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STATUTORY INSTRUMENTS

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**2015 No. 25**

**The Ministry of Defence Police (Conduct etc.) Regulations 2015**

**PART 4**

**Misconduct Proceedings**

**Notification of outcome**

**40.**—(1) The relevant authority must inform the officer concerned in writing of—

- (a) the finding of the person or persons conducting the misconduct proceedings;
- (b) the reasons for that finding; and
- (c) in a case other than one to which regulation 38 (senior officers: meeting of MOD Police Committee to consider disciplinary action) applies, any disciplinary action imposed,

as soon as reasonably practicable and in any event before the end of 5 working days beginning with the first working day after the conclusion of the misconduct proceedings.

(2) In a case to which regulation 38 applies, the relevant authority must inform the officer concerned in writing of any disciplinary action imposed and the reasons for that action, as soon as reasonably practicable, and in any event before the end of 5 working days beginning with the first working day after the conclusion of the meeting held under regulation 38(3).

(3) Where there was a finding of misconduct or gross misconduct a written notice under paragraph (1) must include—

- (a) where the officer concerned is an officer other than a senior officer—
  - (i) if the case was decided at a misconduct meeting, notice of the officer's right of appeal under regulation 42; or
  - (ii) if the case was decided at a misconduct hearing, notice of the officer's right of appeal to a police appeals tribunal;
- (b) where the officer concerned is a senior officer, notice of the officer's right of appeal to a police appeals tribunal;
- (c) the name and address of the person to whom an appeal should be sent.

(4) The relevant authority must send a copy of any written notice under this regulation to—

- (a) the Commission or the Ombudsman, in any case in which the Commission or the Ombudsman was entitled to attend to make representations under regulation 33(1) or (2); and
- (b) to the complainant and any interested person, in any case to which regulation 34 applies.