
SCOTTISH STATUTORY INSTRUMENTS

2004 No. 257

POLICE

The Police (Scotland) Regulations 2004

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**SCHEDULE 4
REVOCATIONS**

The Scottish Ministers, in exercise of the powers conferred by sections 7(1), 16, 26, 27 and 48(1) of the Police (Scotland) Act 1967[**a**], section 82(4) of the Police Reform Act 2002[**b**] and of all other powers enabling them in that behalf, after taking into consideration any representations made by the Police Advisory Board for Scotland following the submission of a draft of the Regulations in accordance with section 26(9) of the said Act of 1967, and after taking into consideration any recommendations made by the Police Negotiating Board for the United Kingdom and supplying the said Board with a draft of the Regulations in accordance with section 62(1) of the Police Act 1996[**c**], hereby make the following Regulations:

PART 1

COMMENCEMENT AND INTERPRETATION

Citation and commencement

1. - (1) These Regulations may be cited as the Police (Scotland) Regulations 2004.
- (2) These Regulations shall come into force on 25th June 2004 but-
 - (a) regulation 6(2) to (4) shall have effect from 1st September 1998;
 - (b) regulation 24(3)(f) shall have effect from 1st December 1999 to 5th April 2003;
 - (c) regulation 24(3)(g), (h) (so far it relates to maternity support leave and adoption support leave), (i) and 33(8)(d) shall have effect from 6th April 2003;
 - (d) regulation 42 shall have effect from 1st September 2002 so far as relating to the Port of Tilbury Constabulary.

References to transfers

2. - (1) Except where the context otherwise requires, a reference in these Regulations to a member of a police force voluntarily transferring from one force to another shall be construed as a reference to such a member leaving a force for the purpose of joining another force and joining that other force, where that member left the force first mentioned in this regulation on or after 1st January 1963 for the purposes aforesaid with, in the case of the chief constable, the consent of the police authority.

(2) Except where the context otherwise requires, a reference in these Regulations to a member of a police force being statutorily transferred from one force to another shall be construed as a reference to such a member being transferred by or under the Police Scotland Act 1967 as amended both by the Local Government (Scotland) Act 1973[**a**] and the Local Government (Scotland) Act 1994[**b**].

(3) Except where the context otherwise requires, a reference in these Regulations to a member of a police force transferring from one force to another shall be construed as a reference to his either voluntarily so transferring or being statutorily so transferred.

[a] 1973 c.65.

[b] 1994 c.39.

References to provisions of these Regulations

3. In these Regulations, unless the context otherwise requires, a reference to a regulation shall be construed as a reference to a regulation contained in these Regulations, a reference to a Schedule shall be construed as a reference to a Schedule to these Regulations, a reference to a paragraph shall be construed as a reference to a paragraph in the same regulation or, as the case may be, the same Part of the same Schedule and a reference to a sub-paragraph shall be construed as a reference to a sub-paragraph contained in the same paragraph.

Interpretation

4. - (1) In these Regulations, unless the context otherwise requires-

"the 1967 Act" means the Police (Scotland) Act 1967;

"British Transport Police Force" means the force of constables appointed under section 53 of the British Transport Commission Act 1949[**a**];

"chief constable" means the person who is appointed to the office of chief constable of a police force;

"Conduct Regulations" means the Police (Conduct) (Scotland) Regulations 1996[**b**], and the Police (Senior Officers) (Scotland) Regulations 1999[**c**];

"maternity leave" means leave taken in accordance with the provisions of a determination under regulation 33 by a qualified member of a police force during the maternity period;

"member of a police force" means a constable of a police force (including the chief constable of a police force) and includes such a member who is suspended under the Conduct Regulations;

"pensionable service" has the same meaning as in the Police Pensions Regulations 1987[**d**];

"the representative bodies" means the Police Federation for Scotland and all bodies for the time being recognised by the Scottish Ministers for the purposes of section 64 of the Police Act 1996;

"senior officer" means a member who is a chief constable a deputy chief constable or an assistant chief constable;

"university scholar" means a member of a police force on a course of university study nominated by the Scottish Ministers or by the police authority maintaining the police force of which that member is a member following arrangements approved by the Scottish Ministers;

"week" means a period of seven days beginning with Sunday.

(2) Nothing in these Regulations shall be construed as authorising pay or allowances payable to any person to be reduced retrospectively.

[**a**] 1949 c.xxiv.

[**b**] S.I. 1996/1642 amended by S.S.I. 1999/1072.

[**c**] S.I. 1999/1074.

[**d**] S.I. 1987/257, amended by S.I. 1987/2215, 1988/1339, 1989/733, 1990/805, 1992/1343, 1992/2349, 1994/641, 1996/867 and 1997/1429.

PART 2

GOVERNMENT

Ranks

5. The ranks which may be held by members of a police force shall be known by the following designations-

Chief Constable;

Deputy Chief Constable;

Assistant Chief Constable;

Chief Superintendent;

Superintendent;

Chief Inspector;

Inspector;

Sergeant;

Constable.

Part-time appointments

6. - (1) A chief constable may, after consultation with local representatives of the representative bodies, appoint persons to perform part-time service in any rank.

(2) In these Regulations a person appointed to perform part-time service includes a person appointed to share a job with another person.

(3) A person appointed to perform part-time service may not be appointed to serve as a full-time member without that person's consent.

(4) A person appointed to perform part-time service immediately after serving as a full-time member may give notice in writing of that person's intention to be re-appointed as a full-time member and shall be so appointed-

(a) within one month of the date the notice is received by the police authority, where the authority has a suitable vacancy; or

(b) except where sub-paragraph (a) applies, when 3 months have elapsed since the day the notice was received, or from an earlier date if reasonably practicable.

(5) A person serving as a full-time member of a police force may not be appointed to perform part-time service without that person's consent.

(6) In this regulation "full-time member" means a member appointed otherwise than under this regulation.

(7) In relation to persons appointed under this regulation to perform part-time service-

(a) regulation 12(1) has effect as if the words "other than such a person who transferred to the force having completed the required period of probation therein" were omitted; and

(b) regulation 25 has effect as if-

(i) in paragraph (1) for all the words after "compensated in respect of time" there were substituted "spent on duty in excess of such period as the Scottish Ministers may determine"; and

(ii) paragraph (2) were omitted.

Restrictions on the private life of members

7. - (1) The restrictions on private life contained in Schedule 1 shall apply to all members of a police force.

(2) No other restrictions except those designed to secure the proper exercise of the functions of a constable shall be imposed by the police authority or the chief constable on the private life of members of a police force.

Business Interests

8. - (1) A constable shall not have a business interest without the consent of-

(a) the police authority in the case of a senior officer;

(b) the chief constable in the case of any such other constable, provided that, in the case of any such other constable in whose case the chief constable has an interest in otherwise than as chief constable, the constable shall if either the constable or the chief constable so elect, obtain the consent of the chief constable of such other police force as may be determined.

(2) If a constable acquires or is likely to acquire, or in the case of a constable appointed to the office of chief constable or promoted to the rank of deputy chief constable or assistant chief constable has, a business interest he shall forthwith give written notice of that interest to the chief constable, or, as the case may be, the police authority unless that constable has previously disclosed that interest to that authority.

(3) A person applying for appointment to a police force, other than a person referred to in paragraph (4), shall give written notice to the chief constable of any business interest.

(4) A person applying for appointment to the office of chief constable, deputy chief constable, or assistant chief constable in a police force shall give written notice to the police authority responsible for the appointment of any business interest which that constable has or is likely to acquire after appointment.

(5) A person shall be regarded as having a business interest if-

(a) that person carries on any business or holds any office of employment for hire or gain (otherwise than as a constable); or

(b) that person resides at any premises where any member of that person's family keeps a shop or carries on any like business; or

(c) that person holds, or any member of that person's family living with that person holds, any licence, certificate or permit granted in pursuance of the laws relating to liquor licensing or betting and gaming or regulating places of public entertainment in the police area of the force of which that person is a constable to which that person is applying for appointment or has any pecuniary interest in such licence, certificate of permit; or

(d) that person's spouse (not being separated from that person) keeps a shop or carries on any like business in the police area of the force of which that person is a constable or to which that person is applying for appointment.

(6) For the purposes of this regulation, the expression "member of that person's family" shall include parent, son, daughter, brother, sister or spouse (not being separated from that person).

Qualifications for appointment to a police force (See also Annex A)

9. - (1) A candidate for appointment to a police force-
- (a) must, if not a national of an EEA State^[a] have leave to enter or remain in the United Kingdom for an indefinite period;
 - (b) must produce satisfactory references as to character, and, if that candidate has served in any police force, in the armed forces, in the civil service or as a seaman, produce satisfactory proof of good conduct while so serving;
 - (c) must have attained the age of 18 years 6 months;
 - (d) must be certified by a registered medical practitioner approved by the police authority to be fitted both physically and mentally to perform the duties on which that candidate will be employed after appointment;
 - (e) must meet the standard of eyesight determined by the Scottish Ministers;
 - (f) must, if a candidate for appointment in the rank of constable, satisfy the chief constable that that candidate is sufficiently educated, including being sufficiently competent in written and spoken English and sufficiently numerate, by passing an examination of a standard approved by the chief constable and the Scottish Ministers after consultation with the Police Advisory Board of Scotland;
 - (g) must, if a candidate for appointment in the rank of sergeant, or inspector, be qualified for promotion to such rank in accordance with the provisions of the Police (Promotion) (Scotland) Regulations 1996^[b];
 - (h) must give such information as may be required as to his previous history or employment or any other matter relating to his appointment to the police force.
- (2) A candidate for appointment to a police force shall be given a notice in terms approved by the Scottish Ministers drawing attention to the terms and conditions of service.
- (3) For the purposes of this regulation-
- (a) "armed forces" means the naval, military or air forces of the Crown including any women's service administered by the Defence Council; and
 - (b) "seaman" has the same meaning as in the Merchant Shipping Act 1995^[c].

^[a] EEA State means a Member State, Norway, Iceland or Liechtenstein.

^[b] 1996/221.

^[c] 1995 c.21.

[a] EEA State means a Member State, Norway, Iceland or Liechtenstein.

[b] 1996/221.

[c] 1995 c.21.

Declaration to be made on appointment

10. The terms of the declaration to be made under section 16 of the 1967 Act by a person appointed to the office of constable of a police force shall be as follows-

" I hereby do solemnly and sincerely and truly declare and affirm that I will faithfully discharge the duties of the office of constable."

Appointment of senior officers (See also Annex B)

11. - (1) Subject to section 4(1) of the 1967 Act and regulation 9, no person shall be appointed as chief constable or qualified as appointment as a deputy chief constable or assistant chief constable of a police force unless that person holds or has held such rank and for such period as the Scottish Ministers shall determine in respect of such appointments.

(2) The Scottish Ministers may determine any other requirements that must be satisfied in respect of such appointments. The police authority may determine any additional requirements that must be satisfied in respect of any particular appointment.

(3) An appointment to a senior officer rank in a police force maintained under section 2 of the 1967 Act shall be for a fixed term. The Scottish Ministers shall determine the range within which a fixed term must fall and the circumstances in which a fixed term appointment may be extended.

(4) Paragraph (3) is without prejudice to any provision whereby a term of appointment comes to an end on promotion, dismissal, the conclusion of disciplinary proceedings or transfer to another police force and regulation 14.

(5) The Scottish Ministers shall determine the circumstances in which a vacancy in a senior officer rank shall be advertised; if a vacancy is to be advertised, the advertisement shall contain such detail and be published in such manner as the Scottish Ministers may determine. The Scottish Ministers may determine that no appointment shall be made until after a date to be specified in the advertisement.

Probationary service in the rank of constable (See also Annex C)

12. - (1) Subject to paragraphs (2) and (3), a member of a police force appointed in the rank of constable, other than such a person who transferred to the force from another police force having completed the required period of probation therein, shall be on probation for such period as the Scottish Ministers shall determine in respect of such appointments.

(2) In making a determination under paragraph (1), the Scottish Ministers may, subject to paragraph (3), confer on the chief constable discretion to determine the required period of probation in a particular case.

(3) For the purposes of a determination under paragraph (1), the periods to be counted or disregarded in reckoning service shall be such as may be determined by the Scottish Ministers.

Discharge of probationer

13. - (1) Subject to the provisions of this regulation, during a constable's period of probation in the force the services of that constable may be dispensed with at any time by written notice given by the chief constable if the chief constable considers that that constable is not fitted, physically or mentally, to perform the duties of office of constable, or that that constable is not likely to become an efficient or well conducted constable.

(2) A constable whose services are dispensed with under this regulation shall be-

(a) informed in writing of the provisions of paragraph (3); and

(b) entitled to receive a month's notice or a month's pay in lieu thereof.

(3) A constable's services shall not be dispensed with in accordance with this regulation and any notice given for the purposes thereof shall cease to have effect if that constable gives written notice to the police authority of that constable's intention to retire and retires in pursuance of the said notice on or before the date on which that constable's services would otherwise be dispensed with; and such a notice taking effect on that date shall be accepted by the police authority notwithstanding that less than a month's notice is given.

(4) Where a constable has received a notice under this regulation that the services of the constable are to be dispensed with and that constable gives written notice of intention to retire and retires under paragraph (3), that constable shall nevertheless be entitled to receive pay up to and until the date on which the month's notice that constable has received would have expired or where that constable has received or is due to receive a month's pay in lieu of notice that constable shall remain entitled to that pay notwithstanding the notice that constable has given under paragraph (3).

