



## TERMS OF REFERENCE OF THE METROPOLITAN POLICE AUTHORITY, ITS COMMITTEES AND SUB-COMMITTEES

### General Note

1. This document sets out the role of the Metropolitan Police Authority, the powers and duties it has delegated to committees and those further delegated by committees to sub-committees. The functions and duties which follow are supplementary to and do not override any duties imposed by the MPA's Standing Orders.

In carrying out their responsibilities all committees shall have due regard to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

2. A **committee** can take decisions on matters contained in its terms of reference unless the matter is reserved for decision by the full Authority on the recommendation of that committee.
3. A **sub-committee** can take decisions on matters contained in its terms of reference unless the matter is reserved for decision by the parent committee on the recommendation of that sub-committee.
4. Because a sub-committee's powers are delegated to it by the parent committee, they are by implication included in the parent committee's terms of reference even when they are not specifically mentioned there.
5. All the formal bodies referred to in these terms of reference are open to the press and public unless "exempt" or confidential information is being discussed (as defined in paragraph 1 of Schedule 12A of the Local Government Act 1972). The other provisions of the Access to Information legislation also apply. Those bodies which are informal sub-groups with no executive powers are not open to the public.
6. Membership of committees is decided each year at the Authority's Annual General Meeting in June. The Authority's Chair and Deputy Chairs are ex-officio members of every committee and sub-committee. This means that (unless they are members of the committee in their own right) they can attend and speak but cannot vote or count towards a quorum.

### **THE FULL AUTHORITY**

The full Authority has overall responsibility for the discharge of all the powers and duties placed on it and has a statutory duty to “maintain an efficient and effective police force”.

Whilst there is an extensive scheme of delegation to the Authority’s committees, the full Authority reserves to itself major policy and financial decisions and other decisions which cannot be delegated. These include:

- approving the annual Policing and Performance Plan
- approval of the Authority’s budget for submission to the Mayor
- consideration of the external auditor’s annual management letter and any recommendations made by the Audit Panel
- receiving the Authority’s annual accounts
- in accordance with the MPA/MPS protocol on high profile and sensitive cases, to consider those cases which require an Authority decision to settle a claim for compensation. Where time permits, this will be based on a recommendation from the Professional Standards and Complaints Committee.
- the appointment of committees and their membership, including co-opted members (although a committee can delegate some of its responsibilities to a sub-committee and is also responsible for appointing to that sub-committee)
- approving any changes to Standing Orders

The terms of reference of the committees etc set up by the Authority to discharge appropriate functions are set out below in alphabetical order.

### **Audit Panel**

1. To advise the Authority on the appropriate arrangements for internal audit and the appointment of external auditors.
2. To approve internal and external audit programmes and fees.
3. To review the external auditor’s management letter and any other reports and to report on these to the Authority as appropriate.
4. To oversee the provision of an adequate and effective internal audit; to receive progress reports on the internal audit work plan and to consider appropriate action arising from these.
5. To satisfy itself generally as to the effectiveness of the control systems in

operation.

6. To review the Authority's annual accounts and to make recommendations as appropriate to the Authority.

### **Consultation Committee**

1. To lead on all matters relating to the Authority's communications and public relations strategies and systems.
2. To advise the Authority on ways of raising the profile of the MPA and making the community and partner organisations aware of its role and work.
3. To consider all matters relating to MPA and MPS consultation strategies and processes, in consultation with other committees as appropriate.
4. To ensure that where consultation is carried out it engages with, and reflects the views of, London's diverse communities.
5. To consider all matters relating to Community Police Consultative Groups and Independent Custody Visiting Panels, including approval of their annual funding.
6. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

### **Consultation Strategy Management Board (an informal sub-group of the Consultation Committee)**

The role of this Board is to:

- oversee the implementation of the consultation strategy
- review the results of consultation undertaken to inform the policing plan before consideration by the Planning Panel
- ensure that best value is achieved from the various consultation initiatives

The membership of the Board comprises MPA and MPS officers. It is chaired by a member of the Consultation Committee.

