



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.

Commencement Information

I1 S. 89 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

90 Police powers for civilian employees under collaboration agreements

Schedule 13 (police powers for civilian employees under collaboration agreements) has effect.

Commencement Information

I2 S. 90 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

91 Power to give directions

(1) The Police Act 1996 is amended as follows.

(2) In section 40 (powers to give directions in relation to police force), for “police authority” (in each place) substitute “local policing body”.

(3) In section 40A (powers to give directions in relation to police authority)—

(a) for “police authority” (in each place, including in the title) substitute “local policing body”;

(b) for “the authority” substitute “the local policing body”.

(4) In section 40B (procedure for directions under section 40 or 40A)—

(a) for subsection (2)(a) substitute—

“(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;

(aa) the Mayor's Office for Policing and Crime;

(ab) the Common Council;”;

(b) in subsection (5), for “police authority” substitute “local policing body”.

Commencement Information

I3 S. 91 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 3)

92 Provision of information by chief officers of police

In the Police Act 1996, for section 44 (reports from chief constables) and section 45 (criminal statistics) substitute—

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“44 Provision of information by chief officers of police

- (1) The Secretary of State may require a chief officer of police of any police force to provide the Secretary of State with information on such matters as may be specified in the requirement, being matters connected with—
 - (a) the policing of the police area for which that police force is maintained, or
 - (b) the discharge of the national or international functions of that police force.
- (2) A requirement under subsection (1) may, in particular, specify information in the form of statistical data, being data connected with—
 - (a) the policing of that police area, or
 - (b) the discharge of the national or international functions of the police force for that area.
- (3) A requirement under subsection (1) may specify the form in which information is to be provided.
- (4) The Secretary of State may require a chief officer to publish, in such manner as appears to the Secretary of State to be appropriate, information provided in accordance with a requirement under subsection (1).
- (5) The Secretary of State may cause a consolidated and classified abstract of any information in the form of statistical data that is provided in accordance with subsection (1) to be prepared and laid before Parliament.”.

Commencement Information

I4 S. 92 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1

93 Regulations about provision of equipment

- (1) Section 53 of the Police Act 1996 (regulations as to standard of equipment) is amended as follows.
- (2) In the title, after “**standard**” insert “ **and provision** ”.
- (3) After subsection (1A) insert—

“(1AA) The Secretary of State may, by regulations, make provision about the arrangements which must be, may be, or must not be, used for the provision of equipment for use for police purposes.

(1AB) The regulations may, in particular—

 - (a) make provision about the nature or terms of such arrangements, or
 - (b) prescribe arrangements which may be, or must be, used.”
- (4) In subsection (1B), after “subsection (1A)” insert “ or (1AA) ”.
- (5) In subsection (2), for paragraph (a) substitute—

“(a) such persons as appear to the Secretary of State to represent the views of police and crime commissioners;

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- (aa) the Mayor's Office for Policing and Crime;
- (ab) the Common Council;”.

Commencement Information

I5 S. 93 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 4)

94 National and international functions

- (1) Section 96A of the Police Act 1996 (national and international functions of the metropolitan police) is amended in accordance with subsections (2) to (6).
- (2) In the title, after “**police**” insert “ **force and other police forces** ”.
- (3) For subsection (1) substitute—
 - “(1) The Secretary of State and the Mayor's Office for Policing and Crime may enter into agreements with respect to the level of performance to be achieved by the metropolitan police force in respect of any of its national or international functions.
 - (1A) The Secretary of State and the police and crime commissioner that maintains a police force may enter into agreements with respect to the level of performance to be achieved by the police force in respect of any of its national or international functions.
 - (1B) The Secretary of State and the Common Council may enter into agreements with respect to the level of performance to be achieved by the City of London police force in respect of any of its national or international functions.”.
- (4) In subsection (2)—
 - (a) for “the metropolitan police force” substitute “ a police force ”;
 - (b) for “Metropolitan Police Authority” substitute “ local policing body ”.
- (5) In subsection (3), for “The Metropolitan Police Authority” substitute “ A local policing body ”.
- (6) Omit subsection (4).
- (7) Omit section 96B of the Police Act 1996 (national and international functions: application of requirements relating to reports etc).

Commencement Information

I6 S. 94 in force at 16.1.2012 by S.I. 2011/3019, art. 3, Sch. 1 (with Sch. 2 para. 5)

Changes to legislation:

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, Cross Heading: Policing in England and Wales.