Retirement (See also Annex D)

14. Members of a police force may retire in such circumstances as shall be determined by the Scottish Ministers, and in making such a determination the Scottish Ministers may require such notice of intention to retire as may be specified in the determination, or such shorter notice as may have been accepted by the police authority, to be given to that authority.

Contents of personal records

15. - (1) The chief constable shall cause a personal record of each member of the police force to be kept.

(2) The personal record shall contain-

(a) the home address of the member;

(b) a photograph not more than 10 years older of the member taken in accordance with the directions of the chief constable and at the expense of the police authority;

(c) a personal description of the member;

(d) particulars of the member's place and date of birth;

(e) particulars of the member's marriage (if any) and children (if any);

(f) a record of the member's service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service;

(g) a record of the member's service (if any) in any other police force and transfers (if any) from one police force to another;

(h) a record of whether the member passed or failed to pass any qualifying examination at which the member was a candidate; and

(i) a record of the member's service in the police force, including particulars of all promotions, changes of pay, postings, transfers, removals, injuries received, periods of illness, attendances at training courses, commendations, rewards, punishments, disposals other than cautions, and the date of the member ceasing to be a member of the police force with the reason, cause or manner thereof.

(3) The chief constable shall cause to be expunged from the personal record-

(a) any record of punishment made in terms of the Police (Scotland) (Discipline) Regulations 1967[**a**] after 3 years free from punishment other than a caution;

(b) any record of a disposal made in terms of the Police (Conduct) (Scotland) Regulations 1996 after 3 years free from any disposal other than a caution; and

(c) in the case of any proceedings taken against the member under the Police (Efficiency) (Scotland) Regulations 1996[**b**], any record of proceedings (including any disposal made under those Regulations) after 2 years have elapsed since the date of the

[**a**] S.I. 1967/1021 amended by S.I. 1971/843, 1975/843, 1975/1544, 1976/1073, 1982/902, 1987/2226 and 1995/647. The Regulations were repealed by S.I. 1996/1642 but continue to have effect for existing cases by virtue of regulation 25 of S.I. 1996/1642 and S.I. 1996/1648. An existing case is defined in regulation 1(2) of S.I. 1996/1646.

[**b**] S.I. 1996/1432.

last event to take place in terms of those Regulations in relation to any proceedings taken against the member.

(4) Where any such record as is mentioned in paragraph (3) is expunged from a member's personal record, so much of that personal record as relates to any such record shall be destroyed and a new part made out so as not to disclose that the expunged record existed.

(5) A member of a police force shall, if that member so requests, be entitled to inspect that member's personal record.

Transfer of personal records

16. Where a member of a police force transfers to another police force that member's personal record shall be transferred to the chief constable of that other police force.

Personal record of member leaving force

17. - (1) Where a member of a police force ceases to be a member of that police force the member shall, unless that member transfers to another police force, be given a certificate showing that member's rank and setting out the period of that member's service in that police force and in any other police force.

(2) The chief constable may append to the certificate any recommendation which the chief constable feels justified in giving, such as that-

the member's conduct was exemplary;

the member's conduct was very good;

the member's conduct was good.

(3) Where a member of a police force ceases to be a member of that police force, otherwise than by transferring to another police force, that member's personal record shall be kept for such time as the chief constable may think fit and shall then be destroyed.

Fingerprints

18. - (1) All members of a police force shall in accordance with the directions of the chief constable have their fingerprints taken.

(2) Fingerprints of members of a police force taken in accordance with paragraph (1) shall be kept separate from the fingerprints of persons whose fingerprints have been taken otherwise than in accordance with that paragraph.

(3) The fingerprints of a member of a police force taken in accordance with paragraph (1) and all copies and records thereof shall be destroyed on that member ceasing to be a member of that force, except that, where that member becomes a member of another force, that member's fingerprints and all copies and records thereof shall be transferred to the chief constable of that other police force.

Samples

19. - (1) All members of a police force, except those members appointed following their transfer from another police force, shall on appointment and in accordance with the directions of the chief constable have a sample taken.

(2) Samples or the information derived from samples of members of a police force taken in accordance with this regulation shall be kept separate from the samples or the information derived from samples taken in accordance with sections 18, 19 and 19A of the Criminal Procedure (Scotland) Act 1995^[a] or section 56 of the Criminal Justice (Scotland) Act 2003^[b] or otherwise lawfully taken and held by or on behalf of any police force or in connection with or as a result of an investigation of an offence.

(3) The samples shall be taken for the purpose of enabling a check to be carried out against any other sample or information derived from a sample taken by or on behalf of any police force or in connection with or as a result of the investigation of a criminal offence.

(4) The samples or information derived from samples of a member of a police force taken in accordance with paragraph (1), and all copies and records thereof shall be destroyed on that member ceasing to be a member of that force except that where that member becomes a member of another force, that member's samples or information and all copies and records thereof shall be transferred to the chief constable of that other force.

(5) In this regulation "sample" means-

- (a) a sample of hair, other than pubic hair, complete with roots;
- (b) saliva; or
- (c) a swab taken from the mouth.

^[a] 1995 c.46. Section 19A of the Criminal Procedure (Scotland) Act 1995 was inserted by section 48(2) of the Crime and Punishment (Scotland) Act 1997 c.48. Sections 18, 19 and 19A were amended by section 55 of the Criminal Justice (Scotland) Act 2003 (asp 7).

^[b] 2003 asp 7.

PART 3

DUTY

Duty to carry out lawful orders

20. Every member of a police force shall carry out all lawful orders and shall at all times punctually and promptly perform all appointed duties and attend to all matters within the scope of that member's office as a constable.

Limitations on duties to be assigned to members statutorily transferred

21. - (1) Where a member of a police force has previously served in a police force for an area comprised in whole or in part in the area for which that member's present force is maintained and that member ceased to be a member of the former force and became a member of the present force by reason only of being statutorily transferred from that force to another then, subject to paragraph (2), that member shall not be assigned to duties which, in the opinion of the Scottish Ministers, make it necessary for that member to move home to a place which is outside the area for which that member's former force was maintained.

(2) Paragraph (1) shall not apply to a person by reason of that person's previous service in a particular police force if-

(a) since that person became a member of that police force that person has been a chief constable; or

(b) after that person was statutorily transferred from that police force that person has given written notice to the chief constable of the police force of which that person was at the time a member that the protection accorded by paragraph (1) should cease to apply to that person,

without prejudice, however, to the application of paragraph (1) to that person by reason of service in another police force after that person's statutory transfer from the force first mentioned in this paragraph and before that person's statutory transfer to that person's present force.

(3) Paragraph (1) shall apply in the case of a member of a police force who ceased to be such and became a serviceman, or engaged on relevant service within the meaning of section 38A(1) (b) to (bb) and (e) and (f) of the 1967[**a**] Act who enjoys a right of reversion under section 38(3) of the 1967 Act or-

(a) where on ceasing to be such, that person resumed service in, or, as the case may be, exercised that person's right of reversion to, that person's former force, as if that person had not ceased to be a member of that force; or

(b) where on ceasing to be such, that person resumed service in, or, as the case may be, exercised that person's right of reversion to some other force to which members of that person's former force had been transferred as mentioned in paragraph (1), as if that person had been so transferred from that person's former force to that other force.

(4) In this regulation "present force" and "former force" mean, respectively, the force first mentioned and that secondly mentioned in paragraph (1).

Duty (See also Annex E)

22. - (1) The Scottish Ministers shall determine-

- (a) the normal periods of duty of a member of a police force;
- (b) the periods allowed for refreshment;
- (c) the variable shift arrangements which may be brought into operation by a chief constable;
- (d) the manner and timing of the publication of duty rosters and the matters to be contained therein; and
- (e) the circumstances in which travelling time may be treated as duty.

(2) In making a determination under paragraph (1)(a) the Scottish Ministers may confer on the chief constable discretion to fix the time at which a period commences for the purposes of the determination and may determine the conditions subject to which that discretion is to be exercised.

(3) In making a determination under paragraph (1)(e) the Scottish Ministers may-

- (a) confer on the chief constable discretion to fix a limit on the travelling time which is to be treated as duty;
- (b) confer on the police authority discretion to fix a limit on the amount of the expenses which may be reimbursed in respect of such travelling time.

(4) In this regulation "travelling time" means time spent by a member of a police force in travelling to and from that member's home-

- (a) where that member is required to perform that member's normal daily period of duty in more than one tour of duty, between two tours; or
- (b) where that member is recalled to duty between two tours of duty, in consequence of that member's recall.

Meetings of Scottish Police Federation treated as police duty

23. - (1) The attendance of a member of a police force at one of the following meetings of the Scottish Police Federation, that is to say, a quarterly meeting of a branch board, an ordinary meeting of a central committee, a meeting of the conferences arrangements committee, the annual meeting of the joint central committee with the joint central committee of the Police Federation for England and Wales and the central committee of the Police Federation for Northern Ireland or the annual meeting of a central conference shall be treated as an occasion of police duty.

(2) Subject to the approval of the chief constable, the attendance of a member of a police force at an additional meeting of a branch board of the Scottish Police Federation or at a meeting of a committee of a branch board shall be treated as an occasion of police duty.

(3) Subject to the approval of the Scottish Ministers, the attendance of a member of a police force at a meeting of the Scottish Police Federation, other than such a meeting as is mentioned in paragraph (1) or (2), shall be treated as an occasion of police duty.

(4) In this regulation "branch board" means the branch board mentioned in regulation 7(1) of the Police Federation (Scotland) Regulations 1985 [a].

PART 4

PAY

Pay - (see also Annex F)

24. - (1) Subject to the following provisions of this Part, the pay of members of police forces shall be determined by the Scottish Ministers, and in making such a determination the Scottish Ministers may-

(a) confer such functions in relation to the pay of members of a police force above the rank of chief superintendent on the police authority;

(b) where the pay of a member of a police force of the rank of chief inspector or below is payable subject to such conditions as may be specified in the determination, confer on a member of a police force senior in rank to that member, or a person employed by the police authority under section 9 of the 1967 Act, such functions in relation to those conditions,

as they think fit.

(2) Subject to regulations 42 to 44 and sections 38 and 38A of the 1967 Act in reckoning the service of a member of a police force in any rank for the purposes of pay, account shall be taken of all that member's service in that rank, whether in that or another police force, and service in a higher rank, on temporary promotion thereto or otherwise, shall be treated as if it had been service in that rank.

(3) For the purposes of this regulation in reckoning a member's service in any rank-

(a) that service shall be treated as unbroken by, and including, any period of service in Her Majesty's forces which the member is entitled to reckon as pensionable service;

(b) except where the police authority in the circumstances of a particular case otherwise determine with the approval of the Scottish Ministers, no account shall be taken of any previous service in that rank which terminated in that member's reduction in rank as a punishment but any previous service in a higher rank which so terminated shall be treated as if it had been service in the rank to which that member was reduced;

(c) no account shall be taken of any performance of the duties of that rank in respect of which a temporary salary is payable under regulation 27;

(d) any period of unpaid leave shall be disregarded;

(e) any part-time service shall be taken into account as though it were full-time service;

(f) in the case of a female member who has taken one or more periods of maternity leave-

(i) where that leave has been for eighteen weeks or more, account shall be taken of the first eighteen weeks whilst on maternity leave;

(ii) where that leave has been for less than eighteen weeks, account shall be taken of any period spent on maternity leave;

and where that member has, at the beginning of the eleventh week before the expected date of birth of the member's child, as given in accordance with a determination under regulation 33(4), served continuously as a member of a police force for a period of not less than a year, account shall be taken of any period (not being a period of which account has been taken under paragraph (i) or (ii)) spent on maternity leave during the period of 29 weeks beginning with the week in which the child is born;

(g) in the case of a female member who has taken one or more periods of maternity leave-

(i) where that leave has been for twenty six weeks or more, account shall be taken of the first twenty six weeks whilst on maternity leave;

(ii) where that leave has been for less than twenty six weeks, account shall be taken of any period spent on maternity leave;

and where that member has, at the beginning of the fourteenth week before the expected date of birth of the member's child, as given in accordance with a determination under regulation 33(4), served continuously as a member of a police force for a period of not less than twenty six weeks, account shall be taken of any period (not being a period of which account has been taken under paragraph (i) or (ii)) spent on maternity leave during the period of 29 weeks beginning with the week in which the child is born;

(h) account shall be taken of any period of maternity support leave, parental leave and adoption support leave taken in accordance with a determination under regulation 33(8)(a), (b) and (d);

(i) account shall be taken of the first twenty seven weeks of adoption leave taken in accordance with a determination under regulation 33(8)(c),

and, in the case of a member of a police force of a rank higher than that of chief inspector, paragraph (2) shall have effect subject to any contrary agreement so far as it relates to the reckoning of previous service in that or another force, not being a force from which that member was statutorily transferred to that member's present force.

(4) Noting in this regulation shall affect the operation of any provisions of the Conduct Regulations and, in relation to a member of a police force suspended or fined thereunder the provisions of paragraphs 1 and 3 of Schedule 2 or of paragraph 4 thereof shall have effect.

(5) A determination under paragraph (1) shall have effect in relation to a university scholar subject to the provisions of any determination for the time being in force under regulation 32.

Overtime (see also Annex G)

25. - (1) Subject to the provisions of this regulation, the Scottish Ministers shall determine the circumstances and manner in which a member of a police force shall be compensated in respect of time-

- (a) for which that member remains on duty after that member's tour of duty ends;
or
- (b) for which that member is recalled between two tours of duty; or
- (c) which forms part of a tour of duty which that member is required to begin earlier than the rostered time without due notice and on a day when that member has already completed that member's normal daily period of duty,

and such time is referred to in these Regulations as "overtime".