### Co-ordination and Policing Committee

#### Co-ordination

1. To co-ordinate the business of the Authority with the aim of ensuring that:
  - key issues are addressed by the relevant committee
  - duplication between committees is avoided
  - that there is clarity about which committee or member is leading on a particular issue

To achieve this, the committee has the following powers and responsibilities:

2. Where committee terms of reference are unclear, to decide which committee should lead on a particular issue.
3. To settle disputes between committees.
4. The committee may make decisions where an issue:
  - is a matter of relevance to more than one committee
  - is not included in the terms of reference of any other committee and does not require a decision by the full Authority.
5. To consider and agree, subject to any guidance from the full Authority, a rolling programme of policy reviews. This will include for each review agreeing:
  - project scope
  - any expenditure
  - membership
  - timescale

The outcome of policy reviews will be reported via the Committee to the full Authority.

6. To approve the allocation of lead roles to individual members, including their appointment to external or MPS bodies on behalf of the MPA. In doing so, the Committee will determine the scope of these lead roles and will maintain a list of lead member responsibilities.

#### Urgency

7. To deal with urgent business on which a decision is needed before the next meeting of the appropriate body.

## Appendix A

### Policing

8. To consider policy and other issues relating to operational policing, particularly where:
  - these are not solely relevant to another committee
  - the Authority needs to respond proactively and in a timely way to emerging issues
9. To consider issues relating to crime and disorder reduction and the Authority's relationships with crime and disorder reduction partnerships.
10. To consider issues relating to the criminal justice system, its reform and the respective roles of the MPS and other agencies within it.

### Other

11. To monitor and manage the budget for the MPA Secretariat and, as appropriate, to agree priorities for the Secretariat's work.
12. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

NB The Committee will on a regular basis conclude its formal business and continue on an informal and confidential basis to be briefed on and discuss policing issues with senior MPS officers. All members of the Authority will be invited to these briefings. No formal executive decisions will be taken during these sessions.

### **Policy Review Sub-Groups**

These will be set up by and report to the Co-ordination and Policing Committee

Policy Review Sub-Groups are appointed by the Committee to carry out specific, time limited policy reviews. As informal groups they will not necessarily be open to the public. Consequently, they have no decision-making powers in terms of, for instance, committing the Authority to a course of action or incurring expenditure.

### **Equal Opportunities and Diversity Board**

1. To lead on all issues relating to equal opportunities and diversity within the MPA and the MPS. This includes:
2. To ensure that the MPA meets its statutory responsibilities under all relevant anti-discrimination legislation; and to monitor the MPS's response to this legislation.
3. To monitor the implementation of the MPA's race equality action plan.
4. To approve the MPA's annual equal opportunities and diversity work programme.
5. To consider and advise on the equalities and diversity implications of major policy proposals and initiatives.
6. To keep under review the Authority's equal opportunities statement and strategies which put this statement into practice
7. To review and interrogate MPS performance data on diversity issues, including trends and performance against policing plan objectives, particularly with regard to:
  - stop and search data
  - hate crimes (race, homophobic, rape, domestic violence, child abuse)
  - street crimes (diversity issues)
  - possession of knives/weapons (diversity issues)
  - CRR training
  - other areas of performance which have a specific impact on diversity issues
8. To propose the development of performance indicators and target setting in areas of diversity issues.
9. To consider areas of diversity where new or improved performance monitoring is required.
10. To co-ordinate action on issues arising from the Lawrence Report
11. To advise other MPA committees on equalities and diversity issues of relevance to their responsibilities

### **Finance Committee**

1. To consider and recommend to the Authority a medium term financial strategy.
2. To consider and recommend to the Authority the annual revenue and capital budgets for submission to the Mayor.
3. To consider and monitor the efficiency and effectiveness review programme.
4. To receive regular monitoring reports from the Treasurer and Commissioner on revenue and capital budget performance.
5. To consider and approve, or recommend to the Authority where the committee considers major policy is involved, major capital programme scheme financial appraisals, justifications and briefs, as required by the Authority's financial regulations.
6. To consider and award, or recommend to the Authority where the committee considers major policy is involved, major contracts as required by the Authority's contract regulations.
7. To consider, either directly or by reference from other committees, any policy proposals with significant financial implications or any other non-audit financial matters, and to recommend to the Authority as appropriate.
8. To approve the Authority's annual Treasury Management policy and strategy, and to receive reports on performance.
9. To consider the financial risks to which the Authority is exposed and to approve measures to reduce or eliminate them or to insure against them.
10. To consider strategic issues in respect of the MPS estate and other resource issues, such as transport and catering. (NB see also the terms of reference of the Estates Sub-Committee).
11. To consider financial and strategic issues relating to the provision of information systems and information technology.
12. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

### **Estates Sub-Committee (a sub-committee of the Finance Committee)**

To discharge the responsibilities of the Finance Committee on estate matters generally, including:

#### Strategy and estate management

1. To consider and recommend to the Finance Committee the annual Estates Strategy and other strategic estate plans and policies, having regard to the Authority's corporate strategy and resource requirements.
2. To make recommendations to the Finance Committee on the estates capital programme, the projects to be included and their respective priority.
3. To monitor estates capital expenditure against the approved programme and to propose to the Finance Committee any modifications where approved budgets will be exceeded.
4. To oversee generally the management and development of the MPA estate, including all approvals for contract action, and design and planning matters for schemes within approved programmes.

