



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 11

POLICING ETC

Review bodies for police remuneration etc

131 Abolition of Police Negotiating Board for the United Kingdom

- (1) The Police Negotiating Board for the United Kingdom is abolished.
- (2) Sections 61 and 62 of the Police Act 1996 (the Police Negotiating Board for the United Kingdom, and its functions with respect to regulations) are repealed.
- (3) The Secretary of State may secure the reimbursement of payments made under section 61(5) or (7) of the Police Act 1996 (payment by Scottish Ministers or Department of Justice in Northern Ireland towards expenses incurred by the Police Negotiating Board for the United Kingdom) to the extent that, by reason of the abolition of the Board, the payments are not needed.

132 Establishment of Police Remuneration Review Body

- (1) After Part 3 of the Police Act 1996 there is inserted—

“PART 3A

THE POLICE REMUNERATION REVIEW BODY

64A The Police Remuneration Review Body

- (1) There shall be a body called the Police Remuneration Review Body.
- (2) It shall consist of—
 - (a) a chair appointed by the Prime Minister, and
 - (b) five or more other members appointed by the Secretary of State, one of whom the Secretary of State may appoint as deputy chair.
- (3) Before making an appointment, the Prime Minister or the Secretary of State shall consult the Department of Justice in Northern Ireland.
- (4) The Secretary of State may by order—
 - (a) change the name of the body established by this section, and
 - (b) make consequential amendments to any provision contained in or made under this or any other Act.
- (5) A statutory instrument containing an order under subsection (4) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) Schedule 4B shall have effect in relation to the Police Remuneration Review Body.

64B Reports by the Police Remuneration Review Body

- (1) The Police Remuneration Review Body shall consider and report on any matter referred to it by the Secretary of State that relates to—
 - (a) hours of duty,
 - (b) leave,
 - (c) pay and allowances, or
 - (d) the issue, use and return of police clothing, personal equipment and accoutrements,as regards members of police forces of or below the rank of chief superintendent or police cadets appointed under section 28.
- (2) A report under subsection (1) shall be submitted to—
 - (a) the Secretary of State, and
 - (b) the Prime Minister,and the Secretary of State shall arrange for it to be published.
- (3) The Police Remuneration Review Body shall also consider and report on any matter referred to it by the Department of Justice in Northern Ireland that relates to—
 - (a) hours of duty,
 - (b) leave,

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- (c) pay and allowances, or
 - (d) the issue, use and return of equipment,
- as regards members of the Police Service of Northern Ireland of or below the rank of chief superintendent, police trainees appointed under section 39 of the Police (Northern Ireland) Act 2000 or police cadets appointed under section 42 of that Act.
- (4) A report under subsection (3) shall be submitted to the Department of Justice, and that Department shall arrange for it to be published.
 - (5) When referring a matter to the Police Remuneration Review Body, the Secretary of State or Department of Justice may give directions to that body about—
 - (a) the time within which it must report;
 - (b) considerations to which it must have particular regard;
 - (c) the evidence that it must obtain;
 - (d) matters on which it is to make recommendations.
 - (6) The Police Remuneration Review Body may include in a report under this section any recommendations it considers appropriate arising out of matters referred to it under this section (whether or not it is required to do so by a direction under subsection (5)).
 - (7) A reference or direction under this section may be varied or revoked.”
- (2) After Schedule 4A to that Act there is inserted the Schedule set out in Schedule 7 to this Act.
 - (3) An order under section 185(7) may include provision requiring the first members of the Police Remuneration Review Body to be, or to include, persons of a particular description.

133 Consultation about regulations: England and Wales

- (1) After section 52 of the Police Act 1996 there is inserted—

“52A Regulations about hours, leave or pay: consultation etc

- (1) This section applies where the Secretary of State is proposing to make regulations under section 50 or 52 on a matter that relates to—
 - (a) hours of duty,
 - (b) leave,
 - (c) pay and allowances, or
 - (d) the issue, use and return of police clothing, personal equipment and accoutrements.
- (2) In the case of regulations under section 50 concerning members of police forces of or below the rank of chief superintendent, or regulations under section 52, before making the regulations the Secretary of State shall (subject to subsection (5))—
 - (a) refer the matter to the Police Remuneration Review Body under section 64B(1), and
 - (b) consider that body’s report on the matter.

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- (3) In the case of regulations under section 50 concerning members of police forces above the rank of chief superintendent, before making the regulations the Secretary of State shall (subject to subsection (5))—
- (a) consider advice on the matter from the Senior Salaries Review Body, or
 - (b) where subsection (4) applies, refer the matter to the Police Remuneration Review Body under section 64B(1) and consider that body’s report on the matter.
- (4) This subsection applies where—
- (a) the regulations would affect members of police forces who are not above the rank of chief superintendent as well as those who are, and
 - (b) the Secretary of State thinks that it would be preferable for the matter to be considered by the same body.
- (5) The duty to consider advice from the Senior Salaries Review Body or to refer the matter to the Police Remuneration Review Body does not apply if the Secretary of State considers that—
- (a) there is not enough time to do so because the need to make the regulations is so urgent, or
 - (b) it is unnecessary to do so by reason of the nature of the proposed regulations.
- (6) In all cases, before making the regulations the Secretary of State shall supply a draft of them to, and consider any representations made by, persons whom the Secretary of State considers to represent the interests of—
- (a) the persons and bodies who between them maintain police forces;
 - (b) chief officers of police;
 - (c) members of police forces;
 - (d) police cadets appointed under section 28.
- (7) The Secretary of State may by order amend this section in consequence of a change in the name or functions of the body for the time being specified in subsection (3)(a).
- (8) A statutory instrument containing an order under subsection (7) shall be subject to annulment in pursuance of a resolution of either House of Parliament.”
- (2) In section 63 of that Act (Police Advisory Board for England and Wales, etc), in subsection (3)(a), for “regulations with respect to any of the matters mentioned in section 61(1)” there is substituted “regulations of a kind referred to in section 52A(1)”.
- (3) In section 1 of the Police Pensions Act 1976 (police pensions regulations)—
- (a) in subsection (1), for “the Police Negotiating Board for the United Kingdom” there is substituted “the appropriate advisory or negotiating body”;
 - (b) after that subsection there is inserted—
 - “(1ZA) In subsection (1) above, “the appropriate advisory or negotiating body” means—
 - (a) as regards England and Wales, the Police Advisory Board for England and Wales;

