

CIVIL NUCLEAR POLICE AUTHORITY (AUTHORITY)

Terms of Reference

PURPOSE OF THE AUTHORITY

The Authority is required under section 52(1) of the Energy Act 2004 to secure the maintenance of an efficient and effective Civil Nuclear Constabulary.

SPECIFIC RESPONSIBILITIES

The Authority is specifically responsible for:

1. Determining how to discharge its responsibilities.

- 1.1. Part 2, Schedule 10 to the Act empowers the Authority to regulate its proceedings through the setting up and regulation of committees. Except as specified below, the Authority has chosen to discharge its responsibilities primarily through the following committees: a CNPA Board (the Board), the Senior Appointments Committee (SAC), and the Audit, Risk and Governance Committee (ARGC).
- 1.2. The Terms of Reference and membership of these committees are subject to annual review by the Authority. The membership may be changed and the delegation of functions may be varied or withdrawn by the Authority at any time.
- 1.3. The Authority will remain accountable for any matters it delegates to committees and may disagree with, and override decisions of, any committee if it chooses to do so.

2. Appointing a Chief Executive Officer / Chief Constable, Capability Director / Deputy Chief Constable and an Operations Director / Assistant Chief Constable, subject to the approval of the Secretary of State; appointing the CNC's Business Director, any other appointments to the Senior Executive Team¹ and the Head of Executive Office and Legal Services.

- 2.1. This responsibility is not delegated.
- 2.2. The SAC will oversee and conduct the recruitment and interview process and will make recommendations to the Authority as to the most suitable appointments to these posts.

3. Accounting for the operational and managerial performance of the Civil Nuclear Constabulary to the Secretary of State and to the public.

- 3.1. This responsibility is not delegated.

¹ The Senior Executive Team currently comprises the Chief Executive Officer / Chief Constable, the Capability Director, the Operations Director, the Business Director and the Director of People and Organisational Development.

4. Employing members of the CNC and other employees of the Authority.¹

4.1. Insofar as this role is discharged by providing for the government, administration and conditions of service of the CNC, it is delegated to the Board.²

4.2. Matters relating to the management, remuneration and development of the Chief Executive Officer / Chief Constable and, having first consulted with the Chief Executive and considered his/her recommendations, matters relating to the management, remuneration and development of the Capability Director, Operations Director, Business Director, any other posts in the Senior Executive Team and the Head of Executive Office and Legal Services are delegated to the SAC for consideration and recommendation to the Authority. The following matters in relation to these posts are specifically reserved to the Authority (on the advice of SAC as appropriate):

4.2.1. Remuneration policies, pay scales, bonus ranges and rates of pay.

4.2.2. The creation, renewal or extension of any fixed term appointments.

4.2.3. Any decision to be taken under Schedule 11 to the Act or generally concerning the removal and/or suspension of the holders of these posts.

5. Discharging the financial duties laid down by the Secretary of State and in Part 4, Schedule 10 to the Energy Act 2004.

5.1. These responsibilities are delegated to the Board and to the ARGC, as set out in their respective Terms of Reference.

6. Determining the objectives for policing by the CNC in each coming year; issuing the relevant annual policing plan; and issuing the accompanying three-year strategy plan as required by paragraphs 1 to 3, Part 1, Schedule 12 to the Energy Act 2004.

6.1. This function is delegated to the Board, except where specific requirements of the Secretary of State may make such reporting a direct responsibility of the Authority.

7. Receiving, issuing and submitting reports annually in accordance with and on such other occasions as required by Part 2, Schedule 12 to the Energy Act 2004.

7.1. This function is delegated to the Board, except where specific requirements of the Secretary of State may make such reporting a direct responsibility of the Authority.

8. Setting the policy and resourcing framework, and holding the Chief Constable to account for the efficiency and effectiveness of the CNC.

8.1. This responsibility is delegated to the Board.

9. Ensuring wide stakeholder engagement in the work of the CNPA and the CNC.

9.1. This responsibility is delegated to the Board.

¹ The day-to-day management of CNC staff, both officers of the CNC (other than the Chief Executive Officer / Chief Constable) and CNPA employees under regular direction of the CNC, is a matter for the Constabulary. The day-to-day management of CNPA employees under regular direction of the Authority remains a matter for the Authority.

² Subject to maintaining appropriate relationships with national police terms and conditions, and to Treasury approval.

MEMBERSHIP

1. The Authority comprises not less than 7 and not more than 13 members (including the Chair) appointed by the Secretary of State.
2. The Chair is appointed by the Secretary of State.

CHAIR'S RESPONSIBILITIES

1. Lead the Authority, ensuring its effectiveness and setting its Agenda. Be available to any member wishing to consult on any matter within the Committee's remit.
2. Convene a meeting of the Authority as appropriate or if so requested by the Authority or by any member of the Authority.
3. Determine an appropriate course of action with any member who declares a potential or actual conflict of interest.

MEETINGS

1. The Authority will meet at least annually to review the performance, membership and terms of reference of the Board and its other committees (see specific responsibility 1).
2. The Authority may meet annually to report publicly to stakeholders (see specific responsibility 9).
3. Meetings of the Authority will consist of the members of the Authority. The CNPA will be quorate if five members including the Chair are present. Members may not send Deputies or Representatives to Authority meetings.
4. The Chief Executive Officer / Chief Constable, a representative of the Secretary of State and a representative of the Regulator may be invited by the Chair, with the agreement of the Authority, to attend as appropriate in relation to specific items on the agenda.
5. The Head of Executive Office and Legal Services will normally attend Authority meetings. The Chair may invite other internal or external advisers to attend for specific agenda items.

ADMINISTRATION

1. The Secretariat of the Authority meeting will be designated by the Authority; normally this will be the Board and Committee Manager.
2. The agendas for meetings will be determined by the Chair.
3. Papers will be circulated electronically at least five working days in advance of a meeting. Papers may be taken for approval out-of-committee with the approval of the Chair.
4. Authority meetings will be formally minuted. Minutes will be approved by the Chair and issued to members electronically in final draft form normally within two weeks of the meeting. Minutes, after their approval by the Authority, may be published - redacted as necessary - on the gov.uk/CNPA website.