
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 67

The Police Service of Scotland (Performance) Regulations 2014

PART 2

Performance Meetings

Determination of appeal

21.—(1) The second line manager must determine an appeal under regulation 18 in accordance with this regulation.

(2) In a case where a performance appeal meeting takes place, the second line manager must consider—

- (a) the appeal notice submitted under regulation 18(5);
- (b) any evidence accompanying that notice;
- (c) the written record of the performance meeting;
- (d) the constable's written comments on that record (if any); and
- (e) any representations made at the performance appeal meeting.

(3) In a case where no performance appeal meeting takes place, the second line manager must consider—

- (a) the appeal notice submitted under regulation 18(5);
- (b) any evidence accompanying that notice;
- (c) the written record of the performance meeting; and
- (d) the constable's written comments on that record (if any).

(4) Having considered the things mentioned in paragraph (2) or, as the case may be, (3), the second line manager may—

- (a) confirm or reverse the finding of unsatisfactory performance; and
- (b) confirm or vary any of the relevant terms against which the appeal is made.

(5) A reversal of the finding of unsatisfactory performance revokes the first improvement notice.

(6) If the second line manager—

- (a) reverses the finding of unsatisfactory performance; or
- (b) varies any of the relevant terms of the first improvement notice against which the appeal is made,

the decision of the second line manager replaces, from the date of that decision, the finding, the first improvement notice or the relevant terms against which the appeal is made.

(7) As soon as reasonably practicable after determining an appeal under regulation 18, the second line manager must—

- (a) send to the constable a written note of the second line manager's decision; and

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- (b) in a case where a performance appeal meeting has taken place, send to the constable a written record of that meeting.