(2) For the purposes of this regulation-

"due notice" means notice given at least 8 hours before the revised starting time of the rostered tour of duty in question;

"normal daily period of duty" shall be construed in accordance with regulation 22;

"recall" does not include a warning to be in readiness for duty if required; and

"tour of duty", in relation to a member of a police force for whom variable shift arrangements are in operation under regulation 22 (1)(c), means rostered shift.

(3) In making a determination under paragraph (1), the Scottish Ministers may confer on the chief constable discretion:

- (a) to fix the day on which a period commences for the purposes of the determination;
- (b) to fix the period within which time off in compensation for overtime is to be granted;
- (c) to allow time in addition to that specified in the determination to be taken into account in computing any period of overtime.

Public holidays and rest days (see also Annex H)

26. - (1) The Scottish Ministers shall determine the circumstances and manner in which a member of a police force shall be granted leave or otherwise compensated in respect of time spent on duty on-

(a) public holidays; or

(b) rostered rest days,

and in this regulation "rostered rest day", in relation to a member of a police force who is required to do duty on that day, means a day which according to the duty roster was, immediately before that member was so required to do duty, to have been a rest day for that member.

(2) In making a determination under paragraph (1) the Scottish Ministers may confer on the chief constable discretion-

(a) to fix the time at which, or the day on which, a period commences for the purposes of the determination;

(b) to fix the period within which time off in compensation for time spent on duty as mentioned in that paragraph is to be granted;

(c) to fix a limit on the time occupied by a member of a police force in travelling to and from that member's place of duty which is to be included in a period of duty for the purposes of the determination.

(3) In this regulation "public holiday" means Christmas Day, New Year's Day and each of 6 other days, being as far as practicable local public holidays and in any year where Christmas Day, 26th December or New Year's Day falls on a Saturday or Sunday the 6 other days shall be increased by 1 for each day on which Christmas Day, 26th December or New Year's Day falls on a Saturday or Sunday.

Temporary salary and temporary promotion (see also Annexes I & J)

27. The Scottish Ministers shall determine-

- (a) the circumstances in which a member of a police force is entitled to receive a temporary salary and the rate of that salary; and
- (b) the rate of that member's salary while temporarily promoted.

Sick pay (see also Annex K)

28. The Scottish Ministers shall determine the entitlement of members of police forces to pay during periods of sick leave taken in accordance with a determination under regulation 33(5), and in making such a determination the Scottish Ministers may confer on the chief constable discretion to allow a member of a police force to receive more pay than that specified in the determination.

Maternity pay, maternity support leave pay, adoption pay and adoption support leave pay (see also Annex L)

29. - (1) The Scottish Ministers shall determine the entitlement of members of police forces to pay during periods of maternity and maternity support leave.

(2) The Scottish Ministers shall determine the entitlement of members of police forces to pay during periods of adoption and adoption support leave.

Fixing of pay day and calculation of monthly, weekly and daily pay (see also Annex M)

30. - (1) The intervals at which members of a police force are to be paid shall be fixed by the police authority in accordance with such rules as the Scottish Ministers may determine.

(2) The Scottish Ministers shall determine the manner of calculating monthly, weekly and daily pay.

Deductions from pay of social security benefits and statutory sick pay

31. - (1) There shall be deducted from the pay of a member of a police force who is in receipt of full pay-

- (a) the amount of any short-term or long-term incapacity benefit to which he is entitled under the Social Security (Incapacity for Work) Act 1994(a) and
- (b) any statutory sick pay to which he is entitled under the Social Security Contributions and Benefits Act 1992(b),

and for the purposes of sub-paragraph (a) any increase for adult and child dependants shall be treated as forming part of the benefit or allowance to which it relates.

(2) For the purposes of this regulation, a female member of a police force, who as a married woman or widow has elected to pay contributions under section 19 of the Social Security Contributions and Benefits Act 1992 at the reduced rate, shall be deemed to be entitled to any social security benefits mentioned in paragraph (1) to which she would have been entitled had she not elected to contribute at the reduced rate.

(3) In this regulation, "full pay" means pay at the rate ascertained from regulation 24 and the determination made thereunder.

(a) 1994 c.18.
(b) 1992 c.4.

University scholars (see also Annex N)

32. The Scottish Ministers shall determine how Part 3 and this Part of these Regulations and any determination made thereunder shall have effect in relation to a university scholar, and in making such a determination the Scottish Ministers may confer on the police authority discretion to determine whether or not the conditions subject to which a university scholar is entitled to any payment under this Part are met.

PART 5

LEAVE

Leave (see also Annexes O, P, Q, R, S and T)

33. - (1) Every member of a police force shall, so far as the exigencies of duty permit, be granted in each leave year such annual leave as may be determined by the Scottish Ministers, and in this regulation "leave year" means that period of 12 months beginning on such date as may from time to time be determined by the police authority.

(2) In making a determination under paragraph (1) the Scottish Ministers may confer on the chief constable discretion-

(a) to grant such additional days of annual leave in any leave year in such circumstances and subject to such conditions as the Scottish Ministers may determine; and

(b) subject to such conditions as the Scottish Ministers may determine, to allow days of annual leave granted under this regulation to be taken as a single period, or as single days, or in periods of more than one day or as half days.

(3) In a determination under paragraph (1) the Scottish Ministers shall make provision for the compensation of a member of a police force for being recalled to duty during a period of annual leave granted under this regulation.

(4) Annual leave granted under this regulation shall be additional to the days on which the member is not required to perform police duties in accordance with a determination under regulation 26.

(5) A member of a police force shall not be entitled to be absent from duty on account of injury or illness otherwise than in such circumstances as shall be determined by the Scottish Ministers, and in making such a determination the Scottish Ministers may confer on the police authority power to appoint, or approve the appointment of, a medical practitioner for the purposes of any function to be carried out under the determination.

(6) A female member of a police force who is pregnant shall, in such circumstances as shall be determined by the Scottish Ministers, have the right not to be unreasonably refused special leave from duty to enable her to keep an appointment for the purpose of receiving antenatal care.

(7) A female member of a police force qualifies for maternity leave in such circumstances as shall be determined by the Scottish Ministers.

(8) A member of a police force shall, so far as the exigencies of duty permit, be granted such-

(a) maternity support leave;

(b) parental leave;

- (c) adoption leave; and
- (d) adoption support leave,

in such circumstances, as the Scottish Ministers shall determine.

(9) In this regulation "maternity support leave" means leave to enable support to be given to an expectant mother at or around the time of birth and "adoption support leave" means leave to enable support to be given to an adoptive parent at or around the time of adoption.

(10) A member of a police force shall, so far as the exigencies of duty permit, be entitled to be permitted to take a reasonable amount of time off during periods of duty in order to take such action, and for such purposes, in respect of a dependant of that member, and subject to such conditions, as shall be determined by the Scottish Ministers; and for this purpose the Scottish Ministers may determine the meaning of "dependant" in relation to members of a police force.

(11) The Scottish Ministers may determine that any period of leave or time off taken in accordance with a determination under paragraph (1), (6), (8) or (10) shall be treated as a period of duty.

(12) Paragraph (5) and any determination thereunder shall apply to a member who is in quarantine as it applies to a member who is ill subject, in the case of such a determination, to such modifications as may be determined by the Scottish Ministers.

PART 6

ALLOWANCES AND EXPENSES

Allowances (see also Annex U)

34. - (1) Subject to regulation 38, the Scottish Ministers shall determine the entitlement of members of a police force to any allowance, and in making such a determination the Scottish Ministers may confer on-

- (a) the police authority;
- (b) the chief constable,

such functions-

- (i) in relation to the calculation of an allowance;
- (ii) where the payment of an allowance is subject to such conditions as may be specified in the determination, in relation to those conditions,

as they think fit.

(2) No allowances shall be paid to a member of a police force except as provided by or under these Regulations or approved by the Scottish Ministers, and the amounts and conditions of payment of such allowances shall be as so provided or approved.

(3) Nothing in this regulation shall apply to the reimbursement of expenses incurred by a member of a police force in the execution of that member's duty, being expenses authorised either generally or specifically by the police authority in respect of which no allowance is payable under these Regulations and no determination has been made under regulation 35.

Expenses (see also Annex V)

35. - (1) The Scottish Ministers shall determine the entitlement of a member of a police force to reimbursement of any expenses incurred by that member in or in connection with the execution of that member's duty.

(2) Where, in making a determination under paragraph (1), the Scottish Ministers specify conditions subject to which expenses are to be reimbursed, they may in that determination confer on-

(a) the police authority;

(b) the chief constable,

such functions in relation to those conditions as they think fit.

Continuance of allowances when member ill

36. If a member of a police force who is regularly in receipt of an allowance to meet an expense which ceases during that member's absence from duty is placed upon the sick list or is on maternity leave, the allowance shall be payable during that member's absence from duty up to a period of a month, but thereafter, during the remainder of that member's absence from duty, payment may be suspended at the discretion of the chief constable.

Allowances in respect of periods of suspension

37. This Part of these Regulations shall have effect in relation to a member of a police force suspended under the Conduct Regulations, subject to the provisions of paragraphs 2 and 3 of Schedule 2.

Replacement Allowance

38. Schedule 3 shall have effect.

Restriction on payments for private employment of police

39. Without prejudice to the generality of regulation 34(2), a member of a police force who is engaged on duty at the request of any person who has agreed to pay the police authority for the member's services shall not be entitled to any payment for those services except as provided by or under these Regulations; and any payments made in pursuance of that agreement shall be made by that person to the police authority.

PART 7
RECKONING OF SERVICE

Reckoning of service in the Police Service of Northern Ireland

40. - (1) Where a member of a police force joined or rejoined that force having left the Police Service of Northern Ireland, on or after 17th December 1969, for that purpose or on exercising the right of reversion conferred prior to 1st April 1995 by section 2(1) of the Police Act 1969^(a) and on or after that date by section 38A of the 1967 Act^(b) then, for the purposes of regulation 24, that member's service in any rank in the Police Service of Northern Ireland shall be treated as if it were service in the corresponding rank in the police force that member joined or rejoined as aforesaid:

Provided that in the case of a member of a police force of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of a police force of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the Police Service of Northern Ireland not reckonable under paragraph (1).

(3) In this regulation, any reference to a rank corresponding to a rank in a police force is a reference to a rank in the Police Service of Northern Ireland designated by the Scottish Ministers for the purposes hereof as the rank corresponding to the rank in question.

^(a) 1969 c.63

^(b) Section 38A was inserted by section 60 of the Police and Magistrates' Courts Act 1994 (c.29).

Reckoning of service in the British Transport Police Force

41. - (1) Where a member of a police force joined or rejoined that force having left the British Transport Police Force, on or after 1st September 1994 then, for the purposes of regulation 24, that member's service in any rank in the British Transport Police Force shall be treated as if it were service in the corresponding rank in the police force that that member joined or rejoined as aforesaid:

Provided that in the case of a member of a police force of a rank higher than that of chief inspector this paragraph shall have effect subject to any contrary agreement.

(2) A member of a police force of the rank of constable shall be entitled to reckon, for the purposes of pay for that rank, any period of service in the British Transport Police Force not reckonable under paragraph (1).

(3) In this regulation, any reference to a rank corresponding to a rank in a police force is a reference to a rank in the British Transport Police Force designated by the Scottish Ministers for the purposes hereof as the rank corresponding to the rank in question.

Reckoning by constables of service in certain constabularies

42. - (1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of pay for that rank any period of service in a constabulary mentioned in paragraph (2).

(2) The constabularies referred to in paragraph (1) are-

(a) the Ministry of Defence Police, that is to say the force established by section 1 of the Ministry of Defence of Police Act 1987**(a)** or, before the coming into force of that Act, comprising constables appointed under section 3 of the Special Constables Act 1923**(b)** on the nomination of the Defence Council or, before 1st April 1964, of the Admiralty, Army Council or Air Council;

(b) the Port of Tilbury Constabulary or, before the coming into force of the Port of Tilbury Transfer Scheme 1991 Confirmation Order 1992**(c)** the Port of London Authority's police force, that is to say the force of constables appointed under section 154 of the Port of London Act 1968**(d)**.

(a) 1987 c.4.
(b) 1923 c.11.
(c) S.I. 1992/284
(d) 1968 c.xxxii.

Reckoning of service in an airport constabulary

43. - (1) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 30 of the Aviation Security Act 1982^(a) then, for the purposes of regulation 24, that member's service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.

(2) In this regulation "an aerodrome constabulary" is a reference to such a constabulary within the meaning of the Aviation Security Act 1982^(b) and a reference to a rank in such a constabulary corresponding to a rank in a police force is a reference to a rank in that constabulary designated for the purposes hereof by the Scottish Ministers as the rank corresponding to the rank in question.

^(a) 1982 c.36; section 30 was amended by the Local Government (Wales) Act 1994 (c.19), Schedule 16, paragraph 67.
^(b) 1982 c.36.

Reckoning by constables of overseas police service

44. - (1) A member of a police force of the rank of constable shall be entitled to reckon for the purposes of pay for that rank the following periods of service, that is to say, any period of-

- (a) certified overseas police service such as is mentioned in paragraph (2);
- (b) certified service in the British South Africa Police such as is mentioned in paragraph (3);
- (c) such service in a police force in the Channel Islands or the Isle of Man as is mentioned in paragraph (4),

notwithstanding that such service is not service in the rank of constable in a police force in Great Britain.

