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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 68**

**The Police Service of Scotland (Conduct) Regulations 2014**

**PART 4**

**Appeals**

**Outcome of appeal**

**26.**—(1) The person determining the appeal may, whether after an appeal hearing or otherwise—

- (a) confirm or reverse any determination made under regulation 21(1);
- (b) confirm the disciplinary action ordered under regulation 22(2);
- (c) order disciplinary action to be taken which is less severe than that which was ordered under that regulation;
- (d) require improvement action to be taken instead of disciplinary action;
- (e) refer the matter to be dealt with under the procedures established by the Performance Regulations; or
- (f) in a case where the ground of appeal mentioned in regulation 24(3)(b) is found to be established, remit the misconduct allegation back to the person who conducted the misconduct proceedings.

(2) The person determining the appeal must notify the constable in writing of the decision under paragraph (1) and the reasons for that decision.

(3) A notice under paragraph (2) must be given not more than 60 working days from the date the appeal notice was submitted under regulation 24(4).

(4) But the period mentioned in paragraph (3) may be extended to not more than 120 working days if the person determining the appeal considers there to be exceptional circumstances to justify doing so.

(5) In a case where—

- (a) dismissal of the constable is confirmed; or
- (b) demotion in rank of the constable is confirmed or ordered,

a notice under paragraph (2) must inform the constable of the right to appeal to a police appeals tribunal and the procedure for making such an appeal.