

**POWERS DELEGATED BY
LEICESTERSHIRE POLICE AUTHORITY
TO IT'S OFFICERS**

Nb. Delegations to officers that would last less than 6 months do not appear here.

**CHIEF EXECUTIVE AND MONITORING OFFICER
DELEGATIONS AND APPOINTMENTS**

PROPER OFFICER APPOINTMENTS:	
POCX1	Appointment as proper officer for: s. 100B, C and F Local Government Act 1972 (access to information duties concerning inspection of reports and minuting) s. 229(5) LGA72 (certifying copy documents) s. 234(1) LGA72 (authenticating documents) sched 12 para 4(2)(b) signing summons to authority meeting) sched.12 para 4(3) receipt of address to which meeting summons be sent) s41 LGMPA76 (certification of minutes)
POCX2	Monitoring Officer in legislation (Local Government and Housing Act 1989 and Local Government Act 2000).
GENERAL POWERS:	
GPCX1	The Members' Allowances Scheme contains powers exercisable by the Chief Executive.
GPCX2	The Financial Regulations contain powers exercisable by the Chief Executive.
GPCX3	The Procedural Standing Orders contain powers exercisable by the Chief Executive.
GPCX4	The Contract Standing Orders contain powers exercisable by the Chief Executive.
GPCX5	Take any action incidental to, or to give effect to, decisions taken by the Authority.
GPCX6	In consultation with the Chairman, respond to issues in respect of which the Authority is a consultee
GPCX7	In consultation with the Chairman, instruct counsel or solicitors.
GPCX8	Keep any statutory register within his/her sphere of responsibility.
GPCX9	Incur normal expenditure up to the limit of provision within budgets under his/her control, subject to compliance with Contract Standing Orders and Financial Regulations.
GPCX10	Invite and accept tenders or quotations for contracts, subject to compliance with Contract Standing Orders and Financial Regulations.
GPCX11	Authorise another officer to exercise his/her delegated powers (except this one).

SPECIFIC POWERS:	
SPCX1	In consultation with the Engagement Group, finalise content of the Authority's statutory publications.
SPCX2	In consultation with Chairman, agree member conference attendance in accordance with criteria set out below.
SPCX3	Take any necessary steps on behalf of the Authority as data controller pursuant to the Data Protection Act 1998.
SPCX4	Modify the list of politically restricted posts and give any certificate of opinion under s.3 Local Government and Housing Act 1989.
SPCX5	In consultation with Chairman, approve attendance of lay visitors at conferences.
SPCX6	In consultation with Chairman, agree the subject matter for Members' Discussion Days.
SPCX7	In consultation with Chairmen of Police Authority and People & Organisational Development Group, select Appointments Committee for ACPO appointments.
SPCX8	In consultation with Chairman make nominations for APA Policy and Network meetings, external appointments and in-year appointments through change of membership.
SPCX9	In consultation with Chairman and Chief Constable, any urgent decision concerning a forfeiture of police pension case.
SPCX10	Fix fees for copies of documents.
SPCX11	In consultation with Chairman, agree changes of membership of committees or panels where members wish to swap with each other.
SPCX12	Various Police Pension delegations to Chief Executive, CC and HRD (see criteria below).
SPCX13	In consultation with the Chief Constable and the Authority member of the relevant CDRP, power to take steps required of the Police Authority under sections 19-22 of the Police and Justice Act 2006.
SPCX14	In consultation with Chairman of the Professional Standards Committee decide any administrative issues arising from appeals to a Police Appeals Tribunal.
SPCX15	In consultation with Chairman of the Standards Committee decide that an allegation falls outwith the Standards Committee's remit if appropriate.
SPCX16	Revise from time to time the 'Protocol for Handling Complaints of Member Misconduct'.
SPCX17	Make temporary or acting ACPO appointments in consultation with Chairman.
SPCX18	Appoint Standards Committee Lay Members on a temporary basis.