(2) The reference in paragraph (1) to certified overseas police service is a reference to-

(a) continuous service as a member of a police force in any territory or country outside the United Kingdom, being a colony, protectorate or protected state within the meaning of the British Nationality Act 1948(a), a dependent territory within the meaning of the British Nationality Act 1981(b) or, where appropriate, the territory or country wherein the colony, protectorate or protected state or dependent territory was incorporated after the inception of the service, subject to it having been certified by or on behalf of the Secretary of State that-

- (i) the service was, at its inception, pensionable; and
- (ii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question; or

(b) continuous service for 6 years or more as a member of a police force outside the United Kingdom, subject to it having been certified by or on behalf of the Secretary of State that-

- (i) the person concerned so served under a contract of service;
- (ii) immediately before the person ceased so to serve, the person concerned was, for the purposes of section 12 of the Overseas Development and Co-operation Act 1980(c), a person designated in accordance with such an agreement as is therein mentioned; and
- (iii) in his opinion the person concerned ceased so to serve for reasons connected with constitutional developments in the territory or country in question,

(a) 1948 c.56.

(b) 1981 c.61

(c) 1980 c.63. Section 12 was repealed by Schedule 4 to the International Development Act 2002 (c.1) but, by virtue of paragraph 4 of Schedule 5 to that Act the repeal does not prevent any agreement entered into under section 12 from continuing to have effect.

except that the said reference in paragraph (1) does not include a reference to service relevant under section 3AA(1)(e) or (f) of the 1967 Act where that member has a right of reversion under section 38A(3).

(3) The reference in paragraph (1) to certified service in the British South Africa Police is a reference to continuous service as a member thereof, for a period which included 11th November 1965, up to such time, or after that date, as the person concerned ceased to perform duties therein, subject to his having ceased to perform those duties before 2nd March 1970 and subject to it having been certified by or on behalf of the Scottish Ministers that he approves the application of this regulation in the case of the person concerned.

(4) The reference in paragraph (1) to service in a police force in the Channel Islands or the Isle of Man is a reference to service in-

(a) the Island police force maintained under the Police Force (Guernsey) Law 1986;

(b) the States of Jersey police force maintained under the Jersey Laws entitled the Police Force (Jersey) Law 1974; or

(c) the Isle of Man Constabulary maintained under the Police Act 1993 (an Act of Tynwald).

(5) A certificate given by or on behalf of-

(a) the Secretary for Technical Co-operation before 27th November 1964; or

(b) the Minister of Overseas Development on or after that date but before 12th November 1970,

shall be treated for the purposes of paragraph (2) as if it had been given by or on behalf of the Secretary of State.

PART 8

UNIFORM AND EQUIPMENT

Issue of uniform and equipment

45. - (1) Constables of the rank of superintendent and below shall be entitled to receive the uniform and equipment that they need free of charge and in a clean and serviceable condition from the police authority. The police authority shall determine the extent of this need.

(2) Uniform and equipment may, if the police authority so determine, be issued as required to a constable above the rank of superintendent.

(3) Unless the police authority and member otherwise agree, such uniform and equipment remains the property of the police authority and shall be returned when the member leaves the force.

PART 9

DETERMINATIONS

Determinations

46. - (1) Before making a determination under any provision of these Regulations relating to the matters mentioned in section 61(1) of the Police Act 1996(a), the Scottish Ministers shall take into consideration any recommendation made by the Police Negotiating Board and shall supply the Board with a draft of the determination; and subsection (2) of section 62 of the said Police Act 1996 Act shall apply in relation to a recommendation to be made for the purposes of this paragraph as it applies in relation to a recommendation to be made for the purposes of subsection (1) of that section.

(2) Before making a determination under any provision of these Regulations relating to any other matter, the Scottish Ministers shall supply the Police Advisory Board for Scotland with a draft of the determination, and take into consideration any representations made by that Board.

(3) A determination under any provision of these Regulations for regulating pay and allowances may be made with retrospective effect to any date specified in the determination, but nothing in this paragraph shall be construed as authorising the pay or allowances payable to any person to be reduced retrospectively.

(4) A determination under any provision of these Regulations may make different provision for different cases and circumstances.

(a) 1996 c.16.

PART 10

AMENDMENT OF OTHER REGULATIONS

The Police (Conduct) (Senior Officers) (Scotland) Regulations 1999

47. - (1) The Police (Conduct) (Senior Officers) (Scotland) Regulations 1999^(a) are amended as follows.

(2) In the definition of "senior officer" in regulation 3(1) (interpretation) after "a chief constable," there is inserted ", a deputy chief constable".

(3) For paragraph 8 of the Schedule substitute "Contravention of regulation 8 of, or Schedule 1 to, the Police (Scotland) Regulations 2004."

^(a) S.I. 1999/1074

The Police (Conduct) (Scotland) Regulations 1996

48. - (1) The Police (Conduct) (Scotland) Regulations 1996^(a) are amended as follows-

(2) In regulation 22-

(a) paragraphs (4) to (6) are omitted;

(b) in paragraph (7) for "1976" there is substituted "2004".

(3) For paragraph 8 of Schedule 1 substitute "Contravention of regulation 8 of, or Schedule 1 to, the Police (Scotland) Regulations 2004.".

The Police (Promotion) (Scotland) Regulations 1996

49. In the definition of "service" in regulation 1(2) of the Police (Promotion) (Scotland) Regulations 1996^(a), for "within the meaning of the Police (Scotland) Regulations 1976" substitute "by virtue of a determination under regulation 29 of the Police (Scotland) Regulations 2004".

^(a) 1996/221.

PART 11

REVOCATIONS

Revocations

50. The Regulations specified in Schedule 4 are, to the extent that they have not previously been revoked, hereby revoked.

SCHEDULE 1

Regulation 7

RESTRICTIONS ON THE PRIVATE LIFE OF MEMBERS OF POLICE FORCES

1. A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of that member's duties or which is likely to give rise to the impression amongst members of the public that it may so interfere; and in particular a member of a police force shall not take any active part in politics.

2. A member of a police force shall not, unless that member has previously given written notice to the chief constable, receive a lodger in a house in which that member resides and in respect of which that member receives an allowance under a housing allowance or a transitional rent allowance or sub-let any part of such a house.

3. A member of a police force shall not wilfully refuse or neglect to discharge any lawful debt.

SCHEDULE 2

Regulations 24 and 37

EFFECT OF DISCIPLINARY ACTION ON PAY AND ALLOWANCES

1. - (1) Subject to paragraph 3, a member of a police force suspended under the Conduct Regulations who-

(a) is detained in pursuance of a sentence of a court in a prison or other institution to which the Prisons (Scotland) Act 1989^[a] applies, or is in custody (whether in prison or elsewhere) between conviction by a court and sentence; or

(b) has absented himself or herself from duty and whose whereabouts are unknown to the chief constable (or deputy chief constable or assistant chief constable acting as chief constable),

shall not, by virtue of regulation 24, be entitled to pay in respect of his period in detention or custody or, as the case may be, in respect of the period during which that member's whereabouts are unknown as aforesaid.

(2) Where the member suspended is a senior officer sub-paragraph (1)(b) shall have effect as if for the words after "unknown" there were substituted "to the police authority".

2. Subject to paragraph 3, a member of a police force suspended under the Conduct Regulations shall not, by virtue of Part 6 of these Regulations, be entitled to any allowance, in respect of the period of suspension, other than-

(a) an allowance under Schedule 3; or

(b) in the case of a member to whom paragraph 3(c) does not apply, such allowance as the Scottish Ministers may determine.

3. Where a member of a police force returns to duty when the period of suspension comes to an end and-

(a) it has been decided that that member shall not be charged with a disciplinary offence; or

(b) that member has been so charged and all the charges have been dismissed; or

(c) that member has been so charged and has been punished by a reduction in that member's rate of pay, fine, reprimand or caution,

that member shall receive, as from the date of that member's suspension, the pay to which, but for paragraph 1, and the allowances to which, but for paragraph 2, that member would have been entitled by virtue of these Regulations.

4. Where a member of a police force is fined under the Conduct Regulations the fine shall, without prejudice to any other method of recovery, be recoverable by way of deductions from the member's pay during the period of 13 weeks following the imposition of the fine so, however, that the aggregate sum which may be deducted in

pursuance of this paragraph in respect of any one week (whether on account of one or more fines) shall not exceed a seventh of the member's weekly pay:

Provided that in the event of the member leaving the police force, the whole amount of any fine unpaid may be deducted from any pay then due.

SCHEDULE 3

Regulation 38

REPLACEMENT ALLOWANCE Interpretation

1. - (1) This paragraph has effect for defining expressions used in paragraphs 2 to 7.

(2) "Qualifying member" means a member of a police force who-

- (a) immediately before 1st September 1994 was a member of that or another police force;
- (b) was not then on unpaid leave;
- (c) has at all times after 31st August 1994 been a constable; and
- (d) has not after that date been on unpaid leave.

(3) Where a member of a police force in England and Wales or Northern Ireland in receipt of a replacement allowance under a corresponding regulation which has effect there transfers to a police force in Scotland that member shall be treated from the date of transfer as if that member were a qualifying member.

(4) Where a member of the British Transport Police Force in receipt of a housing allowance transfers on or after 1st September 1994 to a police force in Scotland that member shall be treated from the date of transfer as if that member were a qualifying member.

(5) "Re-joining member" means a member who by reason only of a relevant absence is not a qualifying member.

(6) "Relevant absence" means-

- (a) a period of central service or overseas service; or
- (b) a period of relevant service within the meaning of section 38A(1)(ba) or (bb) of the 1967 Act [a] or any corresponding provision for the time being in force in England and Wales or Northern Ireland; or
- (c) a period of unpaid leave,

ending after 31st August 1994.

(7) "Housing emoluments" means any one or more of the following kinds of payments under the provisions of the 1976 Regulations as they had effect before 1st September 1994-

- (a) a housing allowance under regulation 42;
- (b) a transitional rent allowance under regulation 42B;
- (c) a supplementary housing allowance under regulation 43; and
- (d) a compensatory grant under regulation 45,

and in relation to a re-joining member includes a rent allowance under regulation 42 of the 1976 Regulations as it had effect before 1st April 1990; and "housing allowance" and "transitional rent allowance" mean respectively the allowances mentioned in (a) and (b) above.

(8) "The 1976 Regulations" means the Police (Scotland) Regulations 1976 [b].

Qualifying member provided with accommodation

2. - (1) A qualifying member who ceases to occupy a house or quarters with which that member was provided free of rent becomes entitled to a replacement allowance.

(2) The replacement allowance is, subject to paragraph 7, an allowance at a rate equal to the total of-

(a) the rate at which housing allowance, or as the case may be transitional rent allowance, was payable, or would have been payable if that member had not been occupying the house or quarters, immediately before 1st September 1994; and

(b) the rate at which any allowance under regulation 42(11) or 43(3) was or would have been then payable.

Qualifying member with housing emoluments

3. - (1) A qualifying member who immediately before 1st September 1994 was in receipt of housing emoluments is entitled to a replacement allowance unless that member is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance at the rate at which the housing emoluments were payable immediately before 1st September 1994.

Re-joining member previously provided with accommodation

4. - (1) A re-joining member who immediately before the relevant absence began was occupying a house or quarters with which that member was provided free of rent becomes entitled to a replacement allowance unless that member is again provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance at the rate at which, if that member had not been occupying the house or quarters, housing allowance, or as the case may be transitional rent allowance, would have been payable-

(a) where the relevant absence began before 1st September 1994, immediately before it began; and

(b) in any other case, immediately before 1st September 1994.

Re-joining member previously in receipt of housing payments

5. - (1) A re-joining member who immediately before the relevant absence began was in receipt-

(a) of housing emoluments; or

(b) of a replacement allowance under paragraph 2 or 3,

becomes entitled to a replacement allowance unless that member is provided with a house or quarters free of rent.

(2) The replacement allowance is, subject to paragraph 7, an allowance-

(a) where sub-paragraph (1)(a) applies, at the rate at which the housing emoluments were payable; and

(b) where sub-paragraph (1)(b) applies, at the rate at which the previous replacement allowance was payable,

immediately before the relevant absence began.

Members provided with house or quarters

6. A qualifying member or a re-joining member who-

(a) is provided with a house or quarters free of rent; and

(b) if the relevant provisions of the 1976 Regulations had continued in force would have been entitled to an allowance under regulation 42(11) or 43(3),

is, subject to paragraph 7, entitled to an equivalent replacement allowance.

Variation and termination of replacement allowances

7. - (1) Subject to sub-paragraph (2), in circumstances in which-

(a) a housing allowance or transitional rent allowance payable as mentioned in paragraph 2(2) or 4(2); or

(b) any of the housing emoluments mentioned in paragraphs 3(1), 5(1)(a) and 6,

would, if the relevant provision of the 1976 Regulations had continued in force, have fallen to be reduced or discontinued, the replacement allowance in question is reduced accordingly or, if the effect of discontinuance would have been that no housing emoluments remained payable, terminated.

(2) For the purposes of sub-paragraph (1) it is to be assumed that a housing allowance or transitional rent allowance would not have fallen to be reduced by reason of the member's being married to or sharing accommodation with another member appointed after 31st August 1994.

(3) In circumstances in which any allowance or housing emoluments mentioned in sub-paragraph (1) would, if the revoked provisions had continued in force, have fallen to be increased otherwise than under regulation 42A of the 1976 Regulations (which provided for biennial adjustment of housing allowances), or in which any new housing emoluments would in that case have become payable, the replacement allowance in question is increased accordingly.

