

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.

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

- (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**(2)**, 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**(3)**, in the definition of “Conduct Regulations”, for “2013” substitute “2014”.

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