

## SCHEDULE 1

Regulation 2

### Standards of Professional Behaviour

#### **Honesty and integrity**

Constables are honest, act with integrity and do not compromise or abuse their position.

#### **Authority, respect and courtesy**

Constables act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.

Constables do not abuse their powers or authority and respect the rights of all individuals.

#### **Equality and diversity**

Constables act with fairness and impartiality. They do not discriminate unlawfully or unfairly.

#### **Use of force**

Constables use force only to the extent that it is necessary, proportionate and reasonable in all the circumstances.

#### **Orders and instructions**

Constables give and carry out only lawful orders and instructions.

#### **Duties and responsibilities**

Constables are diligent in the exercise of their duties and responsibilities.

#### **Confidentiality**

Constables treat information with respect and access or disclose it only in the proper course of their duties.

#### **Fitness for duty**

Constables when on duty or presenting themselves for duty are fit to carry out their responsibilities.

#### **Discreditable conduct**

Constables behave in a manner which does not discredit the Police Service or undermine public confidence in it, whether on or off duty.

Constables report any action taken against them for a criminal offence, any conditions imposed on them by a court or the receipt of any penalty notice.

#### **Challenging and reporting improper conduct**

Constables report, challenge or take action against the conduct of other constables which has fallen below the Standards of Professional Behaviour.

## SCHEDULE 2

Regulation 28

### Modifications

#### **The Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013**

1.—(1) The Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013(1) are modified as follows.

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(1) [S.S.I. 2013/62](#).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (2) In regulation 2 (interpretation)—
  - (a) in the definition of “misconduct”, at the end insert “(but does not, unless the context otherwise requires, include gross misconduct)”; and
  - (b) for “police friend” substitute “police representative”.
- (3) In regulation 4 (police friend), for “police friend”, in each place it occurs, substitute “police representative”.
- (4) In regulation 5(4) (legal representation), for “police friend” substitute “police representative”.
- (5) In regulation 6(1)(b) (suspension), after “misconduct” insert “or gross misconduct”.
- (6) In regulation 16(3) (arrangement of misconduct hearing), for sub-paragraph (g) substitute—
  - “(g) the requirement to provide a notice in response to the misconduct form in accordance with paragraphs (5) to (7);”.
- (7) In regulation 20(3)(a) (proceedings in senior officer’s absence), for “police friend” substitute “police representative”.
- (8) In regulation 23 (disciplinary action)—
  - (a) for paragraph (2)(a) and (b) substitute—
    - “(a) improvement action; or
    - (b) subject to paragraphs (4) to (7), any such disciplinary action as is mentioned in paragraph (3).”;
  - (b) in paragraphs (4) and (5)—
    - (i) for “on” to “22(1)(b)” substitute “at a time when any of the conduct forming the subject matter of the misconduct allegation occurred”; and
    - (ii) for “remains” substitute “was”; and
  - (c) in paragraph (6)—
    - (i) for “is” substitute “was”;
    - (ii) for “on” to “22(1)(b)” substitute “at a time when any of the conduct forming the subject matter of the misconduct allegation occurred”; and
    - (iii) for “remains” substitute “was”.
- (9) In regulation 25(4) (appeals), for “10” substitute “30”.
- (10) In regulation 26 (appeal procedure)—
  - (a) for paragraph (6) substitute—
    - “(6) The senior officer may, by notice in writing to the Authority, request the postponement of the appeal hearing to a later date and time.”;
  - (b) in paragraph (7)(a), for “police friend” substitute “police representative”;
  - (c) in paragraph (9), for “as soon as reasonably practicable” substitute “not more than 60 working days from the date the appeal notice was submitted under regulation 25(4)”; and
  - (d) after that paragraph, insert—
    - “(9A) The period mentioned in paragraph (9) may be extended to not more than 120 working days if the Authority considers there to be exceptional circumstances to justify doing so.”.

### **The Police Service of Scotland Regulations 2013**

**2.** In regulation 2 (interpretation and application) of the Police Service of Scotland Regulations 2013<sup>(2)</sup>, in the definition of “Conduct Regulations”, for “2013”, where it first appears, substitute “2014”.

### **The Police Appeals Tribunal (Scotland) Rules 2013**

**3.** In rule 2 (interpretation) of the Police Appeals Tribunal (Scotland) Rules 2013<sup>(3)</sup>, in the definition of “Conduct Regulations”, for “2013” substitute “2014”.

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<sup>(2)</sup> [S.S.I. 2013/35](#). This instrument has been amended by [S.S.I. 2013/122](#), [2013/125](#) and [2014/1](#).  
<sup>(3)</sup> [S.S.I. 2013/63](#).