SPCX19	Appoint Lay Misconduct Members on a temporary basis.
SPCX20	Keep Freedom of Information Scheme up to date.
SPCX21	In consultation with Chairman, appoint Members to Force Boards and Groups and create or alter lead roles for members and appoint to those positions.
SPCX22	In consultation with Chairman of the Authority and Chairman of People & Organisational Development Group, decide honoraria payments to Secretariat staff.
SPCX23	In consultation with the Chairman and Treasurer, approve any relocation expenses incurred by ACPO officers within the limits set out in the Leicestershire Police Authority Scheme.
SPCX24	In consultation with the Chairman identify decision making powers to special committees and the appointment of members to serve on those committees.

TREASURER DELEGATIONS

SPT1	The Contract Standing Orders contain powers exercisable by the Treasurer.
SPT2	The Financial Regulations contain powers exercisable by the Treasurer.
SPT3	Make "stage 2 decisions" pursuant to the Police Pensions internal disputes resolutions procedure.
SPT4	Take steps to provide adequate and effective internal audit for the Authority.
SPT5	Sign bank mandates for the Authority.
SPT6	With the Force Finance Director, operate transfer of funds and deal with transactions re East Midlands Special Operations Unit.
SPT7	With the Force Finance Director, jointly sign letters of authority to the Authority's bank.
SPT8	In consultation with the Co-ordination & Change Group make alterations to the committee structures.

CHIEF CONSTABLE DELEGATIONS

CC1	The Contract Standing Orders contain powers exercisable by the Chief Constable.
CC2	The Financial Regulations contain powers exercisable by the Chief Constable and force officers.
CC3	Deal with the appeals against Force Medical Officer's findings relating to ill-health and injury pensions (in particular the Protocol for the Management of Ill-Health for Police Officers contains delegated powers).

CC4	All powers of the Authority under the Police Property Regulations 1997 (disposing of property coming into possession of police) and distribute resultant fund in accordance with, as far as possible, the policing objectives for that year.
CC5	Enter sponsorship agreements in accordance with policy, subject to six-monthly reporting to the Authority.
CC6	Responsibility for all aspects of police support staff within his direction and control, save appeals for dismissal.
CC7	All the Chief Constable's property delegations are set out in Table 1 below.
CC8	Various Police Pension delegations to Chief Executive, Chief Constable and Human Resources Director (see below).
CC9	All powers of the Authority except those delegated to Treasurer or Chief Executive and except the following: <ul style="list-style-type: none"> (i) agreement of the contents of the local policing plan; (ii) determination of local objectives and the monitoring of performance; (iii) agreement of the contents of the annual report; (iv) appointment and remuneration of Chief Officers; (v) consideration of formal complaints against, and the discipline of, Chief Officers; (vi) acting as an appeal body for dismissals of police support staff; (vii) publication of performance indicators as required by the Local Government Act 1992; (viii) determining the annual revenue and capital budgets, including the setting of the precept; (ix) agreeing and monitoring the effectiveness of the community consultative arrangements; (x) consideration of reports by the internal and external auditors; (xi) consideration of reports by Her Majesty's Inspector of Constabulary; (xii) keep themselves informed of the manner in which complaints from members of the public against members of the Force, are dealt with; (xiii) the Authority's role under the Crime and Disorder Act 1998.
CC10	Approve erection of telegraph poles on land owned by Police Authority and terms of wayleave agreements.
CC11	Delegate to Chief Constable appeals against declined career breaks [minute 49/09 HRC].

OTHERS' DELEGATIONS

FFD1	Force Finance Director (FFD) - the Contract Sanding Orders contain powers exercisable by the FFD.
FFD2	Force Finance Director (FFD) - the Financial Regulations contain powers exercisable by the FFD.
HRD1	Various Police Pension delegations to Chief Executive, Chief Constable and Human Resources Director see below.

