
STATUTORY INSTRUMENTS

2011 No. 3050

POLICE, ENGLAND AND WALES

**The Elected Local Policing Bodies
(Specified Information) Order 2011**

Made - - - - *20th December 2011*
22nd December
Laid before Parliament *2011*
Coming into force - - *16th January 2012*

The Secretary of State makes the following Order in exercise of the powers conferred by section 11(2) of the Police Reform and Social Responsibility Act 2011⁽¹⁾.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Elected Local Policing Bodies (Specified Information) Order 2011 and comes into force on 16th January 2012.

(2) In this Order—

“the 2011 Act” means the Police Reform and Social Responsibility Act 2011;

“election” means—

- (a) where the elected local policing body is a police and crime commissioner, an election held under section 50 of the 2011 Act; and
- (b) where the elected local policing body is the Mayor’s Office for Policing and Crime, an election held under section 16 of the Greater London Authority Act 1999⁽²⁾;

“relevant office holder” means—

- (a) where the elected local policing body is a police and crime commissioner, the commissioner and any deputy police and crime commissioner appointed by the commissioner; and
- (b) where the elected local policing body is the Mayor’s Office for Policing and Crime, the Mayor of London and any Deputy Mayor for Policing and Crime appointed by the Mayor;

“senior employee” means a member of the staff of an elected local policing body whose salary exceeds £58,200; and

(1) 2011 c. 13.
(2) 1999 c. 29.

“staff”, where the elected local policing body is a police and crime commissioner, does not include a deputy police and crime commissioner appointed by the commissioner.

Specified information

2.—(1) For the purposes of section 11(1) of the Police Reform and Social Responsibility Act 2011, the Secretary of State specifies—

- (a) the information set out in Part 1 of the Schedule; and
 - (b) the times of publication set out in Part 2 of the Schedule.
- (2) Nothing in this Order applies to information if publication of that information—
- (a) would, in the view of the chief officer of police, be against the interests of national security;
 - (b) might, in the view of the chief officer of police, jeopardise the safety of any person;
 - (c) might, in the view of the chief officer of police, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders, or the administration of justice; or
 - (d) is prohibited by or under any enactment.

Home Office
20th December 2011

Nick Herbert
Minister of State

SCHEDULE

Article 2

PART 1 – INFORMATION

1. In relation to the relevant office holders of the elected local policing body—
 - (a) the name of each relevant office holder;
 - (b) the address for correspondence of each relevant office holder;
 - (c) the salary of each relevant office holder;
 - (d) the allowances paid to each relevant office holder in respect of expenses incurred by the office holder in the exercise of the body’s functions;
 - (e) a register of interests of relevant office holders, including every paid employment or office or other pecuniary interest of each relevant office holder.
 - (f) the number of complaints or conduct matters that have been brought to the attention of a relevant office holder by the police and crime panel (either because they have been referred to the Independent Police Complaints Commission, or because they are being subjected to informal resolution by the panel).
2. In relation to the staff (and, in relation to gifts and hospitality, also the relevant office holders) of the elected local policing body—
 - (a) the number of members of the staff;
 - (b) the proportion of the staff who—
 - (i) are women,
 - (ii) are, to the knowledge of the elected local policing body, members of an ethnic minority,
 - (iii) have, to the knowledge of the elected local policing body, a disability (within the meaning of section 6 of the Equality Act 2010⁽³⁾);
 - (c) an organisational chart showing the structure of the staff;
 - (d) the job title, responsibilities and salary of each senior employee and (unless the senior employee refuses to consent to the publication of his name) the name of the senior employee;
 - (e) a register of each offer of a gift or hospitality made to a relevant office holder or member of staff, indicating whether the offer was accepted or refused.
3. In relation to the income and expenditure of the elected local policing body—
 - (a) the total budget of the elected local policing body;
 - (b) where the elected local policing body is a police and crime commissioner, the precept issued by the commissioner;
 - (c) information as to each anticipated source of revenue of the elected local policing body (other than, in the case of a police and crime commissioner, the precept);
 - (d) information as to the proposed expenditure of the elected local policing body;
 - (e) a copy of the annual investment strategy of the elected local policing body;
 - (f) information as to each crime and disorder reduction grant made by the elected local policing body, including the conditions (if any) attached to the grant, the recipient of the grant, the purpose of the grant and the reasons why the body considered that the grant would secure, or contribute to securing, crime and disorder reduction in the body’s area;

(3) 2010 c. 15.