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- (b) as regards Scotland, the Police Negotiating Board for Scotland.

(1ZB) When carrying out consultation under subsection (1) above as regards England and Wales, the Secretary of State shall also invite the views of the Northern Ireland Policing Board and the Police Association for Northern Ireland.”

- (4) In section 52 of the Police Act 1996 (regulations for police cadets), at the end there is inserted—

“(3) Before making regulations under this section relating to pensions the Secretary of State shall consult with the Police Advisory Board for England and Wales and shall also invite the views of the Northern Ireland Policing Board and the Police Association for Northern Ireland.”

- (5) In Schedule 3 to the Police and Justice Act 2006 (power to merge police pension schemes), in paragraph 3, for sub-paragraph (3) there is substituted—

“(3) The Secretary of State shall—

- (a) consult with the Police Advisory Board for England and Wales before exercising the power as regards England and Wales;
- (b) consult with the Police Negotiating Board for Scotland before exercising the power as regards Scotland;
- (c) consult with the Northern Ireland Policing Board and the Police Association for Northern Ireland before exercising the power as regards Northern Ireland.”

134 Consultation about regulations: Northern Ireland

- (1) In section 25 of the Police (Northern Ireland) Act 1998 (regulations for the Police Service of Northern Ireland)—

- (a) in subsection (8), the words “, other than regulations made by virtue of subsection (2)(j), (k) or (l)” are omitted;
- (b) after that subsection there is inserted—

“(9) Subsection (8) does not apply to—

- (a) regulations made by virtue of subsection (2)(k), as to which the Department of Justice shall invite the views of the Police Advisory Board for England and Wales, or
- (b) regulations made by virtue of subsection (2)(j) or (l), as to which section 25A applies.”

- (2) After that section there is inserted—

“25A Regulations about hours, leave, pay or equipment: consultation etc

- (1) This section applies where the Department of Justice is proposing to make regulations under section 25 by virtue of subsection (2)(j) or (l) of that section.
- (2) In the case of regulations concerning officers of or below the rank of chief superintendent, before making the regulations the Department of Justice shall (subject to subsection (5))—

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- (a) refer the matter to the Police Remuneration Review Body under section 64B(3) of the Police Act 1996, and
 - (b) consider that body's report on the matter.
- (3) In the case of regulations concerning officers above the rank of chief superintendent, before making the regulations the Department of Justice shall (subject to subsection (5))—
 - (a) consider advice on the matter from the Senior Salaries Review Body, or
 - (b) where subsection (4) applies, refer the matter to the Police Remuneration Review Body under section 64B(3) of the Police Act 1996 and consider that body's report on the matter.
- (4) This subsection applies where—
 - (a) the regulations would affect officers who are not above the rank of chief superintendent as well as those who are, and
 - (b) the Department of Justice thinks that it would be preferable for the matter to be considered by the same body.
- (5) The duty to consider advice from the Senior Salaries Review Body or to refer the matter to the Police Remuneration Review Body does not apply if Department of Justice considers that—
 - (a) there is not enough time to do so because the need to make the regulations is so urgent, or
 - (b) it is unnecessary to do so by reason of the nature of the proposed regulations.
- (6) In all cases, before making the regulations the Department of Justice shall supply a draft of them to, and consider any representations made by—
 - (a) the Board,
 - (b) the Police Association, and
 - (c) the Chief Constable of the Police Service of Northern Ireland.
- (7) The Department of Justice may by order amend this section in consequence of a change in the name or functions of the body for the time being specified in subsection (3)(a).”
- (3) In section 41 of the Police (Northern Ireland) Act 2000 (police trainees and police reserve trainees)—
 - (a) at the end of subsection (6) there is inserted “, other than regulations to which subsection (8) applies”;
 - (b) after that subsection there is inserted—
 - “(7) Subsection (8) applies to regulations under subsection (3), concerning police trainees, on a matter that relates to—
 - (a) hours of duty,
 - (b) leave,
 - (c) pay and allowances, or
 - (d) the issue, use and return of equipment.
 - (8) Before making any such regulations the Department of Justice shall—

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- (a) (subject to subsection (9)) refer the matter to the Police Remuneration Review Body under section 64B(3) of the Police Act 1996 and consider that body's report on the matter, and
 - (b) supply a draft of the regulations to, and consider any representations made by—
 - (i) the Board,
 - (ii) the Police Association, and
 - (iii) the Chief Constable of the Police Service of Northern Ireland.
- (9) The duty in subsection (8)(a) does not apply if the Department of Justice considers that—
- (a) there is not enough time to refer to the matter to the Police Remuneration Review Body because the need to make the regulations is so urgent, or
 - (b) it is unnecessary to do so by reason of the nature of the proposed regulations.”