

Delegation of Functions

At its meeting in April 2008, PABEW agreed proposals for amendments to Police Regulations which would permit Chief Officers to delegate certain of the functions that are given to them by Police Regulations. The proposals provided for certain powers to be delegated to a person of at least Chief Inspector rank (or its police staff equivalent), and for other powers to be delegated only to persons of ACPO rank (or the police staff equivalent). PABEW asked the working group that had considered the substantive proposals to meet again, to produce guidance on what is meant by the “police staff equivalent” of these ranks.

Before turning to the specific question of guidance on equivalence, the working group considered it was sensible to re-state some general points concerning delegation, as these provide the context within which equivalence falls to be considered:

- The power to delegate is discretionary; it is for each Chief Officer to decide whether, and if so, to what extent, he or she wishes to delegate, within the scope of delegation permitted by the Regulations.
- The Chief Officer remains accountable for matters in respect of which a scheme of delegation has been put in place.
- Delegation must be to a person who is suitable to perform the delegated function. This is not only a matter of rank, the person to whom a function is delegated must be competent and of appropriate seniority to discharge that function.
- The existence of a power to delegate as far as Chief Inspector level does not mean that functions must be delegated that far. Forces might wish to delegate certain functions only as far as Chief Superintendent or Superintendent (or police staff equivalent) levels.
- A person to whom a power is delegated may not themselves delegate it further.
- It would be good practice for a Chief Officer to consult locally with interested parties, including staff associations, on any proposed scheme of delegation.

The report of the HMIC thematic inspection of workforce modernisation “Modernising the Police Service” noted “*the lack of consistency in matters such as grading arrangements, organisational structures and allocation of job titles*” affecting police staff roles. It follows that guidance cannot make use of these factors, but must be based on other factors that are common to all forces.

Police staff equivalent of ACPO rank

All appointments to ACPO rank are made through an appointment process involving members of the Police Authority. It is usual for the more senior police staff posts to be subject to a similar appointment process. Accordingly, the working group proposes the following guidance:

“Police staff equivalent” of ACPO rank means a member of police staff, having relevant professional experience, who holds a post to which they were appointed as a result of an appointment process involving members of the police authority. In a force in which police authority members are not involved in such appointments “police staff equivalent” of ACPO rank means the holder of a post which the Police Authority or the Chief Constable has agreed should form a part of the Chief Officer team.

Police staff equivalent of Chief Inspector

There will usually be a maximum of two intermediary posts (Superintendent and Chief Superintendent) in the line of command between Chief Inspector and the lowest ACPO rank (ACC/Commander). A similar proximity can be used to define the police staff equivalent to Chief Inspector. The working group proposes the following guidance:

“Police staff equivalent” to the rank of Chief Inspector means a member of police staff, having relevant professional experience, and holding a managerial position, who is separated, in the line of command, from an ACPO officer (or its police staff equivalent), normally by no more than two intermediate posts.

For the purpose of this guidance, an intermediate post may be held by either a police officer or a member of police staff.

Most of the functions that are to become delegable are in the field of human resource management. The references, in both guidance statements, to *“relevant professional experience”* are intended to ensure that persons to whom functions are delegated have appropriate competence in human resource management, gained either through the exercise of line management responsibilities, or through appropriate experience, training or qualification.

The equivalences set out in this note are for the purpose of the delegation of functions provided in Police Regulations only. They do not necessarily imply any wider equivalence of roles.

PABEW will review the operation of these arrangements twelve months after the promulgation of the changes to Police Regulations to permit delegation of functions.

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