2 (chief constables) has effect.
- (8) In this section “police force” means the police force for a police area listed in Schedule 1 to the Police Act 1996 (see section 2 of that Act).