

2016 No. 419

POLICE

The Police Service of Scotland (Amendment) Regulations 2016

Made - - - - *13th December 2016*

Laid before the Scottish Parliament *15th December 2016*

Coming into force - - *9th February 2017*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 48 and 125(1) of the Police and Fire Reform (Scotland) Act 2012^(a) and all other powers enabling them to do so.

In accordance with section 54(1) of that Act, they have shared a draft of the Regulations with the Police Negotiating Board for the United Kingdom and have considered any representations made.

Citation and commencement

1. These Regulations may be cited as the Police Service of Scotland (Amendment) Regulations 2016 and come into force on 9th February 2017.

Amendment of the Police Service of Scotland Regulations 2013

2.—(1) The Police Service of Scotland Regulations 2013^(b) are amended as follows.

(2) In regulation 22 (maternity pay, maternity support leave pay, adoption pay and adoption support leave pay)—

(a) for the cross heading, substitute “Parental pay”;

(b) in paragraph (b), omit the second “and”; and

(c) at the end of paragraph (c), insert—

“; and

(d) shared parental leave.”.

(3) In regulation 25(7) (leave), after “maternity leave” insert “, shared parental leave”.

(4) In regulation 28 (continuance of allowances – absence from duty), after “maternity leave” insert “, shared parental leave”.

(a) 2012 asp 8.

(b) S.S.I. 2013/35 to which there are amendments not relevant to these Regulations.

(5) In regulation 31(2)(g) (reckoning of service), after “maternity leave” insert “, shared parental leave”.

St Andrew’s House,
Edinburgh
13th December 2016

MICHAEL MATHESON
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Police Service of Scotland Regulations 2013 (“the 2013 Regulations”) to allow for the extension to constables of new entitlements to shared parental leave conferred on other workers by the Children and Families Act 2014.

Regulations 22 and 25(7) of the 2013 Regulations are amended to require the Scottish Ministers to make determinations about constables’ entitlement to shared parental leave and to pay during any such period of leave.

Regulation 28 of the 2013 Regulations is updated to ensure that an allowance paid to a constable in respect of an expense which ceases during a period of absence must continue to be paid for a period of up to a month if that constable goes on shared parental leave. After that period, the chief constable may suspend payment of that allowance while the constable remains on shared parental leave.

Regulation 31(2)(g) of the 2013 Regulations is amended so that the Scottish Ministers are required to determine how much of any period of shared parental leave is to be treated as reckonable service for the purposes of calculating that constable’s pay.

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