

*Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 2

Section 2

#### CHIEF CONSTABLES

##### Modifications etc. (not altering text)

- C1** Sch. 2 modified (temp.) (31.3.2014) by [The Police Reform and Social Responsibility Act 2011 \(Transitional Provision\) Order 2013 \(S.I. 2013/2319\)](#), arts. 1(2), **2(1)**

##### *Introduction*

- 1 This Schedule applies to the chief constables established under section 2.

##### Commencement Information

- I1** Sch. 2 para. 1 in force at 22.11.2012 by [S.I. 2012/2892](#), **art. 2(c)**

##### *Status, name etc*

- 2 A chief constable is a corporation sole.

##### Commencement Information

- I2** Sch. 2 para. 2 in force at 22.11.2012 by [S.I. 2012/2892](#), **art. 2(c)**

- 3 The name of the chief constable for a police force is “the Chief Constable of” with the addition of the name of the police force.

##### Commencement Information

- I3** Sch. 2 para. 3 in force at 22.11.2012 by [S.I. 2012/2892](#), **art. 2(c)**

##### *Civilian staff*

- 4 (1) The chief constable of a police force must appoint a person to be responsible for the proper administration of the police force's financial affairs (referred to in this Part as the police force's chief finance officer).
- (2) The chief constable of a police force may appoint such other staff as the chief constable thinks appropriate—
- (a) to enable the chief constable to exercise the chief constable's functions, or
  - (b) otherwise to assist the relevant police force.

*Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2. (See end of Document for details)*

- (3) Section 113 of the Local Government Finance Act 1988 applies to the chief finance officer of a chief constable as it applies to the persons having responsibility for the administration of financial affairs mentioned in that section.

**Commencement Information**

**I4** Sch. 2 para. 4 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

- 5 (1) A chief constable must appoint a qualified person to act as chief finance officer, if and for as long as—
- (a) that post is vacant, or
  - (b) the holder of that post is, in the chief constable's opinion, unable to carry out the duties of that post.
- (2) For the purposes of sub-paragraph (1) a person is qualified to be appointed to act as chief finance officer if that person is qualified to be appointed to the post under paragraph 4.
- (3) A reference in any enactment to the police force's chief finance officer includes a reference to a person acting as chief finance officer in accordance with sub-paragraph (1).

**Commencement Information**

**I5** Sch. 2 para. 5 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

*Remuneration etc of staff*

- 6 (1) A chief constable may pay remuneration, allowances and gratuities to the members of the police force's civilian staff.
- (2) A chief constable may pay—
- (a) pensions to, or in respect of, persons who have been members of the police force's civilian staff, and
  - (b) amounts for or towards provision of pensions to, or in respect of, persons who have been members of the police force's civilian staff.
- (3) In this paragraph “allowances”, in relation to a member of a police force's civilian staff, means allowances in respect of expenses incurred by the member of staff in the course of employment as such a member of staff.

**Commencement Information**

**I6** Sch. 2 para. 6 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

*Incidental powers*

- 7 (1) A chief constable may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of chief constable.
- (2) That includes—

**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2. (See end of Document for details)

- (a) entering into contracts and other agreements (whether legally binding or not), but only with the consent of the relevant police and crime commissioner;
- (b) acquiring and disposing of property, apart from land, but only with the consent of the relevant police and crime commissioner.

<sup>F1</sup>(3) .....

- (4) Sub-paragraph (2)(a) does not require the chief constable to obtain the consent of the relevant police and crime commissioner in order to enter into a contract or other agreement with a person—
  - (a) by virtue of which the person becomes, or is, a member of the police force's civilian staff, or
  - (b) which otherwise relates to the person's membership of that civilian staff (including the terms and conditions of the person's membership).
- (5) This paragraph is subject to the other provisions of this Act and to any other enactment about the powers of chief constables.