SCHEDULE 4**Regulation 50****REVOCATIONS**

<i>Column 1</i>	<i>Column 2</i>
<i>Regulations revoked</i>	<i>References</i>
The Police (Scotland) Regulations 1976	S.I. 1976/1073
The Police (Scotland) Amendment (No. 3) Regulations 1976	S.I. 1976/1433
The Police (Scotland) Amendment Regulations 1977	S.I. 1977/1016
The Police (Scotland) Amendment (No. 2) Regulations 1977	S.I. 1977/2008
The Police (Scotland) Amendment Regulations 1978	S.I. 1978/528
The Police (Scotland) Amendment (No. 2) Regulations 1978	S.I. 1978/1170
The Police (Scotland) Amendment (No. 3) Regulations 1978	S.I. 1978/1510
Scotland) Amendment Regulations 1979	S.I. 1979/767
The Police (Scotland) Amendment (No. 2) Regulations 1979	S.I. 1979/1263
The Police (Scotland) Amendment Regulations 1980	S.I. 1980/1050
The Police (Scotland) Amendment Regulations 1981	S.I. 1981/67
The Police (Scotland) Amendment (No. 2) Regulations 1981	S.I. 1981/1679
The Police (Scotland) Amendment Regulations 1982	S.I. 1982/681
The Police (Scotland) Amendment (No. 2) Regulations 1982	S.I. 1982/1113
The Police (Scotland) Amendment (No. 3) Regulations 1982	S.I. 1982/1628
The Police (Scotland) Amendment Regulations 1983	S.I. 1983/317
The Police (Scotland) Amendment (No. 2) Regulations 1983	S.I. 1983/1354
The Police (Scotland) Amendment (No. 3) Regulations 1983	S.I. 1983/1850
The Police (Scotland) Amendment Regulations 1984	S.I. 1984/1651
The Police (Scotland) Amendment Regulations 1985	S.I. 1985/111
The Police (Scotland) Amendment (No. 2) Regulations 1985	S.I. 1985/1325
The Police (Scotland) Amendment (No. 3) Regulations 1985	S.I. 1985/1733
The Police (Scotland) Amendment Regulations 1986	S.I. 1986/576
The Police (Scotland) Amendment Regulations 1987	S.I. 1987/423
The Police (Scotland) Amendment (No. 2) Regulations 1987	S.I. 1987/1914
The Police (Scotland) Amendment Regulations 1988	S.I. 1988/1501

The Police (Scotland) Amendment (No. 2) Regulations 1988	S.I. 1988/2287
The Police (Scotland) Amendment Regulations 1989	S.I. 1989/2222
The Police (Scotland) Amendment Regulations 1990	S.I. 1990/469
The Police (Scotland) Amendment (No. 2) Regulations 1990	S.I. 1990/1312
The Police (Scotland) Amendment Regulations 1992	S.I. 1992/1432
The Police (Scotland) Amendment (No. 2) Regulations 1992	S.I. 1992/3170
The Police (Scotland) Amendment Regulations 1993	S.I. 1993/3081
The Police (Scotland) Amendment Regulations 1994	S.I. 1994/2095
The Police (Scotland) Amendment (No. 2) Regulations 1994	S.I. 1994/2231
The Police (Scotland) Amendment Regulations 1995	S.I. 1995/137
The Police (Scotland) Amendment (No. 2) Regulations 1995	S.I. 1995/596
The Police (Scotland) Amendment (No. 3) Regulations 1995	S.I. 1995/2131
The Police (Scotland) Amendment (No. 4) Regulations 1995	S.I. 1995/3001
The Police (Scotland) Amendment Regulations 1996	S.I. 1996/3232
Regulation 2 of the Police and Police (Special Constables) (Scotland) Amendment Regulations 2003	S.S.I. 2003/21
The Police (Scotland) Amendment (No. 2) Regulations 2003	S.S.I. 2003/220
The Police (Scotland) Amendment Regulations 2004	S.S.I. 2004/121

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations replace the Police (Scotland) Regulations 1976 as amended by the regulations specified in Schedule 4 ("the 1976 Regulations"). The amendments other than drafting amendments, made by these Regulations are as follows. Regulations 11 (appointment of senior officers), 12 (probationary service), 14 (retirement), 23 (duty), 24 (pay), 25 (overtime), 26 (public holidays and rest days), 27 (temporary salary and temporary promotion), 28 (sick pay), 29 (maternity pay), 30 (fixing of pay day and calculation of pay), 32 (university scholars), 33 (leave) and 35 (expenses) provide for the determination by the Scottish Ministers of certain matters that were prescribed by the 1976 Regulations. Such determinations are subject to the provisions of regulation 46 which include requirements for consultation.
2. Regulation 5 prescribes the ranks which may be held by members of a police force and now includes the ranks of deputy chief constable and chief superintendent reintroduced by section 75 of the Criminal Justice (Scotland) Act 2003 which comes into force on 25th June 2004 by virtue of S.S.I./240.
3. Regulation 19 requires members of a police force to provide a sample of hair or saliva upon appointment (other than in cases of transfer between forces) from which a DNA profile can be derived. The sample and information derived from the sample will be stored separately from samples and information derived from samples provided in accordance with the Criminal Procedure (Scotland) Act 1995 or the Criminal Justice (Scotland) Act 2003. The samples and information are provided for the purposes of enabling a check to be carried out against other samples taken in connection with or as the result of the investigation of a criminal offence. Samples and information derived from them will be destroyed when the officer providing the sample ceases to be a member of a police force.
4. Regulation 41 allows a member of a police force who on or after 1st September 1994, joined or rejoined that force from the British Transport Police Force to reckon his service with the British Transport Police Force as service for the purpose of regulation 24 (rate of pay). If the member of the police force is of the rank of chief inspector or higher then a contrary agreement can be reached. A related amendment is made in Schedule 3, paragraph 1(4) to provide for the payment of a replacement allowance to a member of a police force who has transferred to that force on or after 1st September 1994 from the British Transport Police and who was in receipt of a housing allowance prior to the transfer.
5. Regulation 24(3)(f) and (g) make provision to increase the periods of maternity leave that can be reckoned for the purposes of pay. Regulation 24((3)(h) and (i) makes provision to allow maternity support leave, adoption support leave and 27 weeks of adoption leave to be reckoned for the purposes of pay. The provisions about pay in regulation 24 have also been amended to make it clear that any period of service in a higher rank counts as a period that can be reckoned for the purposes of pay at the lower rank.
6. Regulation 33 makes new provision for parental and adoption leave and for time off for dependants and replaces provision in the 1976 Regulations for paternity leave

with provision for maternity support leave. Regulation 33 also makes new provision for adoption support leave.

7. The regulations come into force on 25th June 2004 except as otherwise provided in regulation 1(2). Retrospection is authorised by section 26(3) of the 1967 Act.

DETERMINATIONS UNDER THE POLICE (SCOTLAND) REGULATIONS 2004

1. The Scottish Ministers, in exercise of the powers conferred by regulations 9, 11, 12, 14, 22, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34 and 35 of the Police (Scotland) Regulations 2004 (“the Regulations”) have determined that:

- a) the standard of eyesight which must be met by a candidate for appointment to a police force is that specified in Annex A;
- b) the experience, and other requirements, required by a person appointed as a chief constable shall be that specified in Part 1 of Annex B;
- c) the range within which any fixed term of appointment must fall and the circumstances in which such an appointment may be extended shall be those specified in Part 2 of Annex B;
- d) the circumstances in which a vacancy must be advertised and the contents and manner of publication of such advertisements shall be those specified in Part 3 of Annex B;
- e) periods of probation shall be applicable as specified in Annex C;
- f) the circumstances in which a member of a police force may retire shall be those specified in Annex D;
- g) the normal periods of duty of a member of a police force (including periods allowed for refreshment), variable shift arrangements which may be brought into operation, requirements relating to duty rosters, public holidays, rest days and monthly leave days, and circumstances in which travelling time may be treated as duty shall be those specified in Annex E;
- h) the rate of pay for members of police forces shall be the rate for the time being applicable to such members in accordance with Annex F;
- i) the circumstances and manner in which a member of a police force is compensated in respect of overtime shall be as specified in Annex G;
- j) the circumstances and manner in which a member of a police force is compensated in respect of time spent on duty on public holidays and rostered days shall be as specified in Annex H;
- k) the circumstances in which a member of a police force is entitled to receive a temporary salary and the rate of that salary shall be those specified in Annex I;
- l) the circumstances in which a member of a police force is entitled to be temporarily promoted and the rate of salary on such promotion shall be those specified in Annex J;

- m) the entitlement of members of police forces to pay during periods of sick leave shall be as specified in Annex K;
- n) the entitlement of members of police forces to pay during periods of maternity leave, maternity support leave, adoption leave and adoption support leave shall be as specified in Annex L;
- o) the rules in accordance with which the intervals at which members of a police force are paid are to be fixed and the manner of calculating pay shall be as specified in Annex M;
- p) Parts 3 and 4 of the Regulations and determinations thereunder shall have effect in relation to a University scholar in accordance with Annex N;
- q) the entitlement of a member of a police force to annual leave shall be as specified in Annex O;
- r) the circumstances in which a member of a police force shall be entitled to be absent on account of injury or illness are those specified in Annex P;
- s) the circumstances in which a female member of a police force may take leave for the purposes of ante-natal care are those specified in Annex Q;
- t) the circumstances in which a female member of a police force qualifies for maternity leave are those specified in Annex R;
- u) the entitlement of a member of a police force to maternity support leave, parental leave, adoption leave and adoption support leave shall be as specified in Annex S;
- v) a member of a police force shall be entitled to be permitted to take time off for dependants in accordance with Annex T;
- w) a member of a police force shall be entitled to any allowance specified in Annex U in accordance with that annex;
- x) a member of a police force shall be entitled to reimbursement of expenses in accordance with Annex V;

2. Insofar as they relate to matters mentioned in section 61(1) of the Police Act 1996, these determinations are based on agreements reached by the Police Negotiating Board. In making their determinations with respect to those matters, the Scottish Ministers supplied the Police Negotiating Board with a draft of the determination. In making their determinations with respect to any other matter, the Scottish Ministers supplied the Police Advisory Board for Scotland with a draft of the determination and took into consideration any representations made by that Board.

3. (1) Expressions used in these determinations which also appear in the Regulations have the same meanings as in the Regulations.

(2) In these determinations, the expressions:

“joint branch board” means the joint branch board mentioned in regulation 7(3) of the Police Federation (Scotland) Regulations 1985; and

“part-time member” means a person appointed under regulation 6 to perform part-time service.

4. These determinations shall come into force on 25th June 2004 and, except where otherwise stated, have effect from that date.

EYESIGHT STANDARDS: POLICE RECRUITMENT

The standard of eyesight which must be met by a candidate for appointment to a police force in respect of each of the matters specified in the first column of the following table is that specified in the second column of the table.

Eyesight	Mandatory requirement
Static Visual Acuity¹	<p>Corrected distance visual acuity must be 6/12 in either eye and 6/6 or better, binocularly.</p> <p>Corrected near static visual acuity must be 6/9 or better, binocularly. [Applicants who do not reach the standard should not be rejected but should be invited for a further test after obtaining a stronger prescription].</p> <p>Uncorrected visual acuity must be 6/36 or better, binocularly.</p> <p>Corrected low contrast distance visual acuity must be 6/12 or better for a 10% contrast target, binocularly.</p>
Visual Field²	<p>A field-of-view of at least 120 degrees horizontally by 100 degrees vertically is required. The field-of-view should be free of any large defective areas, particularly in the fovea. Single defects smaller than the physiological blind spot, and multiple defects that add to an area smaller than the physiological blind spot, should be acceptable.</p>
Colour Vision³	<p>Monochromats should be rejected. Mild anomalous trichromats are acceptable and should be treated as normals. Severe anomalous trichromats and dichromats are also acceptable and should be instructed in coping strategies.</p> <p>[Applicants who show a lowered discrimination for blue colours should be referred to an ophthalmologist for further assessment. This should include a measure of their dark adaptation performance].</p>
Spectacles and contact	<p>Correction should be worn where necessary to achieve 6/6 binocularly. Corrective</p>

lenses	spectacles and contact lenses are acceptable for the tasks of an Operational Police Constable.
Eye Surgery	<p>PRK, LASIK, LASEK, ICRS, cataract surgery: There is no significant weakening of the cornea and applicants should not be rejected. A period of at least 6 weeks after surgery should be allowed before applications are accepted. There may be a reduction in low light level visual performance: Test visual performance under low illuminance conditions.</p> <p>Radial Keratotomy (RK), Arcuate Keratotomy (AK), corneal grafts. Any other surgical procedures that result in a significant weakening of the cornea. There is a measurable risk of corneal rupture if the eye is struck. Applicants should be rejected.</p>

¹ Acuity should be measured using a Snellen eye chart, or equivalent.

² The field of view may be tested using a confrontation test. However, it is recommended that forces use more sophisticated testing equipment, where possible. If the results of the confrontation test suggest that there is a reduced visual field, or if the results of the medical questionnaire suggest an increased risk of reduced visual field, applicants should be referred to an ophthalmologist for a thorough examination of their visual field.

³ Colour vision should be tested using the Farnsworth D-15 test. Applicants should not wear 'colour correcting' lenses during the colour vision tests.

