

POLICY NOTE

THE POLICE SERVICE OF SCOTLAND (AMENDMENT) REGULATIONS 2016

SSI 2016/419

1. The above instrument was made in exercise of the powers conferred under sections 48 and 125(1) of the Police and Fire Reform (Scotland) Act 2012 (“the 2012 Act”). This instrument is subject to the negative procedure.

Policy Objectives

2. The Police Service of Scotland (Amendment) Regulations 2016 amend the Police Service of Scotland Regulations 2013 to introduce shared parental leave as an entitlement for police officers.

3. Shared parental leave was introduced for employees by the Children and Families Act 2014 and the Police Negotiating Board for the United Kingdom (PNB) agreed that police officers should be able to have access to shared parental leave in a similar manner to other workers.

4. The amendments made by these regulations allow the Scottish Ministers to determine in respect of constables the leave and pay available to both adopters and birth parents taking shared parental leave. Determinations will also set out the circumstances in which a constable will qualify for shared parental leave and how much of any such leave is to be taken into account in reckoning a constable’s service for the purposes of pay.

5. The regulations also ensure that an allowance which a constable receives – and which is paid in respect of an expense which ceases to arise during periods of absence – must continue to be paid for up to a month if that constable goes on shared parental leave. The payment of such an allowance may then be suspended at the discretion of the chief constable for the remaining duration of the shared parental leave.

Consultation

6. In accordance with section 54(1) of the 2012 Act Scottish Ministers have shared a draft of the Regulations with the PNB, its members were content with the Regulations and the policy intention to introduce shared parental leave for police officers.

Impacts

7. No financial or equality issues were raised during the consultation, or the process of policy development, which required an impact assessment to be prepared for these regulations.

Scottish Government
Safer Communities Directorate
December 2016