



Director General Scheme of Delegation

May 2026

1. Purpose

- 1.1 The purpose of this document is to set out how the Director General of the Independent Office for Police Conduct (the IOPC), delegates their statutory functions to IOPC staff.
- 1.2 This delegation can be revised as necessary (further to operational need) and Management Board will review the delegation on an annual basis.
- 1.3 In the event that the Director General ceases to be in role, becomes incapacitated or the post of Director General otherwise becomes unexpectedly vacant, the delegations that are made in this document will continue in force until varied or revoked by a subsequent holder of the office, appointed by His Majesty, further to section 9(2)(a) PRA and paragraph 1 of schedule 2 PRA, or appointed by the Office, further to paragraph 3A(2) of schedule 2 PRA.

2. Legal basis for delegation of functions

- 2.1 Paragraph 6A of schedule 2 Police Reform Act 2002 (the **PRA**) sets out how the IOPC Director General can delegate their functions. It is annexed to this document in full at Annex A. The legal principles derived from paragraph 6A are as follows:
 - a. The Director General may authorise any member of IOPC staff or constable seconded to the IOPC, to exercise any Director General function on behalf of the Director General;
 - b. 'Function' includes any Director General function set down in any enactment (a list of enactments is provided at Annex B);
 - c. The Director General may permit 'sub-delegation', i.e. they may delegate a function to another person and specifically permit them to delegate that function to someone else;

- d. A delegation of a function can be such as to allow its exercise:
 - i. Either to its 'full extent' or 'to the extent specified in the authorisation';
 - ii. Either generally or in cases, circumstances or areas specified;
 - iii. Either unconditionally or subject to specified conditions.
- e. A restriction on the exercise of a function can include provision for 'restricted persons' not to exercise 'designated functions'.
 - i. 'Restricted persons' are persons who fall within section 9(3) PRA (i.e. persons who have previously worked as police officers, or for a police service (under the direction and control of a chief officer), or as a National Crime Agency officer (or for predecessor organisations (SOCA or NCIS));
 - ii. 'designated functions' are any functions of the Director General that are designated further to paragraph 6A(7) and can be designated by reference to the position or seniority of IOPC staff).
- f. The scope of the 'restricted person' constraint can be limited – either generally or in relation to particular specified functions.
- g. The Director General must publish a 'statement of policy' about how they propose to exercise the power to restrict persons / designate functions which must:
 - i. draw attention to any restrictions on the carrying out of functions imposed by their designation; and
 - ii. explain the reasons for imposing them.

3. Statement of policy - on 'restricted persons' / 'designated functions'

- 3.1 Further to paragraph 6A(6)-(10) of schedule 2 PRA, the 2023 Scheme of Delegation established that the posts of Director of Operations and Deputy Director General (Strategy and Corporate Services) should not be held by 'restricted persons'. This is extended to the Deputy Director General, Investigations, Oversight and Casework.
- 3.2 Although not an absolute restriction, careful consideration will also be given before allowing any post at Director level to be held by a 'restricted person'. As a general rule, anyone with recent or senior police experience will not be eligible for these roles though this will be considered on a case by case basis. This position on restricted persons continues the approach taken by

the previous interim Director General.

4. Functions not delegated

The following functions are not delegated, albeit some are partially delegated and / or subject to conditions:

4.1 **General functions** under section 10 PRA and related provisions of a similar nature concerning other bodies of constables (s.26 PRA), the NCA¹, Contractors², the Gangmasters and Labour Abuse Authority³, HMRC⁴, UKBA⁵ and “relevant office holders”⁶ (collectively known in this document as the ‘other bodies’). The following sub-functions are delegated to IOPC staff:

- s.10(1)(e) recommendations and advice re modifications to the police complaints system⁷ and police practice;
- s.10(4) duty to exercise powers and perform duties in a manner best calculated for the purpose of securing the proper carrying out of the s.10 functions; and
- s.10(6) discretion to do anything calculated to facilitate, or is incidental or conducive to, the carrying out of the Director General’s functions.

4.2 **Reports to the Secretary of State** under s.11 PRA (in relation to the Director General) and related provisions of a similar nature concerning the other bodies.

4.3 **Designation of complainant representatives** under s.12(6) PRA – the designation of a person or the description of persons who may act on the complainant’s behalf and related provisions of a similar nature concerning the other bodies.

¹ [National Crime Agency \(Complaints and Misconduct\) Regulations 2013](#)

² [IPCC \(Complaints and Misconduct\) \(Contractors\) Regulations 2015](#)

³ [GLAA \(Complaints and Misconduct\) Regulations 2017](#)

⁴ [HM Revenue and Customs \(Complaints and Misconduct\) Regulations 2010](#)

⁵ [UK Border Agency \(Complaints and Misconduct\) Regulations 2010](#)

⁶ Regulation 2 of the [Elected Local Policing Bodies \(Complaints and Misconduct\) Regulations 2012](#)

⁷ Reference to the “police complaints system” is short-hand for the matters falling within the DG’s obligation to secure that suitable arrangements are maintained – detailed in section 10(2) (the handling, recording and investigation of complaints, conduct matters and DSIs).