APPOINTMENT OF SENIOR OFFICERS

Part One. EXPERIENCE AND OTHER REQUIREMENTS

1) Subject to section 4(1) of the Police (Scotland) Act 1967 and regulation 9 no person shall be appointed as chief constable of a police force unless for a period of not less than two years the member holds or has held the rank of assistant chief constable or above:

- a) in some other police force;
- b) in the British Transport Police;
- c) whilst engaged on relevant service within the meaning of section 38A of the Police (Scotland) Act 1967; or
- d) partly in one of the capacities above and partly in another.

2) Subject to sections 5 to 5A of the 1967 Act and regulation 9 no person shall be appointed as deputy chief constable or assistant chief constable unless for a period of not less than two years the member holds or has held the rank of superintendent or above:

- (a) in a police force;
- (b) in the British Transport Police; or
- (c) while engaged on relevant service within the meaning of section 38A of the Police (Scotland) Act 1967; or.
- (d) as a constable assigned to duty with the joint operation known as the operational and intelligence group of the Scottish Drug Enforcement Agency.

Part Two. TERMS FOR FIXED TERM APPOINTMENTS

1) This determination applies to every appointment on or after 25th June 2004 of a person to the rank of chief constable, deputy chief constable or assistant chief constable of a police force maintained under section 1 of the Police Act (Scotland) Act 1967.

2) Where it is proposed to vary by agreement the conditions of service of a person who on 25th June 2004 holds one of the ranks specified in paragraph (1) indefinitely so that the member holds that rank instead for a fixed term-

a) that term shall be for a period authorised by paragraph (3) or, as the case may be, paragraph (4); and

b) this determination shall apply to such a variation as it applies to an appointment and as if the variation were an appointment.

3) Subject to paragraphs (5) to (11), an appointment to the rank of chief constable or deputy chief constable shall be for a term of not less than four years and not more than seven years.

4) Subject to paragraphs (5) to (11), an appointment to the rank of assistant chief constable shall be for a term of not less than four years and not more than either-

a) ten years, or

b) a period expiring with the date on which the person appointed reaches minimum retirement age or, if that period is less than four years, four years,

whichever of the periods in sub-paragraphs (a) and (b) is the shorter.

5) The term of an appointment to which this determination applies may be for a period of less than four years with the consent of the Scottish Ministers.

6) The term of an appointment to the rank of chief constable or deputy chief constable may be extended by agreement for a period or periods expiring not later than seven years from the date of the initial appointment to that rank.

7) The term of an appointment to the rank of assistant chief constable to which this determination applies may be extended by agreement for a period or periods expiring not later than:

a) ten years from the date of the initial appointment to that rank, or

b) the date on which the person appointed reaches minimum retirement age,

whichever of the periods in sub-paragraphs (a) and (b) is the shorter.

8) The term of an appointment to which this determination applies may, with the consent of the Scottish Ministers, be extended by agreement for a single period not exceeding three years where the extension cannot be made under paragraphs (6), (7) or (9) and, in the opinion of the Scottish Ministers, the particular extension would be in the interest of the efficiency and effectiveness of the police force.

9) The term of an appointment to which this determination applies may be extended by agreement for a period or periods up to the time when the person appointed-

a) has completed 30 years' pensionable service for the purposes of the Police Pensions Regulations 1987, or

- b) has completed 25 years' pensionable service for those purposes and has attained the age of 50,

whichever is the earlier.

- 10) Subject to paragraph (12) where the term of appointment of a person who-
 - a) has been appointed under this determination, and
 - b) is subsequently engaged on relevant service within the meaning of section 38A of the Police Act (Scotland) Act 1967

would otherwise expire whilst that person is so engaged, that term shall expire one day after the end of the period of relevant service.

11) This determination is without prejudice to any provision whereby a term of appointment comes to an end on promotion, dismissal or transfer to another police force and to any determination made under regulation 14.

12) Paragraph (10) shall not apply where a pension, allowance or gratuity becomes payable to that person out of money provided out of the Scottish Consolidated Fund in accordance with rules under section 65(1)(c) of the Scotland Act 1998 by virtue of the Police Pensions Regulations

13) A person does not cease to be eligible for an appointment to which this determination applies by reason only of the fact that the member has completed an appointment for a term determined in accordance with this determination.

- 14) In this determination "minimum retirement age" means-
 - a) in the case of a person who, on attaining the age of 55, will be entitled to reckon not less than 25 years' pensionable service for the purposes of the Police Pensions Regulations 1987, that age; or
 - b) in the case of a person who, on attaining that age, will not be entitled to reckon 25 years' pensionable service for the purposes of those Regulations, the age at which the member will be so entitled or the age at which the member will be required to retire under regulation A18(1) of those Regulations, whichever is the earlier.

15) For the purposes of determining an entitlement under paragraph (14), an election under regulation G4 of the Police Pensions Regulations 1987 (election not to pay pension contributions) shall be disregarded.

16) Any person whose term of appointment to a rank had been extended under paragraph (6) of regulation 8A of the Police (Scotland) Regulations 1976 immediately before 25th June 2004 shall, when that term of appointment as extended expires, be eligible to seek one further extension under paragraph (8).

Part Three. FIXED TERM APPOINTMENTS TO BE ADVERTISED

- 1) Subject to paragraph (4), where on or after 25th June 2004, a vacancy exists in one of the ranks specified in paragraph 1 of Part Two of this Annex, a notice of the vacancy which complies with paragraph (2) shall be published by the relevant authority.
- 2) The notice referred to in paragraph (1) must-
 - a) invite applications to fill the vacancy;
 - b) be published in not less than one journal which deals with police matters;
 - c) specify the date, which shall not be less than three weeks after the date of the publication of the notice, by which applications must be made.
- 3) Subject to paragraph (4), no appointment shall be made to fill a vacancy in one of the ranks specified in paragraph (1)(a) to (c) of Part Two of this Annex until after the date specified in accordance with paragraph (2)(c) in a notice in respect of that vacancy.
- 4) Paragraphs (1) and (3) shall not apply where-
 - a) the term of appointment of the person who currently holds the rank in which the vacancy would otherwise occur is extended under paragraph (6), (7), (8) or (9) of Part Two of this Annex;
 - b) that person is appointed for a further term and the conditions set out in paragraph (5) are satisfied;
 - c) the vacancy exists in the rank of deputy chief constable and this is the first occasion which the vacancy has occurred since 24 June 2004;
 - d) the vacancy is to be filled by a constable on temporary promotion under regulation 5 of the Police (Promotion) (Scotland) Regulations 1996.
- 5) The conditions referred to in paragraph (4) are that-
 - a) the person who currently holds the rank in which the vacancy would otherwise occur does so by virtue of an appointment under regulation 11(2) and Part Two of this Annex;
 - b) the relevant appointment of that person was for a term which was less than the maximum term authorised in respect of that person by paragraph (3) or, as the case may be, (4) of Part Two of this Annex ; and
 - c) the term for which it is proposed to appoint that person (and for which that person is subsequently appointed) is such that, when taken together with-
 - i) the term for which the member was appointed by the relevant appointment, and

- ii) the term for which the member was appointed by any subsequent appointment,

the terms in total do not exceed the maximum term of appointment to which the member could have been appointed at the time of the relevant appointment under paragraph (3) or, as the case may be, (4) of Part Two of this Annex.

6) In paragraph (5), "relevant appointment" means-

- a) an appointment made under regulation 11(2) and Part Two of this Annex after the procedures required by paragraphs (1) and (3) have been complied with; or
- b) a variation in the conditions of service in accordance with paragraph (2) of Part Two of this Annex.

7) In this determination "the relevant authority" means the police authority for the force in question.

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.

RETIREMENT

- 1) Without prejudice to the following provisions:
 - a) The Police Pensions Regulations relating to compulsory retirement
 - b) The Conduct Regulations relating to resignation as an alternative to dismissal
 - c) Sections 4(4)(d) to (7) and 5(4) of the Police (Scotland) Act relating to retirement in the interests of efficiency or effectiveness:

and subject to paragraph (2), a member of a police force may retire only if the member has given to the chief constable one month's written notice of the member's intention to retire or such shorter notice as may have been accepted by the chief constable:

Provided that this determination shall not affect the operation of any retirement tendered in the circumstances specified in regulation 13(4) of the Police (Scotland) Regulations 2004.

- 2) In the case of a chief constable, deputy chief constable or assistant chief constable, paragraph (1) shall have effect as if-
 - a) for "one month's" there were substituted "three months' "; and
 - b) for "chief constable" there were substituted "police authority".

DUTY

1) HOURS OF DUTY

- a) Paragraph 1 of this Annex applies to every member, other than a part-time member, of a police force of the rank of constable or sergeant who is not assigned to duties which the Scottish Ministers have specially excepted from the provisions of this paragraph.
- b) The normal daily period of duty (including the period for refreshment referred to in sub-paragraph (c)) of a member shall, except in the case of a member working in accordance with variable shift arrangements, be 8 hours.
- c) As far as the exigencies of duty permit:
 - i) The normal daily period of duty (or, in the case of a member working in accordance with variable shift arrangements, a shift) shall be performed in one tour of duty; and
 - ii) Apart from where a member has taken a half day's annual leave or is working in accordance with variable shift arrangements, an interval of 45 minutes shall be allowed for refreshment.
 - iii) Where in one day a member working in accordance with variable shift arrangements is on duty for a continuous period of 5 hours or more, time for refreshment shall, as far as the exigencies of duty permit, be allowed as in the following table:

<u>Number of hours</u>	<u>Refreshment time</u>
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more, but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

- d) Where a member is required to perform that member's normal daily period of duty (or in the case of a member working in accordance with variable shift arrangements, a shift) in more than one tour of duty and does not travel to and from that member's home between tours, an interval for refreshment and rest shall normally be included at the beginning or end of one of those tours.

2) VARIABLE SHIFT ARRANGEMENTS

- a) A chief constable may bring into operation variable shift arrangements, agreed by the chief constable with the joint branch board, for all or any particular class of members below the rank of inspector (below the rank of superintendent for part-time members).
- b) Variable shift arrangements must provide, for full-time members for whom they are in operation:
 - i) for hours of duty equivalent to those of a member with a normal daily period of duty of 8 hours (including a period for refreshment) and who receives a day's leave on each public holiday and 2 rest days per week; and
 - ii) for annual leave equivalent to that granted in accordance with regulation 33 and the Scottish Ministers determination of the annual leave of members of police forces thereunder.
- c) Variable shift arrangements must provide, for part-time members for whom they are in operation:
 - i) a normal period of duty in every relevant period as in paragraph (6) below; and
 - ii) for annual leave equivalent to that granted in accordance with regulation 33 and the Scottish Ministers' determination of the annual leave of members of police forces thereunder.

3) DUTY ROSTERS

- a) A chief constable shall cause to be published, in accordance with this determination, duty rosters for members of that chief constable's force of the rank of constable or sergeant (and inspector and chief inspector in the case of part-time members) and, in the determinations made under the Police (Scotland) Regulations 2004:
 - i) a reference to a rostered rest day is to be construed, in relation to a member of a police force who is required to do duty on that day, as a reference to a day which according to the duty roster was, immediately before that member was so required to do duty, to have been a rest day for the member; and
 - ii) a day off granted in lieu of a rostered rest day shall be treated as a rostered rest day.
- b) A chief constable shall cause each such roster to be drawn up and published, after full consultation with the Joint Branch Board, at intervals not exceeding 12 months and not later than one month before the date on which it starts.

- c) Each such roster shall set out, for at least three months (except one relating to a part-time member who has agreed with the chief officer on a different period) following the date on which it comes into force, in relation to each member of the force to which it relates:
 - i) that member's rest days;
 - ii) those days, being public holidays, on which that member may be required to do duty; and
 - iii) the times at which that member's scheduled daily periods of duty (rostered shifts for members working variable shift arrangements and for part-time members) are to begin and end; and
 - iv) for part-time members, that member's free days.

- d) A reference to a 'free day' is to be construed as a reference to a day which is not:
 - i) a day on which, according to the duty roster, a shift is to begin or end;
 - ii) a rostered rest day; or
 - iii) a public holiday.

- e) Subject to paragraph (f), a duty roster shall make provision for:
 - i) an interval of not less than 11 hours between the ending of each of a member's daily periods of duty (or in the case of a part-time member or a member working in accordance with variable shift arrangements, that member's shifts) and the beginning of the next; and
 - ii) an interval between each of that member's rostered rest days not exceeding 7 days, unless in the case of a part-time member, a longer interval has been agreed between the member and the chief constable;

unless the Joint Branch Board agrees otherwise, such agreement providing for an equivalent period of compensatory rest.

- f) Where, owing to the exigencies of duty, it is necessary to alter a duty roster, the officer responsible for making the alteration shall endeavour, so far as practicable, to avoid thereby requiring a member to do an additional daily period of duty or, in the case of a part-time member or a member working in accordance with variable shift arrangements, a shift, such that the condition in sub-paragraph (e) would not be satisfied in relation thereto.

4) PUBLIC HOLIDAYS, REST DAYS AND MONTHLY LEAVE DAYS

- a) Constables and Sergeants
 - i) So far as the exigencies of duty permit, a member of a police force of the rank of constable or sergeant shall be allowed a day's leave on each public holiday and be granted rest days at the rate of two rest days (or, in the case of a member working in accordance with variable shift arrangements, not less than two rest days) in respect of each week.

ii) The provisions for compensation in lieu of public holidays and rostered rest days are such as are found in regulation 26 and the determination thereunder.

b) Inspectors and Chief Inspectors

Every member of a police force of the rank of inspector or chief inspector shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted rest days at the rate of two rest days in each week.

c) Ranks above Chief Inspector

Every member of a police force of, or above, the rank of superintendent shall, so far as the exigencies of duty permit, be allowed a day's leave on each public holiday and be granted in each month:

- i) superintendent or chief superintendent, 8 monthly leave days;
- ii) in any other case, 1 ½ monthly leave days.

