
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 68

The Police Service of Scotland (Conduct) Regulations 2014

PART 4

Appeals

Procedure where misconduct allegation remitted back to person who conducted misconduct proceedings

27.—(1) This regulation applies where a misconduct allegation is remitted back to the person who conducted the misconduct proceedings in accordance with regulation 26(1)(f).

(2) Where this regulation applies, the person who conducted the misconduct proceedings must—

(a) consider the evidence submitted by the constable in accordance with regulation 24(6)(b); and

(b) determine whether to—

(i) confirm the original determination made under regulation 21(1) and any disciplinary action ordered;

(ii) reverse any determination made under regulation 21(1);

(iii) order disciplinary action which is less serious than that originally ordered;

(iv) require improvement action to be taken instead of disciplinary action; or

(v) refer the matter to be dealt with under the procedures established by the Performance Regulations.

(3) Before making a determination under paragraph (2), the person conducting the misconduct proceedings may, by notice in writing, require the constable to attend a further meeting or hearing (and regulations 7, 16, 18, 19 and 21 apply to such a meeting or hearing).

(4) As soon as reasonably practicable after a determination is made under paragraph (2), the person conducting the misconduct proceedings must notify the constable of that determination.