TABLE 1: Showing which property decisions are to be taken by the Police Authority or by the Chief Constable (“CC”) on its behalf

Criteria for CC7	In the CC’s view, urgent	In the CC’s view, not urgent
Sale of land or buildings	CC, provided the matter is reported to the Authority as soon as practicable	Police Authority
Purchase of land or buildings	CC, provided the matter is reported to the Authority as soon as practicable	Police Authority
acquisition of any interest in land or buildings (including lease, right of way, right to enter etc.) where the term is 3 years or more	CC, provided the matter is reported to the Authority as soon as practicable	Police Authority
Grant of any interest in land or buildings (including lease, right of way, right to enter etc.) where the term is 3 years or more	CC, provided the matter is reported to the Authority as soon as practicable	Police Authority
acquisition of any interest in land or buildings (including lease, right of way, right to enter etc) where the term is less than 3 years	CC	CC
Grant of any interest in land or buildings (including lease, right of way, right to enter etc) where the term is less than 3 years	CC	CC
Property management of any sort (other than indicated elsewhere in this table)	CC	CC
Sale of Police Houses	CC	CC
Approve leases of 10 years or less regarding aerial masts	CC	CC

Criteria for SPCX2 – Conference attendance
<ol style="list-style-type: none"> 1. In order to achieve best value, it will normally be appropriate to limit the attendance at an event to 1 or 2 members. 2. However there may be events that justify several members attending. One example would be where the topic is specifically suited to circumstances likely to be utilised in the near future. 3. Although the Chairman and Vice-Chairman of the Authority and Chairman of the principal Committees will need to keep abreast of issues within their fields of expertise, other members should be afforded the opportunity to attend relevant events. 4. Cost of the course or conference, and likely travel and subsistence costs, will be taken into account in determining whether or not to send members as delegates. 5. All members shall feed back any information from courses and conferences to the rest of the Police Authority, in the form of a written report.

6. The Chief Executive shall maintain records of conferences and courses attended for evaluation purposes.
7. The following conferences shall normally be attended by members:
- APA/ACPO Summer Conference
 - APA Annual Conference
 - Standards Board Annual Conference
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Criteria for SPCX12, CC8 and HRD1 – various delegations under the Police Pensions Regulations 1987

Regulation	Brief description	Delegate to
A11	If the Police Authority is of the opinion that a medical condition/injury is one that should be treated under regulation A11(2) (determining injury caused in line of duty).	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
A12	A12 deals with the definition of permanent disability. A person is assumed to receive normal medical treatment but normal treatment does not include treatment the Police Authority thinks reasonable for officer to refuse.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
A18	An officer reaching a certain age can be made to retire from the Force unless Police Authority agrees to postpone retirement for up to 5 years (only ACPO rank).	People & Organisational Development Group.
A19	Regulation A19(1) lets police officer below ACPO rank who would be required to retire and thereby receive $\frac{2}{3}$ available pensionable pay. Police Authority can determine that retention is not in interests of efficiency and retire them.	People & Organisational Development Group
A20	If officer is permanently disabled, Police Authority can require him/her to retire.	Chief Constable and Human Resources Director.
B1	Officer gets an ordinary pension on retirement. There are exceptions but the Police Authority can agree that the exception shall not apply if certain conditions exist.	Chief Constable
B8	If pension is small, Police Authority may commute to a gratuity.	Chief Constable
B9	B9 gives officer power to allocate part of pension to another (eg spouse). This sub-para refers to dependant who Police Authority are satisfied is dependent and Police Authority must be satisfied of officer's good health.	Chief Constable.

