

PROBATIONARY SERVICE IN THE RANK OF CONSTABLE

- 1) A member of a police force appointed in the rank of constable other than such a member who transferred to the force from another police force, having completed the required period of probation therein, and not being a member to whom paragraph (2) applies, shall unless paragraph (4) applies to that member's case, be on probation for the first 2 years of his service as a constable in that police force following the member's last appointment thereto or for such longer period as the chief constable determines in the circumstances of a particular case.
- 2) A part-time member of a police force appointed in the rank of constable shall, unless paragraph (4) applies to that member's case, be on probation for a period calculated in accordance with paragraph (3) following that member's last appointment thereto or for such longer period as the chief constable determines in the circumstances of a particular case.
- 3)
 - a) A part-time member of a police force appointed to the rank of constable shall be required to serve on probation for a period of $(40/A) \times (2 \text{ years less any period of probation served in that force otherwise than as a part-timer})$.
 - b) In sub paragraph (a) above 'A' = member's normal weekly period of duty, as defined in the determination made by the Scottish Ministers under Regulation 22.
- 4) A member of a police force to whom paragraph (1) or (2) applies who has served on probation for a period of not less than a year following a previous appointment to that or any other police force shall be on probation for the first year of the member's service as a constable in the police force first mentioned in this paragraph following the member's last appointment thereto or for such longer period as the chief constable determines in the circumstances of a particular case.

Provided that the chief constable may at his discretion-

- a) reduce the period of probation, so however that the reduced period, when aggregated with the previous period of probation, shall not be less than 2 years except that, in the case of a member who for any part of their probation is appointed a part-time member, is not less than the period served full time in probation plus the period calculated under paragraph 3(a) above, or
 - b) dispense with the period of probation, if the member, following the member's previous appointment, completed the required period of probation in the force in question.
- 5) For the purposes of this determination-
 - a) in reckoning service, any period of unpaid leave shall be disregarded;

- b) in the case of a university scholar, in reckoning service the period of study shall be disregarded;
- c) in the case of a member who has been statutorily transferred from one force to some other force, the member's service in those two forces shall be treated as if it were service in the same police force;
- d) in the case of a member of a police force who has been transferred thereto from an aerodrome constabulary by an order under section 30 of the Aviation Security Act 1982, the member's service in that constabulary shall be treated as if it were service in that police force.
- e) with effect from 8 February 2001 to 5 April 2003, in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave and who has served continuously for a period of not less than one year at the beginning of the eleventh week before the expected date of birth-
 - i) where that leave has been for eighteen weeks or more, the first eighteen weeks whilst on maternity leave together with any part of the period whilst on maternity leave beginning with the week of childbirth and ending 29 weeks from the week of childbirth shall be treated as if it were service in the police force;
 - ii) where that leave has been for less than eighteen weeks, any period spent on maternity leave shall be treated as if it were service in the police force.
- f) with effect from 8 February 2001 to 5 April 2003, in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave but who has not served continuously for a period of not less than one year at the beginning of the eleventh week before the expected date of birth-
 - i) where that leave has been for eighteen weeks or more, the first eighteen weeks whilst on maternity leave shall be treated as if it were service in the police force;
 - ii) where that leave has been for less than eighteen weeks, any period spent on maternity leave shall be treated as if it were service in the police force.
- g) with effect from 6 April 2003, in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave and who has served continuously for a period of not less than twenty six weeks at the beginning of the fourteenth week before the expected date of confinement:-
 - i) where that leave has been for twenty six weeks or more the first twenty six weeks whilst on maternity leave together with any part of the period whilst on maternity leave beginning with the week of childbirth and ending twenty nine weeks from the week of child birth, shall be treated as if it were service in the police force;
 - ii) where the leave has been for less than twenty six weeks any period spent on maternity leave shall be treated as if it were service in the police force.

- h) with effect from 6th April 2003, in reckoning service in the case of a female member of a police force who has taken one or more periods of maternity leave but who has not served continuously for a period of not less than 26 weeks at the beginning of the fourteenth week before the expected date of birth:-
 - i) where that leave has been for 26 weeks or more, the first 26 weeks whilst on maternity leave shall be treated as if it were service in the police force;
 - ii) where that leave has been for less than 26 weeks, any period spent on maternity leave shall be treated as if it were service in the police force.

- i) with effect from 8th February 2001 in reckoning service in the case of a member of a police force who has taken one or more periods of maternity support leave under the determination made under regulation 33(5)(a) any period spent on maternity support leave shall be treated as if it were service in the police force.

- j) with effect from 15th December 1999, in reckoning service in the case of a member of a police force who has taken one or more periods of parental leave under the determination made under regulation 33(5)(b) any period spent on parental leave shall be treated as if it were service in the police force.

- k) with effect from 8 February 2001 to 5th April 2003, in reckoning service in the case of a member of a police force who has taken one or more periods of adoption leave under the determination made under regulation 33(5)(c) any period spent on adoption leave shall be treated as if it were service in the police force.

- l) with effect from 6th April 2003, in reckoning service in the case of a member of a police force who has taken one or more periods of adoption leave under the determination made under regulation 33(5)(c):-
 - (i) where that leave has been for twenty seven weeks or more, the first twenty seven weeks whilst on adoption leave shall be treated as if were service in the police force;
 - (ii) where that leave has been for less than twenty seven weeks, any period spent on adoption leave shall be treated as if it were service in the police force.

- m) with effect from 6th April 2003, in reckoning service in the case of a member of a police force who has taken one or more periods of adoption support leave under the determination made under regulation 33(5)(d) any period spent on adoption support leave shall be treated as if it were service in the police force.