5) TRAVELLING TIME TREATED AS DUTY

a) This paragraph applies where a full-time member of a police force is:

- i) required to perform that member's normal daily period of duty (or in the case of a member working in accordance with variable shift arrangements, that member's shift) in more than one tour of duty; or
- ii) recalled to duty between two tours of duty (in the case of a member working in accordance with variable shift arrangements, two shifts)

and travels to and from that member's home between tours (in the case of a member working variable shift arrangements, between shifts), or as the case may be, in consequence of that member's recall, (in this determination referred to as "relevant travelling").

b) This paragraph applies to a part-time member where:

- i) a shift consists of two separate periods; or
- ii) that member is recalled to duty between two shifts; and that member travels to and from that member's home between those periods or, as the case may be, in consequence of that member's recall, (in this determination referred to as "relevant travelling").

c) In computing any period of overtime for the purposes of regulation 25 and the determination thereunder or any period of duty for the purpose of regulation 26 and the determination thereunder (save for the purposes of paragraph 3(h) of the determination thereunder) the time occupied by such a

member in relevant travelling, not exceeding such reasonable limit as may be fixed by the chief constable, shall be treated as a period of duty.

6) PART-TIME MEMBERS

Normal Period of Duty

a)

- i) This paragraph applies to every part-time member of a police force below the rank of superintendent
- ii) The normal period of duty in every relevant period of a part-time member of a police force to whom this determination applies, which is to be performed in accordance with general arrangements made by the chief constable after consulting the police authority and local representatives of the representative bodies, is, subject to sub paragraph (v), the total number of hours determined by the chief constable with the agreement of the member at the time of that member's appointment.
- iii) For the purposes of sub-paragraph (ii) a day of annual leave counts as a period of duty of 8 hours multiplied by the appropriate factor.
- iv) The chief constable shall review a member's normal period of duty at intervals of not more than 52 weeks, and in doing so shall have regard to the number of hours actually spent on duty during the interval preceding the review.
- v) After a review under sub-paragraph (iv) or (vi):
 - (1) any number of hours different from that determined under sub-paragraph (ii) which was determined by the chief constable and agreed to by the member becomes the member's normal period of duty, and
 - (2) if no different number was agreed to by the member, that member's normal period of duty is the number of hours determined on the last previous review, or where no such review has taken place, under sub-paragraph (ii).
- vi) In addition to any review required under sub-paragraph (v), a member or the chief constable may require a further review where there has been or is likely to be significant changes in the normal daily period of duty or in the circumstances of the member.
- vii) On any review under sub-paragraph (vi) the chief constable shall have regard to the number of hours actually spent on duty during the interval preceding the review.
- viii) As far as the exigencies of duty permit, a shift shall consist of one continuous period.
- ix) Periods allowed for Refreshment

Where in one day a member is on duty for a continuous period of 5 hours or more, an interval for refreshment shall, as far as the exigencies of duty permit, be allowed in accordance with the Table below:

Number of Hours	Refreshment Time
Less than 6 hours	30 minutes
6 hours or more, but less than 7 hours	35 minutes
7 hours or more, but less than 8 hours	40 minutes
8 hours or more but less than 9 hours	45 minutes
9 hours or more, but less than 10 hours	50 minutes
10 hours or more	60 minutes

- x) Where a shift consists of two periods amounting in total to 5 hours or more and the member does not travel to and from that member's home between those periods, an interval for refreshment and rest shall normally be included at the beginning or end of one of them.
- b) For the purposes of this paragraph, in relation to a part-time member of a police force:
- i) the determined hours are the number of hours which the chief constable has determined as that member's normal period of duty in a relevant period,
 - ii) a relevant period is a period for which a duty roster relating to that member has effect for the time being under paragraph 3 , and
 - iii) the appropriate factor is A/B ,
where
A is the number of determined hours, and
B is 40 times the number of weeks in the relevant period.
- c) In relation to a member of a police force in a job share arrangement the appropriate factor is $\frac{1}{2}$.
- 7)
- a) In this determination and determinations made under regulations 25 and 33, "day", in relation to members of a police force, means a period of 24 hours commencing at such time or times as the chief constable shall fix and the chief constable may fix different times in relation to different groups of members.
 - b) In discharging that officer's functions under sub paragraph (a) above, the chief constable shall have regard to the wishes of the joint branch board.
 - c) In this determination "compensatory rest" as mentioned at paragraph 3(e) above has the same meaning as applied by the Working Time Regulations 1998.

ANNEX F

Regulation 24

PAY

Part:

1. GAIN FROM PROMOTION
2. CONSTABLES' PAY
3. SERGEANTS' PAY
4. INSPECTORS' PAY
5. CHIEF INSPECTORS' PAY
6. SUPERINTENDENTS' PAY
7. CHIEF SUPERINTENDENTS' PAY
8. CHIEF OFFICERS
9. COMPETENCE RELATED THRESHOLD PAYMENT FOR CONSTABLES,
SERGEANTS, INSPECTORS AND CHIEF INSPECTORS
10. PART-TIME MEMBERS

PART 1

GAIN FROM PROMOTION

- 1) When a member is promoted to a higher rank, the rate of pay payable to the member in the higher rank shall always be higher than the rate of pay the member would have received had he not been promoted and shall be set at a rate which is not less than the rate appropriate to the pay point which, in the higher rank, is immediately above the rate of pay the member would have been receiving but for his promotion.

- 2) For so long as the member continues to serve in the higher rank, he shall be paid at the rate identified in paragraph (1) until, in accordance with the terms of service appropriate to the member's new rank, a higher pay point becomes applicable.

PART 2: CONSTABLES' PAY

TABLE (a)

CONSTABLES' PAY with effect from 1.9.96

Reckonable years of service in the rank	Annual salary with effect from 1 September 1995 £	Annual salary with effect from 1 September 1996 £
On commencing service	14,412 (a)	14,916(a)
On completion of initial training period	16,125(a)	16,689(a)
	15,648(b)	16,197(b)
	16,710(b)	17,295(b)
2	17,082 (c)	17,679(c)
3	17,532	18,147
4	18,141	18,777
5	18,726	19,380
6	19,335	20,013
7	19,893	20,589
8	20,397	21,111
9	20,397	21,111
10	21,057	21,795
11	21,057	21,795
12	21,828	22,593
13	21,828	22,593
14	22,809	23,607

- a) Entrants joining on or after 31st May 1996 were to commence on a salary of £14,412. On 1st September this should have been uprated to £14,916 with a further increase to £16,689 on completion of their initial training.
- b) Any probationer who had already received a letter of appointment confirming that he would, upon completion of initial training, proceed to £16,710 or who the force had accepted was clearly advised before accepting appointment that he would definitely progress to £16,710 should, on a personal basis, have still been placed on £16,710 on completion of initial training and this sum should have been increased to £17,295 from 1st September 1996, regardless of whether he had commenced service before or after 31st May 1996.

Probationers in service before 31st May 1996 were to continue until 1st January 1997 to be paid under arrangements in place at that time as uprated i.e. upon completion of initial training they were to be placed on either £15,648 (which from 1st September 1996 should have been increased to £16,197) or £16,710 (which from 1st September 1996 should have been increased to £17,295). On 1st January 1997 any probationer who entered service before 31st May 1996 and who was in receipt of a salary of £16,197 was to have had that salary increased to £16,689. On 1st January 1997 any probationer who entered service before 31st May 1996 and who was in receipt of a salary of £17,295 was to have retained that salary until completion of 2 years service.

- (c) All officers were to have moved to this salary point on completion of two years' service as a constable.

MEMORANDUM OF AGREEMENT RELATING TO STARTING RATE FOR CONSTABLES

Entrants joining on or after 31 May 1996 were to commence on a salary of £14,412 pa and to have this increased to £16,125 pa on completion of their initial training.

However, any probationer who had already received a letter of appointment confirming that he would, upon completion of initial training, proceed to £16,710 or who the force had accepted was clearly advised before accepting appointment that he would definitely progress to £16,710, should, on a personal basis, have been placed on £16,710 on completion of initial training, regardless of whether he had commenced service before or after 31 May 1996.

All probationers in service before 31 May 1996 were to continue until 1 January 1997 to be paid under arrangements in place at that time, ie, upon completion of initial training they were to be placed on either £15,648 pa or £16,710 pa. On 1 January 1997, any probationer who entered service before 31 May 1996 and who was in receipt of a salary of £15,648 pa was to have that salary increased to £16,125 pa. On 1 January 1997, any probationer who entered service before 31 May 1996 and who was in receipt of a salary of £16,710 pa, was to retain that salary.

It was also agreed that all of these salary points were to be uprated with effect from 1 September 1996 in line with the general pay increase.

MEMORANDUM OF AGREEMENT RELATING TO PAY FOR CONSTABLES APPOINTED AFTER 21 AUGUST 1994 BUT BEFORE 30 SEPTEMBER 1994 (AGED 22 OR OVER ON APPOINTMENT)

The PNB 1996 pay agreement for Federated Ranks increased the pay of police constables by 3.5% from 1 September 1996. [PNB Circular 96/8 (Advisory) Appendix A] tabulated the increases in constables' pay and gave information on how the agreement affects different categories of constables. The circular did not include a reference to constables in category P ie those who were appointed after the 21 August 1994 but before 30 September 1994 and were aged 22 or over on appointment, although they were covered by the agreement.

Category P Constables' pay was to have risen in accordance with this agreement, from £16,525 to £17,103, with effect from 1 September 1996.

Table (b)**CONSTABLES' PAY with effect from 1.9.97**

Reckonable years of service in the rank	Annual salary with effect from 1 September 1996 £	Annual salary with effect from 1 September 1997 £
On commencing service	14,916	15,438
On completion of initial training period	16,689	17,274
	17,103 (a)	17,703 (a)
	17,295 (b)	17,901 (b)
2	17,679 (c)	18,297 (c)
3	18,147	18,783
4	18,777	19,434
5	19,380	20,058
6	20,013	20,712
7	20,589	21,309
8	21,111	21,849
9	21,111	21,849
10	21,795	22,557
11	21,795	22,557
12	22,593	23,385
13	22,593	23,385
14	23,607	24,432

- (a) Any probationer who was appointed after 31 August 1994 but before 30 September 1994 and was aged 22 or over on appointment. The probationer was a protected member and -
- (i) was undergoing initial training: or
 - (ii) had completed initial training and had not been assigned to (b)
- (b) Any probationer then in receipt of a salary of £17,295 (£17,901 from 1 September 1997) was to retain that salary until completion of 2 years service.
- (c) All officers were to have moved to this salary point on completion of two years' service as a constable.

Table (c)

CONSTABLES' PAY with effect from 1.9.98

Reckonable years of service in the rank	Annual salary with effect from 1 September 1997 £	Annual salary with effect from 1 September 1998 £
On commencing service	15,438	16,056
On completion of initial training period	17,274	17,964
	17,703 (a)	18,411 (a)
	17,901 (b)	18,618 (b)
2	18,297 (c)	19,029 (c)
3	18,783	19,533
4	19,434	20,211
5	20,058	20,859
6	20,712	21,540
7	21,309	22,161
8	21,849	22,722
9	21,849	22,722
10	22,557	23,460

Reckonable years of service in the rank	Annual salary with effect from 1 September 1997 £	Annual salary with effect from 1 September 1998 £
11	22,557	23,460
12	23,385	24,321
13	23,385	24,321
14	24,432	25,410

(a) Any probationer who was appointed after 31 August 1994 but before 30 September 1994 and was aged 22 or over on appointment. The probationer was a protected member and -

- (i) was undergoing initial training: or
- (ii) had completed initial training and had not been assigned to (b)

(b) Any probationer then in receipt of a salary of £17,901 (£18,618 from 1 September 1998) was to retain that salary until completion of 2 years service.

(c) All officers move to this salary point on completion of two years' service as a constable.

Table (d)

CONSTABLES' PAY with effect from 1.9.99

Reckonable years of service in the rank	Annual salary with effect from 1 September 1998 £	Annual salary with effect from 1 September 1999 £
On commencing service	16,056	16,635
On completion of initial training period	17,964	18,612
	18,618 (a)	19,287 (a)
2	19,029 (b)	19,713 (b)
3	19,533	20,235
4	20,211	20,940

Reckonable years of service in the rank	Annual salary with effect from 1 September 1998 £	Annual salary with effect from 1 September 1999 £
5	20,859	21,609
6	21,540	22,314
7	22,161	22,959
8	22,722	23,541
9	22,722	23,541
10	23,460	24,306
11	23,460	24,306
12	24,321	25,197
13	24,321	25,197
14	25,410	26,325

a) Any probationer then in receipt of a salary of £18,618 (£19,287 from 1 September 1999) was to retain that salary until completion of 2 years service.

b) All officers were to move to this salary point on completion of two years' service as a constable.

