

**EXPLANATORY MEMORANDUM TO**  
**THE POLICE (PERFORMANCE AND ATTENDANCE) REGULATIONS**  
**(NORTHERN IRELAND) 2016**

**2016 No. 42**

**1. Introduction**

This Explanatory Memorandum has been prepared by the Department of Justice to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

The Statutory Rule is made under powers conferred by sections 25 and 26 of the Police (Northern Ireland) Act 1998, and is subject to the negative resolution procedure.

**2. Purpose**

This Statutory Rule makes provision for the maintenance of unsatisfactory performance and attendance procedures for members of the Police Service of Northern Ireland (“PSNI”). It establishes procedures for cases where a member’s performance or attendance may be dealt with by way of the outcomes available.

Regulation 2 revokes the Police (Unsatisfactory Performance and Attendance) Regulations (Northern Ireland) 2010 (S.R. 2010 No. 47).

The Regulations come into operation on 1<sup>st</sup> June 2016.

**3. Background**

Following agreement to reform the police discipline and unsatisfactory performance procedures in Northern Ireland, three sets of Regulations governing police conduct; performance and attendance; and appeals procedures will replace existing legislation.

The reforms are intended to support key cultural changes to promote an ethos of learning and development to contribute to improved service delivery. They aim to strengthen the role of supervisors and management in dealing with performance and attendance issues and allow them to deal with quality of service issues in a timely and responsive manner.

**4. Consultation**

In accordance with sections 25(8) and 26(6) of the enabling legislation, the Department has consulted with policing stakeholders.

## **5. Equality Impact**

Internal discipline and unsatisfactory performance and attendance procedures for PSNI officers apply equally to all officers, regardless of grouping. There is no significant adverse impact on those listed under section 75 of the Northern Ireland Act 1998.

## **6. Regulatory Impact**

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

## **7. Financial Implications**

It is likely that there will be costs associated with implementation for the PSNI relating to the provision of training, publication and IT systems costs, and costs associated with ongoing support to managers in the post-implementation phase.

## **8. Section 24 of the Northern Ireland Act 1998**

The proposed instrument is considered compatible with section 24 of the Northern Ireland Act 1998.

## **9. EU Implications**

Not applicable.

## **10. Parity or Replicatory Measure**

This instrument introduces legislation governing unsatisfactory performance and attendance procedures for police officers in Northern Ireland.

## **11. Additional Information**

Not applicable.