

PART 9

COMPETENCE RELATED THRESHOLD PAYMENT FOR CONSTABLES, SERGEANTS, INSPECTORS AND CHIEF INSPECTORS

- 1) With effect from 1 April 2003, a member in the rank of constable, sergeant, inspector or chief inspector whose service as reckoned under regulation 24 or, where applicable, section 38A of the Police (Scotland) Act 1967, has entitled him for at least one year to be at the top of the scale applied to his rank as shown in Parts 2, 3, 4 and 5, and who makes an application in accordance with paragraph (3), shall receive a competence related threshold payment at the rate of £1,002 a year, provided that his determining officer has determined that he has demonstrated high professional competence under each of the following national standards:
 - Professional competence and results
 - Commitment to the job
 - Relations with the public and colleagues
 - Willingness to learn and adjust to new circumstances.

- 2) High professional competence is reached under a national standard by demonstrating competence against each of the following criteria listed under the standard to which they are related-
 - Professional competence and results
 - effective organisation of work to meet the demands of the applicant's role;
 - commitment to Police Service values;
 - commitment to health and safety requirements; and
 - compliance with the Code of Conduct.

 - Commitment to the job
 - commitment to achieving Force objectives;
 - commitment to personal and professional development; and
 - commitment to achieving high levels of attendance.

 - Relations with the public and colleagues
 - promoting equality, diversity and human rights in working practices;
 - contributing to the Force's response, recognising the needs of all relevant communities; and
 - working as part of a team.

 - Willingness to learn and adjust to new circumstances
 - making best use of available technology; and
 - demonstrating an openness to change.

- 3) The member in his application shall use the appended form, or a form to like effect. The member, except as provided in paragraph (11) or (12), shall include examples relating to performance over the two years prior to the date of the application. The completed form shall be submitted to the member's assessing officer. The assessing officer shall complete in the relevant sections of the form his assessment as to whether or not the examples contained in the application are indicative of high professional competence against each of the four national standards. The assessing officer shall then submit the form to the member's determining officer.
- 4) The member's determining officer shall consider the assessing officer's assessments and determine whether or not payment should be made under this Part of this determination.
- 5) The assessment and the determination shall be completed, and the applicant notified in writing of the decision, by no later than 21 days after receipt of the completed application by the assessing officer. In exceptional cases, this period may be extended to 30 days if either the assessing officer or determining officer requires more information.
- 6) Successful applicants, including those who are successful on appeal, shall receive the payment with effect from the date at which they become eligible or the date of application, whichever is the later. Unsuccessful applicants shall be entitled to receive written feedback on their application from the determining officer and oral feedback from their assessing officer, and shall be entitled to appeal the decision not to award the payment. If appealing, the member shall explain in writing the reasons for disputing the decision. The member's appeals officer shall undertake the review of the decision.

Grounds for appeal shall be restricted to one or both of the following:

- the assessing officer or determining officer did not properly take account of the material presented;
- the assessing officer or determining officer took account of irrelevant or inaccurate factors.

The appeals officer shall reconsider the decision in the light of the information provided. The outcome of the appeal shall be final. If necessary, the appeals officer may seek additional information from any party to the process. The applicant shall be notified of the decision in writing within 21 days of submitting the appeal.

- 7) Where a force identifies, under any formal management procedures, including any performance assessment process operated by the force, concerns with respect to the maintenance of high professional standards by a member in receipt of the payment, the member's entitlement to the payment shall be re-assessed.

In these circumstances, the member, having been notified in writing of the causes for concern, may resubmit an application as outlined in paragraph (3)

and it shall be considered as outlined in paragraphs (4) and (5), and the right of appeal as outlined in paragraph (6) shall apply.

8)

- a) Subject to (b) and (c), when a member in receipt of the payment is promoted to a higher rank, the payment shall be discontinued with effect from the date the promotion takes effect, except that, where, at any time on or after that date the annual rate of pay of a member in the higher rank is lower than the total of
- i) the member's annual rate of pay immediately before that date, and
 - ii) the rate of the payment made under this Part

he shall be paid at the same rate as if he had not been promoted.

- b) A member who is reduced in rank otherwise than as mentioned in subparagraph (c) shall receive the payment from the date at which he returns to the lower rank.
- c) higher rank and has been reduced in rank as a result of formal action under the Police (Efficiency) (Scotland) Regulations 1996 or the Police (Conduct) (Scotland) Regulations 1996 shall not be entitled to the payment when returned to the lower rank, but may resubmit an application as outlined in paragraph (3) and the application shall be considered as outlined in paragraphs (4) and (5) and the right of appeal as outlined in paragraph (6) shall apply.

- 9) When a member in receipt of the payment is temporarily promoted to a higher rank, the payment shall be discontinued with effect from the date the temporary promotion takes effect until the period of temporary promotion ends, except that, where, at any time during the temporary promotion the annual rate of pay of a member in the higher rank is lower than the total of

- a) the member's annual rate of pay immediately before that date, and
- b) the rate of the payment made under this Part

he shall be paid at the same rate as if he had not been promoted.

- 10) Subject to paragraph (7), where a member in receipt of the payment is seconded, he shall receive the payment from the date of his return to the seconding force.

- 11) The hourly rate of pay of a part-time member entitled to this payment shall be increased by a sum obtained by multiplying by 6/12520 the sum of £1002.

- 12) A member who, at the time of her application, is on maternity leave in accordance with Regulation 33(4) and any determination thereunder shall in her application cite examples relating to performance from the two year period ending with the start of her maternity leave.

13) A member who, at the time of his application, is absent from duty on account of injury or illness in accordance with Regulation 33(2) and any determination thereunder shall in his application cite examples relating to performance from the two year period ending with the start of his absence under that Regulation.

14) In this determination-

“assessing officer” means the person who has the immediate supervisory responsibility for the member concerned;

“determining officer” means a person who has supervisory responsibility within the police force concerned and who is senior in rank or grade to the assessing officer;

“appeals officer” means the person who has, for the time being, supervisory responsibility for the person who is, in relation to the member concerned, the determining officer.

Where neither the assessing officer nor the determining officer nor the appeals officer as defined in paragraph (14) is a member of a police force, then the chief constable shall appoint a suitable member of the police force to be the appeals officer for the member concerned.