#### Disposals and acquisitions

5. To oversee and monitor the annual programme of disposals.
6. Within the approved budget, to agree individual sales, acquisitions or property related works already identified in the programme where these are outside the powers delegated to the officers.
7. To agree the acquisition or disposal of properties not identified in the original estates capital programme, provided the capital programme remains within the approved budget and any revenue implications can be met from within the Authority's approved budget.

#### Unprogrammed schemes or expenditure

8. (a) for capital schemes: the Sub-Committee may consider, for recommendation to the Finance Committee, additional schemes not previously included in the approved capital programme, subject to the overall effects being contained within the approved programme total by:
  - rephasing existing schemes,
  - generating new capital receipts in the same financial year,



## Appendix A

- receipt of additional capital grant aid.
- (b) for revenue schemes: the Sub-Committee may consider, for recommendation to the Finance Committee, additional unbudgeted expenditure, subject to the additional costs being offset by:
- reduction in existing budgeted expenditure elsewhere,
  - offsetting receipt of additional unbudgeted revenue income,
  - receipt of additional revenue grant aid,
  - revenue savings generated by the new scheme.

### **Human Resources Committee**

#### MPS issues

1. To monitor activity in the MPS on all Human Resources (HR) issues and issues with HR implications, including:
  - recruitment and retention of officers and civil staff
  - equal opportunities issues, with particular reference to achieving a workforce that is more representative of London's communities
  - Employment Tribunals and grievances
  - HR services
  - training and development
  - occupational health
  - national HR issues
  - HR department budgets
2. To consider current, future and potential initiatives and developments in HR thinking and best practice.
3. To arrange for the selection of ACPO ranks, subject to police regulations and/or Home Office determinations. N.B. see also the terms of reference of the Remuneration Sub-Committee.
4. To determine whether forfeiture of a police officer's pension should be considered because he or she has been convicted of an offence committed in connection with his/her service as a member of the police force which the Home Secretary may certify as either having been gravely injurious to the interests of the State or liable to lead to serious loss of confidence in the public service.

In the event of the Home Secretary issuing a certificate of forfeiture, to determine the proportion, if any, of the pension which may be forfeited

## Appendix A

permanently or temporarily.

### MPA issues

5. To arrange for the appointment of the Clerk and Treasurer and the designation of the Authority's Monitoring Officer. NB see also the terms of reference of the Remuneration Sub-Committee.
6. To consider matters relating to the Authority's support organisation including structure and terms and conditions.

### General

7. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

## **Remuneration Sub-Committee (a sub-committee of the Human Resources Committee)**

### ACPO Ranks

1. To consider, for recommendation to the Human Resources Committee, any new pay ranges for all ACPO ranks. These will be subject to agreement at the Police Negotiating Board and ratification by the Home Secretary.
2. To consider and agree the pay and terms and conditions to be offered on appointment to ACPO ranks up to and including Assistant Commissioner. This will include the length of any fixed term appointment. To develop, in discussion with the Commissioner, the performance assessment regime and additional benefits over and above those to which these posts are entitled by Police Regulations. This will also include early retirement arrangements for all ACPO ranks.
3. To make recommendations to the Home Secretary in relation to the terms and conditions to be offered to the Commissioner and Deputy Commissioner.

### Senior MPS Civil Staff

4. To consider recommendations from the Commissioner about the pay and terms and conditions, including early retirement or redundancy, for civil staff in pay bands 1 to 4.

## Appendix A

5. To agree with the Commissioner those senior civil staff posts for whom the MPA will be involved with the process of selection. For the senior civil staff in band 1 to agree with the Commissioner and to implement a process which reflects the Authority's intention to be involved in objective setting.

### Senior MPA Staff

6. In consultation with the Chair of the Authority, to agree the level of salaries and salary increases for the Clerk and Treasurer.