C3	Officer's widow gets augmented award in some circumstances including where officer died on duty being attacked. Police Authority have discretion to deem circumstances of death as within those special guidelines giving rise to the augmented award.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
C9	Widow who re-marries loses pension but Police Authority have power to reinstate it where widow is separated or widowed again.	Panel of 3 members drawn from People & Organisational Development Group.
D5	Child's award can be excluded if child is 19 years old in some circumstances. Police Authority have discretion to overturn that and award it anyway.	Panel of 3 members drawn from People & Organisational Development Group.
E1	Discretion to grant special pension to any relative of officer who was dependent on officer at time of officer's death.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
E2	Discretion to grant gratuity to any relative of officer who was dependent on officer at time of officer's death.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
E4	Discretion to commute part of a pension for a gratuity.	Chief Constable
E4	If annual widow's pension does not exceed £260, Police Authority may commute for gratuity.	Chief Constable
E5	Discretion to commute child's allowance (or part) for a gratuity.	Chief Constable
F6	F6 deals with officers with previous reckonable service. Police Authority can decide that some alternative rules apply.	Chief Constable
F7	Where officer transfers, 12 month gaps can have an effect on entitlement. Police Authority and former employing police authority can agree that longer than 12 months shall not be a bar.	Chief Constable
F9	Police Authority discretion to allow more than 6 months to notify Police Authority that this regulation applies.	Chief Constable
F10	Time period for officer to give notice that this regulation applied - Police Authority may extend time period.	Chief Constable
F10	Time period for officer to elect that one or other set of rules applies. Police Authority can extend that time period.	Chief Constable

G4	Officer can elect to cancel his election not to pay pension contributions but if Police Authority “so resolves” he can only do so if undergone medical examination.	Chief Constable
H1	Decision to refer a medical question to a medical practitioner.	Chief Constable and Human Resources Director.
H2	Allow extra time to officer to file appeal	Chief Constable and Human Resources Director.
I2	Where police officer serves in armed forces and returns to police service. Police Authority may pay pension if injured in armed service and some discretion as to the amount.	Panel of 3 members drawn from People & Organisational Development Group.
I3	If police officer dies in armed forces service. Police Authority has discretion to pay widow.	Panel of 3 members drawn from People & Organisational Development Group.
I5	Further discretion for Police Authority if officer is permanently disabled in armed forces service.	Panel of 3 members drawn from People & Organisational Development Group.
K1	If officer receives ill health pension, Police Authority may review that if condition giving rise to pension no longer applies.	Panel of 3 members drawn from People & Organisational Development Group, but Chief Constable and Human Resources Director can determine if adopting Force Medical Officer’s recommendation.
K2	Where injury pension is payable, Police Authority shall at suitable intervals, review the degree of disablement.	Panel of 3 members drawn from People & Organisational Development Group, but Chief Constable and Human Resources Director can determine if adopting Force Medical Officer’s recommendation.
K3	If officer contributes to disablement, Police Authority may reduce awards.	Panel of 3 members drawn from People & Organisational Development Group, but Chief Constable and Human Resources Director can determine if adopting Force Medical Officer’s recommendation.
K4	Police Authority may withdraw pension for period officer serves in Force.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.

K5	If convicted of offence, may in some circumstances forfeit pension.	People & Organisational Development Group.
L3	Police Authority can choose what intervals to pay pension. Police Authority can pay gratuity in instalments if to benefit of officer.	Chief Executive in consultation with the Chairman of People & Organisational Development Group.
L4	Where beneficiary is a minor/mentally ill, can pay it to another person for beneficiary's benefit. Can pay without proof of probate.	Chief Constable.
L4	If officer through fraud etc in service has caused loss to the police fund, Police Authority may withhold the sum in question.	People & Organisational Development Group.
<p>All Disability Discrimination issues within the Regulations have been delegated to the Chief Constable and Human Resources Director.</p>		
<p>The selection of the Panel of three members drawn from People & Organisational Development Group will be made by the Chief Executive in consultation with the Chairman of People & Organisational Development Group. As the Panel will have delegated authority to decide the issue it will be, in law, a sub-committee.</p>		
<p>All other police pension issues to be determined by the Authority are delegated to the People & Organisational Development Group.</p>		