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STATUTORY INSTRUMENTS

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**2020 No. 4**

**The Police (Conduct) Regulations 2020**

**PART 3**

**Investigations**

**Severity assessment**

**14.**—(1) The appropriate authority must assess whether the conduct which is the subject matter of the allegation, if proved, would amount to misconduct or gross misconduct or neither (“the severity assessment”).

(2) Where the appropriate authority assesses that the conduct, if proved, would amount to neither misconduct nor gross misconduct, it must assess whether—

- (a) the conduct, if proved, would amount to practice requiring improvement;
- (b) the matter should be referred to be dealt with under the Performance Regulations, or
- (c) it should take no further action.

(3) The appropriate authority must consult the line manager of the officer concerned before making an assessment in terms of paragraph (2)(a) or (b).

(4) Where the appropriate authority assesses that the conduct, if proved, would amount to practice requiring improvement, it must refer the matter to be dealt with under the reflective practice review process set out in Part 6.

(5) Where the appropriate authority assesses that the conduct, if proved, would amount to misconduct or gross misconduct—

- (a) the matter must be investigated, and
- (b) the appropriate authority must assess whether, if the matter were to be referred to misconduct proceedings under regulation 23, those would be likely to be a misconduct meeting or a misconduct hearing.

(6) At any time before the start of misconduct proceedings, the appropriate authority may revise its severity assessment under this regulation if it considers it appropriate to do so.

(7) Where the appropriate authority decides under this regulation to take no further action or to refer the matter to be dealt with under the reflective practice review process or the Performance Regulations, it must so notify the officer concerned in writing as soon as practicable.