
STATUTORY INSTRUMENTS

2020 No. 2

The Police (Complaints and Misconduct) Regulations 2020

PART 5

General

Delegation of exercise or performance of powers and duties by chief officers

46.—(1) Subject to the following provisions of this regulation, a chief officer may delegate the exercise or performance of all or any of the powers and duties conferred or imposed on the chief officer by or under Part 2 of the 2002 Act to—

- (a) in the case of a complaint or conduct matter concerning the conduct of a senior officer—
 - (i) a senior officer, or
 - (ii) a police staff member who, in the opinion of the chief officer, is of at least a similar level of seniority;
- (b) in any other case—
 - (i) a member of a police force of at least the rank of inspector, or
 - (ii) a police staff member who, in the opinion of the chief officer, is of at least a similar level of seniority.

(2) Subject to paragraph (3), where a complaint is being handled by a chief officer—

- (a) in accordance with paragraph 6(2A) of Schedule 3 (duty of appropriate authority to handle complaints in a reasonable and proportionate manner)⁽¹⁾ otherwise than by the chief officer making arrangements for the complaint to be investigated by the chief officer on the chief officer's own behalf, or
- (b) otherwise than in accordance with Schedule 3,

the chief officer may delegate the exercise or performance of all or any of the powers and duties conferred or imposed on the chief officer by or under Part 2 of the 2002 Act to any person serving with the police.

(3) A chief officer must not delegate the exercise or performance of any power or duty under this regulation to a person if to do so could reasonably give rise to a concern as to whether the person could act impartially.

(1) Paragraph 6(2A) was inserted by paragraphs 5 and 6 of Schedule 5 to the Policing and Crime Act 2017.