



# Police Reform and Social Responsibility Act 2011

## 2011 CHAPTER 13

### PART 1

#### POLICE REFORM

#### CHAPTER 7

##### OTHER PROVISIONS RELATING TO POLICING AND CRIME AND DISORDER

##### *Policing in England and Wales*

#### **89 Collaboration agreements**

- (1) The Police Act 1996 is amended in accordance with subsections (2) and (3).
- (2) After section 22 insert—

##### **“22A Collaboration agreements**

- (1) A collaboration agreement may be made by—
  - (a) two or more policing bodies; or
  - (b) the chief officers of police of one or more police forces and two or more policing bodies.
- (2) A collaboration agreement is an agreement containing one or more of the following—
  - (a) provision about the discharge of functions of members of a police force (“force collaboration provision”);
  - (b) provision about support by a policing body for another policing body (“policing body collaboration provision”);

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- (c) provision about support by a policing body for the police force which another policing body is responsible for maintaining (“policing body & force collaboration provision”).
- (3) A collaboration agreement may not contain force collaboration provision unless the parties to the agreement consist of, or include,—
  - (a) the chief officer of police of each police force to which the provision relates, and
  - (b) the policing body that is responsible for maintaining each such police force.
- (4) A collaboration agreement may not contain policing body collaboration provision unless the parties to the agreement consist of, or include, each policing body to which the provision relates.
- (5) A collaboration agreement may not contain policing body & force collaboration provision unless the parties to the agreement consist of, or include—
  - (a) the policing body, or each policing body, to which the provision relates;
  - (b) the chief officer of police of the police force, or each police force, to which the provision relates; and
  - (c) the policing body that is responsible for maintaining each such police force.
- (6) Subsection (1) does not prevent other persons from being parties to collaboration agreements.
- (7) Subsection (2) does not prevent a collaboration agreement from including other kinds of provision.
- (8) For the purposes of subsections (3) and (5), the circumstances in which force collaboration provision, or policing body & force collaboration provision, is to be taken to relate to a police force include the cases where provision relates—
  - (a) to functions of a kind which are or may be exercisable by members of that police force, or
  - (b) to the police area for which that police force is established.
- (9) For the purposes of subsections (4) and (5), the circumstances in which policing body collaboration provision, or policing body & force collaboration provision, is to be taken to relate to a policing body include the cases where provision relates—
  - (a) to functions of a kind which are or may be exercisable by that policing body or members of the staff of that body, or
  - (b) to the police area for which that policing body is established.

### **22B Duty of chief officers to keep collaboration agreements under review**

- (1) The chief officer of police of a police force must keep under consideration the ways in which the collaboration functions could be exercised by the chief officer and by one or more other persons to improve the efficiency or effectiveness of—
  - (a) that police force, and

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- (b) one or more other police forces.
- (2) If the chief officer considers that there is a particular way in which the collaboration functions could be so exercised by the chief officer and by one or more other particular persons (“the proposed collaboration”), the chief officer must notify those other persons (the “proposed partners”) of the proposed collaboration.
  - (3) The chief officer, and the proposed partners notified under subsection (2) (the “notified proposed partners”), must consider whether to exercise the collaboration functions to give effect to the proposed collaboration.
  - (4) In considering whether to so exercise the collaboration functions, the chief officer and the notified proposed partners must consider whether the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more police forces.
  - (5) Subsection (6) applies if all, or two or more, of—
    - (a) the chief officer, and
    - (b) the notified proposed partners,
 (the “agreeing parties”) are of the view that the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more police forces (if the agreeing parties were to exercise the collaboration functions to give effect to the proposed collaboration, or to give effect to it so far as it relates to them).
  - (6) The agreeing parties must exercise the collaboration functions so as to give effect to the proposed collaboration or to give effect to it so far as it relates to them.
  - (7) In this section “collaboration functions” means functions of chief officers of police or policing bodies under any of sections 22A to 23I (apart from this section).

### **22C Duty of policing bodies to keep collaboration agreements under review**

- (1) A policing body must keep under consideration the ways in which the collaboration functions could be exercised by the policing body and by one or more other persons to improve—
  - (a) the efficiency or effectiveness of—
    - (i) that policing body,
    - (ii) the police force which that policing body is responsible for maintaining, or
    - (iii) that body and that force, and
  - (b) the efficiency or effectiveness of one or more other policing bodies and police forces.
- (2) If the policing body considers that there is a particular way in which the collaboration functions could be so exercised by the policing body and by one or more other particular persons (“the proposed collaboration”), the policing body must notify those other persons (the “proposed partners”) of the proposed collaboration.

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- (3) The policing body, and the proposed partners notified under subsection (2) (the “notified proposed partners”), must consider whether to exercise the collaboration functions to give effect to the proposed collaboration.
  - (4) In considering whether to so exercise the collaboration functions, the policing body and the notified proposed partners must consider whether the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more policing bodies or police forces.
  - (5) Subsection (6) applies if all, or two or more, of—
    - (a) the policing body, and
    - (b) the notified proposed partners,
 (the “agreeing parties”) are of the view that the proposed collaboration would be in the interests of the efficiency or effectiveness of one or more policing bodies or police forces (if the agreeing parties were to exercise the collaboration functions to give effect to the proposed collaboration, or to give effect to it so far as it relates to them).
  - (6) The agreeing parties must exercise the collaboration functions so as to give effect to the proposed collaboration, or to give effect to it so far as it relates to them.
  - (7) In this section “collaboration functions” means functions of policing bodies or chief officers of police under any of sections 22A to 23I (apart from this section).”.
- (3) After section 23F insert—

**“23FA Police functions that must be the subject of force collaboration provision**

- (1) The Secretary of State may, by order, require a specified police function to be exercised in relation to—
  - (a) all police areas, or
  - (b) all police areas apart from any specified in the order,
 in accordance with police collaboration provision.
- (2) An order under this section may specify whether the specified police function is required to be exercised in relation to the specified police areas in accordance with police collaboration provision contained in—
  - (a) a single collaboration agreement which relates to all of those police areas, or
  - (b) a number of collaboration agreements which, between them, relate to all of those police areas.
- (3) Provision under subsection (2)(b) need not specify a particular number of collaboration agreements.
- (4) A statutory instrument containing an order under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

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(5) If, but for this subsection, an instrument containing an order under this section would be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, it is to proceed in that House as if it were not a hybrid instrument.

(6) In this section “specified” means specified in an order under this section.”.

(4) Schedule 12 (collaboration agreements) has effect.

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**Commencement Information**

**II** S. 89 in force at 16.1.2012 by [S.I. 2011/3019](#), art. 3, [Sch. 1](#)

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