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- (g) information as to each item of expenditure of the elected local policing body exceeding £500 (other than a crime and disorder reduction grant), including the recipient of the funds, the purpose of the expenditure and the reasons why the body considered that good value for money would be obtained.
4. In relation to the property, rights and liabilities of the elected local policing body—
 - (a) the identity of any premises or land owned by, or occupied for the purposes of, the elected local policing body;
 - (b) a copy of each contract with a value exceeding £500 to which the elected local policing body is or is to be a party;
 - (c) a copy of each invitation to tender issued by the elected local policing body in relation to a contract which the body expects will have a value exceeding £500.
 5. In relation to the decisions of the elected local policing body—
 - (a) the date, time and place of each public meeting to be held by the elected local policing body;
 - (b) a copy of the agenda for each public meeting held by the elected local policing body, and any report or other document that is the subject matter of an item on the agenda;
 - (c) a copy of the minutes of each public meeting held by the elected local policing body, and of each meeting which is not a public meeting but at which matters of significant public interest arising from the exercise of the body's functions are discussed.
 - (d) a record of each decision of significant public interest arising from the exercise of the elected local policing body's functions, whether made by the body at or as a result of a meeting or otherwise.
 6. In relation to the policies of the elected local policing body—
 - (a) a statement of the policy of the elected local policing body in relation to the conduct of relevant office holders, including procedures for the handling of qualifying complaints and conduct matters (within the meaning of section 31 of the 2011 Act);
 - (b) a statement of the policy of the elected local policing body in relation to the making of decisions of significant public interest arising from the exercise of the body's functions;
 - (c) a statement of the policy of the elected local policing body in relation to records management, including procedures for the security and sharing of information and the retention and destruction of documents;
 - (d) a statement of the policy of the elected local policing body in relation to the handling of qualifying disclosures (within the meaning of section 43B of the Employment Rights Act 1996(4)).
 7. In relation to the prevention of crime and disorder, a copy of any report required by the elected local policing body from the responsible authorities for a local government area under section 7(1) of the Crime and Disorder Act 1998(5).
 8. In relation to the independent custody visitors appointed under arrangements made by the elected local policing body under section 51 of the Police Reform Act 2002, the identity of each person appointed.

(4) 1996 c. 18. Section 43B was inserted by section 1 of the Public Interest Disclosures Act 1998 (c. 23).

(5) 1998 c. 37. Section 7 is amended by Schedule 11 to the 2011 Act.

PART 2 – TIMES OF PUBLICATION

9. The information specified in the following provisions is to be published as soon as practicable after an election, and shall be reviewed each year thereafter and any variation published—

- (a) paragraph 1(a) to (c);
- (b) paragraph (2)(d);
- (c) paragraph (4)(a);
- (d) paragraph 6.

10. The information specified in paragraph 3(a) to (e) is to be published in respect of each financial year, before the beginning of the financial year to which it relates.

11. The information specified in paragraph 1(f) is to be published in respect of each financial year, as soon as practicable after the end of the financial year to which it relates.

12. The information specified in paragraph 2(a) to (c) is to be published as soon as practicable after an election, and shall be reviewed every six months thereafter and any variation published.

13. The information specified in the paragraphs 1(d) and 8 is to be published quarterly, as soon as practicable after the end of the quarter to which it relates—

- (a) paragraph 1(d); and
- (b) paragraph 8;

14. The information specified in paragraph 3(f) and (g) is to be published each month, as soon as practicable after the end of the month to which it relates.

15. The information specified in paragraphs 1(e) and 2(e) is to be published as soon as practicable after an election, and any variation is to be published as soon as practicable after it becomes known to the elected local policing body.

16. The information specified in the following provisions is to be published as soon as practicable after it becomes available to the elected local policing body—

- (a) paragraph 4(b) and (c);
- (b) paragraph 5;
- (c) paragraph 7.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies information that must be published by elected local policing bodies, and the time of publication of that information.

An elected local policing body is, in relation to a police area in England and Wales outside London, the police and crime commissioner established under section 1 of the Police Reform and Social Responsibility Act 2011 and, in relation to the metropolitan police district, the Mayor's Office for Policing and Crime.

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Article 2(2) of the Order has the effect that information that would otherwise be specified information but the publication of which would be harmful on various grounds, or would be contrary to any enactment, does not have to be published.