- 4.4 **Issuing Statutory Guidance** under s.22 PRA and related provisions of a similar nature concerning the other bodies. The process of consulting in relation to the content of the Statutory Guidance can be delegated to any member of staff of grade 16 or above.
- 4.5 **Entering into agreements** under s.26 and s.26BA of the PRA. However, I delegate s.26(7)(a) consultation with the Secretary of State (re SoS orders) to Grade 16 IOPC staff or above.
- 4.6 **Determining that “exceptional circumstances” apply to old cases** under s.28A PRA. This is also delegated to the Deputy Director General (IOC) subject to consultation with the Director General.
- 4.7 **Engagement with the Office / Unitary Board**⁸ further to sections 10A-10D PRA – including:
- Preparing and reviewing the joint strategy [s.10C];
 - Agreeing and reviewing the Code of Practice (the Code) [s.10D].
- The publication of the agreed Strategy and the Code is delegated to appropriate IOPC staff accordingly.

5. Functions delegated to named directorates and posts

5.1 Assessment Unit

- 5.1.1. Further to paragraph 4A, 5, 13A, 14, 14CA and 14D and paragraph 15 of schedule 3 PRA (and equivalent provisions concerning the other bodies) all decisions (subject to three exceptions) concerning whether to treat a matter as having been referred and whether a matter requires investigation and if so, the mode of that investigation (including re-determinations), are reserved to the Assessment Unit, to be managed by the Head of that Unit – with escalation through the line management chain (i.e. from the Director of Investigations / Director of Oversight and Casework, the Deputy Director General (IOC) and to the Director General). The four exceptions are as follows:
- a. matters brought to the attention of the IOPC on-call team or day response team. The relevant decisions on those matters may be made by the appropriate Operations Manager.

⁸ The IOPC Board is referred to as the ‘Office’ or ‘Unitary Board’ and has the separate functions reserved to it by sections 10A PRA. Sections 10C and 10D require the Office and the DG to agree and keep under review, a joint strategy and a code of practice, respectively.

- b. covert referrals from police anti-corruption teams to the IOPC Directorate of Major Investigations (DMI). The relevant decisions on those matters may be made by a senior Investigations lead.
- c. whether to treat a matter as having been referred. The relevant decisions on those matters may be made by a Regional Director (or by an Operations Manager in urgent situations).
- d. for the following mode of investigation assessments, decision-making is not reserved to the Assessment Unit and is delegated as per paragraphs 5.4.2 and 6.1-6.3 of this document:
 - i. Where paragraph 15(1A) schedule 3 PRA applies following a decision under paragraph 6A(5)(a) that it is necessary for a complaint to be investigated;
 - ii. Under para 26(3) schedule 3 PRA following a decision under para 25(4C)(b) schedule 3 PRA, that a complaint requires re-investigation.

5.2 Budget Holders

- 5.2.1 In accordance with the financial delegation given from the Permanent Secretary at the Home Office, budgets and allocations are delegated to budget holders based on decisions made as part of the annual business planning process.
- 5.2.2 Financial authority for managing budgets and authority for procurement, establishment and other expenditure is based on the Home Office delegation, Managing Public Money, Cabinet Office controls and IOPC policies. Budget holders are required to formally accept their delegation as part of an annual process.

5.3 Senior Responsible Officers (SROs)

- 5.3.1 Delegated responsibilities relating to the delivery of plans to particular staff who have been assigned as Senior Responsible Officers throughout the organisation.

5.4 Decision-Making Framework

- 5.4.1 The IOPC Decision-Making Framework outlines where decision-making responsibility lies for different areas of IOPC work organisation-wide. It provides guidance on which governance bodies (Unitary Board, Management Board, Unitary Board Committees, and Assurance Groups) should have input across the various areas.
- 5.4.2 All other Director General functions not stipulated above, may be exercised by any member of IOPC staff – having regard to the guiding principles below.

6. Guiding principles of Director General decision-making

- 6.1 Decision making in the name of the Director General is undertaken by IOPC staff, having regard to the practices and procedures set out in the Operations Decision-Making Framework and the guidance provided by Operations Manual (both as amended from time to time).
- 6.2 Decision-making resides with IOPC staff with sufficient competency/ expertise and having had sufficient training, to undertake the relevant decision making. Deciding the level of decision maker taking a particular decision should take into account:
- the complexity of decision;
 - the seriousness of the issues involved in the matter;
 - the public interest of the matter;
- 6.3 Decision-making must occur in accordance with line management hierarchy, which means that:
- more senior grades can be consulted by more junior decision makers to assist them in their decision making;
 - more senior grades can decide to take decisions in the stead of more junior grades.