### Powers delegated to the Clerk

Authority is delegated to the Clerk, in consultation with members of the sub-committee and the Treasurer, to agree, in cases of urgency, any HR issues in respect of individual appointments to ACPO ranks and Senior MPS Civil Staff.

### Planning, Performance and Review Committee

#### Performance Monitoring

1.
  - (a) To consider and monitor performance against the Policing Plan targets and any performance indicators set locally or by external organisations. In doing so, the committee will consider performance at both a corporate and borough level in order to identify best practice
  - (b) To advise on the setting of relevant performance indicators and targets in annual plans and corporate strategies
2. To develop the Authority's scrutiny role in looking at areas of performance in need of improvement.
3. To identify and consider any other information needed to monitor performance.

#### Planning and Best Value

4. To discharge the Authority's responsibilities as a best value authority, recommending to the Authority as appropriate on matters of significance. This role includes:
  - overseeing the development and delivery of the best value review programme and associated supporting work
  - approving the Project Initiation Document for the review.
  - monitoring the progress of each review
  - considering final reports
  - decommissioning a review following consideration of the final report
  - ensuring management arrangements are in place to deliver and monitor a review's implementation plan
5. Working with the Commissioner, to prepare and recommend to the Authority an annual policing and performance plan. In taking a lead on this, the committee will consult with other MPA committees as appropriate.
6. To consider reports from external agencies, such as HMIC, the external auditors and the Audit Commission, which have strategic implications.
7. To act as the lead committee for any other corporate planning issues, including the development of any MPA strategies or development plans.
8. To lead on the production of the Authority's annual report and any joint annual report prepared in conjunction with the MPS.

### General

10. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

### **Planning Panel (an informal sub-group set up by the Performance Committee)**

The Panel's role is to oversee the process for the preparation of the annual Policing and Performance Plan and also to consider the content of the draft plan, prior to formal consideration. The Panel's remit is to:

- approve the timetable for plan delivery
- ensure member engagement at key points (as agreed within the timetable)
- monitor progress against the timetable
- approve formal products for consideration by committees and/or the Authority.

### **Professional Standards and Complaints Committee**

1. To satisfy the Authority's statutory duty to monitor MPS complaints procedures.
2. To consider high profile and sensitive cases in line with the MPA/MPS protocol. Where a claim for compensation has been made, the Committee will
  - (a) receive a quarterly information report on compensation cases settled by the Commissioner
  - (b) consider, for recommendation to the Authority, those cases which require a decision by the Authority to settle a claim for compensation. (However, where a decision cannot wait for the next meeting of the Committee, a report proposing settlement will be put direct to the full Authority).
3. To keep the strategies of the MPS Directorate of Professional Standards under review.
4. To exercise the Authority's responsibilities in respect of reports, allegations or complaints against ACPO rank police officers, in accordance with the appropriate regulations.
5. To consider any matters relating to Police Appeal Tribunals and to arrange for the appointment of Authority Members to serve on Tribunals as and when required.
6. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.

### **Standards Committee**

1. To promote and maintain high standards of conduct by members of the Authority.
2. To advise the Authority on the adoption or revision of its code of conduct.
3. To monitor the operation of the Authority's code of conduct.
4. To assist Members in observing the code of conduct, including

## Appendix A

arrangements for training on matters relating to the code of conduct.

5. To advise the Authority on liaison arrangements with the Standards Board for England and to consider reports from the Standards Board or the Monitoring Officer as appropriate on any investigations into allegations of member misconduct.
6. In accordance with any statutory requirements, to monitor and advise the Authority on compliance with the requirements for registration of interests and registers of gifts and hospitality.
7. To consider and determine requests to grant a member a dispensation in the following circumstances:
  - (a) The transaction of business of the Authority would, on each occasion on which the dispensation would apply, otherwise be impeded by, or as a result of, the mandatory provisions because –
    - i. The number of members of the Authority that are prohibited from participating in the business of the Authority exceeds 50% of those members that are entitled or required to so participate; or
    - ii. The Authority is not able to comply with any duty which applies to it under section 15 (4) of the Local Government and Housing Act 1989;
  - (b) The member has submitted to the Standards Committee a written request for a dispensation explaining why it is desirable;
  - (c) Unless the Committee has specified a shorter duration, any dispensation so granted shall lapse after four years.
8. To have due regard, in exercising the committee's responsibilities, to equal opportunities generally, the general duty of the Race Relations (Amendment) Act 2000 and the requirements of any other equalities legislation.