



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;

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- (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.

- (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) 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”.

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.”

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

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- (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.”