**Textual Amendments**

**F1** Sch. 2 para. 7(3) repealed (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1), [Sch. 11 para. 99](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 23(i)

**Commencement Information**

**I7** Sch. 2 para. 7 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

*<sup>F2</sup>Financial arrangements etc*

**Textual Amendments**

**F2** Sch. 2 para. 7A and cross-heading inserted (13.5.2014) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), [ss. 141\(1\)](#), 185(1) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/949, art. 3, Sch. para. 11

- 7A (1) A chief constable may, by way of temporary loan or overdraft from a bank or otherwise, borrow sums temporarily required by the chief constable, but only—
- (a) for the purpose of meeting expenses pending the receipt of revenues receivable by the chief constable in respect of the period of account in which the expenses are chargeable,
  - (b) in sterling, and
  - (c) with the consent of the relevant police and crime commissioner.
- (2) A chief constable—
- (a) may not borrow money except as permitted by sub-paragraph (1);
  - (b) may not enter into a credit arrangement.
- (3) A chief constable may invest—
- (a) for any purpose relevant to the chief constable's functions under any enactment, or
  - (b) for the purpose of the prudent management of the chief constable's financial affairs,

---

*Changes to legislation: There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2. (See end of Document for details)*

---

but only with the consent of the relevant police and crime commissioner.

- (4) The following provisions of Part 1 of the Local Government Act 2003 (capital finance etc and accounts) apply in relation to a chief constable as they apply in relation to a local authority—
- (a) section 6 (protection of lenders);
  - (b) section 7 (meaning of “credit arrangements”);
  - (c) sections 9 to 11 (capital receipts), except for section 11(2)(b) and (3) to (6);
  - (d) section 13 (security for money borrowed etc);
  - (e) section 14 (information);
  - (f) section 15 (guidance);
  - (g) section 16 (meaning of “capital expenditure”);
  - (h) section 17 (external funds);
  - (i) section 18 (companies etc), ignoring any reference to a Passenger Transport Executive;
  - (j) section 20 (directions);
  - (k) sections 21 and 22 (accounts);
  - (l) section 24(1) and (2)(b) (application to Wales).
- (5) Regulations made by the Secretary of State under any of the provisions listed in sub-paragraph (4) apply in relation to the chief constable of a police force in England as they apply in relation to a local authority in England.
- (6) Regulations made by the Welsh Ministers under any of those provisions apply in relation to the chief constable of a police force in Wales as they apply in relation to a local authority in Wales.
- (7) Any of those provisions, or regulations made under them, that apply for the purposes of Chapter 1 of Part 1 of the Local Government Act 2003 apply also (so far as relevant) for the purposes of sub-paragraphs (1) to (3).
- (8) An order under section 217 or 218 of the Local Government and Public Involvement in Health Act 2007, as it has effect for the purposes of section 18(2)(b) of the Local Government Act 2003 as applied by sub-paragraph (4)(i), applies—
- (a) with the substitution of a reference to a chief constable for a reference to a local authority, and
  - (b) with any other necessary modifications.]

#### *Damages and costs in legal proceedings*

- 8 (1) The following amounts must be paid out of the police fund kept by the relevant police and crime commissioner—
- (a) any damages or costs awarded against a chief constable in any proceedings brought against the chief constable in respect of the acts or omissions of a member of the relevant police force's civilian staff;
  - (b) any costs incurred by a chief constable in any such proceedings so far as not recovered by the chief constable in the proceedings; and
  - (c) any sum required in connection with the settlement of any claim made against a chief constable in respect of the acts or omissions of a member of the relevant police force's civilian staff, if the settlement is approved by the relevant police and crime commissioner.

---

**Changes to legislation:** There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2. (See end of Document for details)

---

- (2) A police and crime commissioner may, in such cases and to such extent as appear to the commissioner to be appropriate, pay out of the police fund kept by the commissioner—
- (a) any damages or costs awarded against a member of the relevant police force's civilian staff in proceedings for any unlawful conduct of that person;
  - (b) any costs incurred and not recovered by such a member of staff in such proceedings; and
  - (c) any sum required in connection with the settlement of a claim that has or might have given rise to such proceedings.

---

**Commencement Information**

**18** Sch. 2 para. 8 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

*Disciplinary action etc*

- 9 Paragraph 2 does not affect the application of regulations under section 50 of the Police Act 1996 to the constable who occupies the office of chief constable.

---

**Commencement Information**

**19** Sch. 2 para. 9 in force at 22.11.2012 by [S.I. 2012/2892](#), [art. 2\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Police Reform and Social Responsibility Act 2011, SCHEDULE 2.