
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 67

The Police Service of Scotland (Performance) Regulations 2014

PART 4

Performance hearings

Disposal

40.—(1) If the chairing constable decides under regulation 39(1) that the constable's performance is unsatisfactory the chairing constable may, subject to paragraph (3) and (4), order—

- (a) dismissal of the constable with notice;
- (b) demotion in rank; or
- (c) extension of the final improvement notice.

(2) If dismissal of the constable with notice is ordered, the period of notice must be determined by the chairing constable, but must be not less than 28 days.

(3) Extension of the final improvement notice may be ordered only where the chairing constable is satisfied that there are exceptional circumstances which justify such a disposal.

(4) If extension of the final improvement notice is ordered—

- (a) the chairing constable must amend the final improvement notice—
 - (i) to state that if the constable does not make a sufficient improvement in performance within such reasonable period as the chairing constable specifies (being a period of no more than 6 months from the date of extension) the constable may be required to attend a further performance hearing; and
 - (ii) to specify a new validity period; and
- (b) the chairing constable may amend the terms of the final improvement notice which relate to—
 - (i) the respect in which the constable's performance is considered to be unsatisfactory; or
 - (ii) the improvement that is required in the constable's performance.