7. Functions under other enactments

7.1 **Controller functions under the General Data Protection Regulation (GDPR) and Part 2 Data Protection Act 2018 (DPA 2018)**

- 7.1.2 The following functions are delegated to the named posts:
- a. Demonstrating compliance with principles relating to processing of personal data (Article 5 GDPR) to the Chief Information Security Officer (CISO);
 - b. Implementing appropriate technical and organisational measures to ensure and demonstrate personal data processing is performed in compliance with the GDPR (Article 24 GDPR) to the CISO;
 - c. Implementing measures to achieve data protection by design and default (Article 25 GDPR) to the CISO;
 - d. Implementing appropriate technical and organisational measures to ensure an appropriate level of security (Article 32 GDPR) to the ICT Security and Information Assurance Manager;

- e. Designation of a Data Protection Officer (DPO) and DPO team, and ensuring the DPO has the appropriate position, resources and tasks (Articles 37, 38 and 39 GDPR) to the CISO;

7.1.3 The designated post holders will be assisted in the performance of the above functions by the Information Assurance Group. The Chair of the Information Assurance Group will be supported by subject matter experts.

7.1.4 The DPO will provide information and advice to the designated post holders and the Information Assurance Group on data protection obligations and will monitor compliance.

7.1.5 All other controller functions under the GDPR and/or Part 2 DPA 2018 not stipulated above may be exercised by any member of IOPC staff, having regard to the practices and procedures set out in the Data Protection Decision Making Framework (as amended from time to time with the approval of the CISO).

7.2. Controller functions under Part 3 Data Protection Act 2018 (Law Enforcement Processing)

7.2.1 The following functions are delegated to the named posts:

- a. Demonstrating compliance with the data protection principles (Chapter 2 of Part 3 DPA 2018) to the Directors of Operations;
- b. Implementing appropriate technical and organisational measures to ensure and demonstrate personal data processing is performed in compliance with Part 3 (Section 56) to CISO;
- c. Implementing measures to achieve data protection by design and default (Section 57) to CISO;
- d. Implementing appropriate technical and organisational measures to ensure an appropriate level of security (Section 66) to the IAM;
- e. Designation of a Data Protection Officer (DPO) and DPO team, and ensuring the DPO has the appropriate position, resources and tasks (Sections 69, 70 and 71) to the CISO;
- f. Implementing effective mechanisms to encourage the reporting of infringements (Section 81) to the CISO.

7.2.2 The designated post holders will be assisted in the performance of the above functions by the Information Assurance Group. The Chair of the Information Assurance Group will be supported by subject matter experts.

7.2.3 The DPO will provide information and advice to the designated post holders

and the Information Assurance Board on data protection obligations and will monitor compliance.

- 7.2.4 All other data controller functions under Part 3 DPA 2018 not stipulated above may be exercised by any member of IOPC staff, having regard to the practices and procedures set out in the Data Protection Decision Making Framework (as amended from time to time with the approval of the CISO).

7.3 Records Management

- 7.3.1 Records management functions under the Public Records Act 1958 and in accordance with Code of Practice on the management of records issued under section 46 of the Freedom of Information Act 2000 (FOIA), including the process for historical records set out in Part 3 of that Code and section 62 of the FOIA which sets out that records become historical records 20 years after the year that they were created.

- 7.3.2 The following functions are delegated to the Lead Records Manager:

- a. Management of records from the point of creation until they are destroyed or transferred:
 - i. Selection of records for permanent preservation. The RM will follow guidance from The National Archives on appraising records as part of good practice for information management under the Code of Practice (section 46 of the FOIA);
 - ii. identify information worthy of historical preservation under supervision of the Keeper and in line with The National Archives' Records Collection Policy.
- b. Transferring documents to The National Archives at the appropriate time:
 - i. complying with the 20-year rule and the reporting requirements for it;
 - ii. ensuring the access status of information (under Fol) has been determined before transfer;
 - iii. complying with standards as set by The National Archives for description and preparation;
 - iv. overseeing the transfer to The National Archives or a place of deposit, in line with legislative obligations;
 - v. identifying when an application should be made for retaining documents at the IOPC under section 3(4) of the Public Records Act, which allows the retention of records for any other special reason.

- 7.3.3. The RM will be assisted in the performance of the above functions by the Information Assurance Group. The Chair of the Information Assurance

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Group will be supported by subject matter experts. The RM will provide information and advice to the Information Assurance Group on records management obligations and will monitor compliance.

Signature

Signature



Director General	Rachel Watson
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