Table (e)

CONSTABLES' PAY with effect from 1.9.2000

Reckonable years of service in the rank	Annual salary with effect from 1 September 1999	Annual salary with effect from 1 September 2000
On commencing service	16,635	17,133
On completion of initial training period	18,612	19,170
2	19,713 (a)	20,304 (a)

Reckonable years of service in the rank	Annual salary with effect from 1 September 1999	Annual salary with effect from 1 September 2000
3	20,235	20,841
4	20,940	21,567
5	21,609	22,257
6	22,314	22,983
7	22,959	23,649
8	23,541	24,246
9	23,541	24,246
10	24,306	25,035
11	24,306	25,035
12	25,197	25,953
13	25,197	25,953
14	26,325	27,114

- a) All officers were to move to this salary point on completion of two years' service as a constable.

Table (f)

CONSTABLES' PAY with effect from 1.9.2001

Reckonable years of service in the rank	Annual salary with effect from 1 September 2000 £	Annual salary with effect from 1 September 2001 £
On commencing service	17,133	17,733
On completion of initial training period	19,170	19,842
2	20,304 (a)	21,015 (a)

3	20,841	21,570
4	21,567	22,323
5	22,257	23,037
6	22,983	23,787
7	23,649	24,477
8	24,246	25,095
9	24,246	25,095
10	25,035	25,911
11	25,035	25,911
12	25,953	26,862
13	25,953	26,862
14	27,114	28,062

(a) All officers move to this salary point on completion of two years' service as a constable.

Table (g)

CONSTABLES' PAY with effect from 1.9.2002

Reckonable years of service in the rank	Annual salary with effect from 1 September 2001 £	Annual salary with effect from 1 September 2002 £
On commencing service	17,733	18,264
On completion of training	19,842	20,436
2	21,015 (a)	21,645 (a)
3	21,570	22,218
4	22,323	22,992
5	23,037	23,727

6	23,787	24,501
7	24,477	25,212
8	25,095	25,848
9	25,095	25,848
10	25,911	26,688
11	25,911	26,688
12	26,862	27,669
13	26,862	27,669
14	28,062	28,905

(a) All officers move to this salary point on completion of two years' service as a constable.

Table (h)

CONSTABLES' PAY with effect from 1.4.2003

Pay point	Annual salary £
On commencing service	18,666
On completion of initial training	20,838
2*	22,047
3	22,620
4	23,394
5	24,129
6	24,903
7	25,614
8	26,250
9	27,090
10	28,071

11	28,728
12	29,307

*All members move to this salary point on completion of two years' service as a constable.

Table (i)

Assimilation procedure for constables in post as at 31 March 2003

Annual salary as at 31 March 2003	Reckonable years of service in the rank as at 31 March 2003	Annual salary wef 1 April 2003
18,264	On starting pay point	18,666
20,436	Initial training completed	20,838
21,645	2	22,047
22,218	3	22,620
22,992	4	23,394
23,727	5	24,129
24,501	6	24,903
25,212	7	25,614
25,848)	8	26,250
25,848)	9	26,250
26,688)	10	27,090
26,688)	11	27,090
27,669	12	28,071
27,669	13	28,728
28,905	14	29,307

1. With effect from 1 April 2003, members should move sideways from the previous scale in the first column of table (i) (corresponding to their reckonable years of service as at 31 March 2003 in the second column of the table) to the new scale in the third column of the table.
2. Anomalies will arise with this assimilation method whereby some members will be overtaken in the pay scales by other members recruited up to a year later, due to the inter-relationship between individuals' incremental dates and the effective dates of implementation of the new pay scales.
3. To counteract the anomalies, the incremental dates of members listed below will, *for pay purposes only*, change where indicated in the following table:

<u>Member's start date</u>	<u>Incremental date</u>
On or before 1 October 1991	No change
Between 2 October 1991 and 30 September 1992:	Change to 1 October from 2003
Between 1 October 1992 and 1 October 1993	No change
Between 2 October 1993 And 30 September 1994:	change to 1 October from 2003
On or after 1 October 1994	No change

The above changes to incremental dates will need to remain in place until members reach the top of the constables' scale, in order to avoid yet further anomalies arising.

4. Table (i) is to be used only for assimilation purposes. Once the appropriate rate of pay is identified from table (i), members will move from that rate of pay up the scale in table (h) by annual increments on the anniversary of their start date, adjusted as need be according to the table in paragraph (3). Members with an incremental date of 1 April will move up on table (h) immediately after applying the assimilation table (i).

Table (j)
CONSTABLES' PAY with effect from 1.9.2003

CONSTABLES' PAY

Pay point	With effect from 1 April 2003 £	With effect from 1 September 2003 £
On commencing service	18,666	19,227

Pay point	With effect from 1 April 2003 £	With effect from 1 September 2003 £
On completion of initial training	20,838	21,462
2	22,047 (a)	22,707 (a)
3	22,620	23,298
4	23,394	24,096
5	24,129	24,852
6	24,903	25,650
7	25,614	26,382
8	26,250	27,039
9	27,090	27,903
10	28,071	28,914
11	28,728	29,589
12	29,307 (b)	30,186 (b)

(a) All officers move to this salary point on completion of two years' service as a constable.

(b) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

Table (k)

CONSTABLES' PAY with effect from 1.4.2004

Pay point	Annual salary
On commencing service	19,227
On completion of initial training	21,462
2	22,707 (a)
3	24,096
4	24,852
5	25,650
6	26,382
7	27,039
8	27,903
9	28,914
10	29,589
11	30,186 (b)

- (a) All officers move to this salary point on completion of two years' service as a constable.
 (b) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

Table (I)

Assimilation procedure for constables in post as at 31 March 2004

Pay point	With effect from 1 September 2003 £	Pay point	With effect from 1 April 2004 £
On commencing service	19,227	On commencing service	19,227
On completion of initial training	21,462	On completion of initial training	21,462
2	22,707 (a)	2	22,707 (a)
3	23,298		
4	24,096	3	24,096
5	24,852	4	24,852
6	25,650	5	25,650
7	26,382	6	26,382
8	27,039	7	27,039
9	27,903	8	27,903
10	28,914	9	28,914
11	29,589	10	29,589
12	30,186 (b)	11	30,186 (b)

- (a) All officers move to this salary point on completion of two years' service as a constable.
 (b) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

1. With effect from 1 April 2004, officers should move sideways from the current scale in the second column to the fourth column in table (I). If there is a blank space, then officers should move directly on to the next highest point. In practice, this will effect all those on the current pay point 3 (£23,298), who will move on to the new pay point 3 (£24,096).
2. Anomalies will arise with this assimilation method whereby some members will be overtaken in the pay scales by other members recruited up to a year later, due to the inter-relationship between individuals' incremental dates and the effective dates of implementation of the new pay scales.

3. To counteract the anomalies, the incremental dates of members listed below will, *for pay purposes only*, change where indicated in the following table:

Starters between 2 October 1999 and 30 September 2000:	change to 1 October
---	----------------------------

The incremental dates for all other officers remains unchanged (including those incremental dates that were changed in the assimilation procedure for 2003 at table (i), paragraph 3. The above changes to incremental dates will need to remain in place until members reach the top of the constables' scale, in order to avoid yet further anomalies arising.

4. Table (l) is to be used only for assimilation purposes. Once the appropriate rate of pay is identified from table (l), members will move from that rate of pay up the scale in table (k) by annual increments on the anniversary of their start date, adjusted as need be according to the table in paragraph (3). Members with an incremental date of 1 April will move up on table (k) immediately after applying the assimilation table (l).

PART 3

Table (a)

SERGEANTS' PAY with effect from 1.9.96

Reckonable years of service in the rank	Annual salary with effect from 1 September 1995 £	Annual salary with effect from 1 September 1996 £
0	22,014 (a)	22,785 (a)
1	22,809	23,607
2	23,604 (b)	24,429 (b)
3	24,402	25,257
4	24,930	25,803
5	25,674	26,574

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.
- (b) Entry point for officers promoted with 12 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant was to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he had an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he had an additional 2 years' service as a sergeant.

Table (b)**SERGEANTS' PAY with effect from 1.9.97**

Reckonable years of service in the rank	Annual salary with effect from 1 September 1996 £	Annual salary with effect from 1 September 1997 £
0	22,785 (a)	23,583 (a)
1	23,607	24,432
2	24,429 (b)	25,284 (b)
3	25,257	26,142
4	25,803	26,706
5	26,574	27,504

(a) Entry point for officers promoted with less than 12 years reckonable service as a constable.

(b) Entry point for officers promoted with 12 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant was to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he had an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he had an additional 2 years' service as a sergeant.

Table (c)**SERGEANTS' PAY with effect from 1.9.98**

Reckonable years of service in the rank	Annual salary with effect from 1 September 1997 £	Annual salary with effect from 1 September 1998 £
0	23,583 (a)	24,525 (a)
1	24,432 (b)	25,410 (b)
2	25,284 (c)	26,295 (c)

Reckonable years of service in the rank	Annual salary with effect from 1 September 1997 £	Annual salary with effect from 1 September 1998 £
3	26,142	27,189
4	26,706	27,774
5	27,504	28,605

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.
- (b) Entry point for officers promoted with 12 or more (but less than 14) years' reckonable service as a constable.
- (c) Entry point for officers promoted with 14 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant was to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he had an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he had an additional 2 years' service as a sergeant.

Table (d)

SERGEANTS' PAY with effect from 1.9.99

Reckonable years of service in the rank	Annual salary with effect from 1 September 1998 £	Annual salary with effect from 1 September 1999 £
0	24,525 (a)	25,407 (a)
1	25,410 (b)	26,325 (b)
2	26,295 (c)	27,243 (c)
3	27,189	28,167
4	27,774	28,773

Reckonable years of service in the rank	Annual salary with effect from 1 September 1998 £	Annual salary with effect from 1 September 1999 £
5	28,605	29,634

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.
- (b) Entry point for officers promoted with 12 or more (but less than 14) years' reckonable service as a constable.
- (c) Entry point for officers promoted with 14 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant was to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he had an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he had an additional 2 years' service as a sergeant.

Table (e)

SERGEANTS' PAY with effect from 1.9.2000

Reckonable years of service in the rank	Annual salary with effect from 1 September 1999	Annual salary with effect from 1 September 2000
0	25,407 (a)	26,169 (a)
1	26,325 (b)	27,114 (b)
2	27,243 (c)	28,059 (c)
3	28,167	29,013
4	28,773	29,637
5	29,634	30,522

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.

- (b) Entry point for officers promoted with 12 or more (but less than 14) years' reckonable service as a constable.
- (c) Entry point for officers promoted with 14 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant was to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he had an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he had an additional 2 years' service as a sergeant.

Table (f)

SERGEANTS' PAY with effect from 1.9.2001

Reckonable years of service in the rank	Annual salary with effect from 1 September 200	Annual salary with effect from 1 September 2001
0	26,169 (a)	27,084 (a)
1	27,114 (b)	28,062 (b)
2	28,059 (c)	29,040 (c)
3	29,013	30,027
4	29,637	30,675
5	30,522	31,590

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.
- (b) Entry point for officers promoted with 12 or more (but less than 14) years' reckonable service as a constable.
- (c) Entry point for officers promoted with 14 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant is to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he has an additional year's service as a sergeant;

- if he had 14 or more years' service as a constable, as if he has an additional 2 years' service as a sergeant.

Table (g)

SERGEANTS' PAY with effect from 1.9.2002

Reckonable years of service in the rank	Annual salary wef 1 September 2001	Annual salary wef 1 September 2002
0	27,084 (a)	27,897 (a)
1	28,062 (b)	28,905 (b)
2	29,040 (c)	29,910 (c)
3	30,027	30,927
4	30,675	31,596
5	31,590	32,538

- (a) Entry point for officers promoted with less than 12 years reckonable service as a constable.
- (b) Entry point for officers promoted with 12 or more (but less than 14) years' reckonable service as a constable.
- (c) Entry point for officers promoted with 14 or more years' reckonable service as a constable.

Note: Where a member promoted to or appointed to the rank of sergeant last served before his promotion or appointment in the rank of constable, then his annual pay for the rank of sergeant is to be determined as follows:

- if he had 12 or more (but less than 14) years reckonable service as a constable, as if he has an additional year's service as a sergeant;
- if he had 14 or more years' service as a constable, as if he has an additional 2 years' service as a sergeant.

Table (h)**SERGEANTS' PAY with effect from 1.4.2003**

Pay Point	Annual salary
0	29,307 (a)
1	30,312 (b)
2	31,329
3	31,998
4	32,940

(a) Entry point for members promoted from constable's pay point 11 or less

(b) Entry point for members promoted from constable's pay point 12.

Table (i)**ASSIMILATION PROCEDURE FOR SERGEANTS in post as at 31 March 2002**

Annual salary as at 31 March 2003	Annual salary wef 1 April 2003
27,897)	29,307
28,905)	29,307
29,910	30,312
30,927	31,329
31,596	31,998
32,538	32,940

1. With effect from 1 April 2003, members should move sideways from the previous scale in the first column of table (i) to the new scale in the second column of the table.
2. Anomalies will arise with this assimilation method whereby some members will be overtaken in the pay scales by other members with entry dates up to a year

later, due to the inter-relationship between individuals' incremental dates and the effective dates of implementation of the new pay scales.

- To counteract the anomalies, the following exception to the above procedure will apply. The incremental dates of members listed below will, *for pay purposes only*, change where indicated in the following table:

<u>Entry date to rank</u>	<u>Incremental date</u>
Pre-1 October 2001	no change
Between 2 October 2001 and 30 September 2002	change to 1 October from 2003
Post-1 October 2002	no change

The above changes to incremental dates will need to remain in place until members reach the top of the sergeants' scale, in order to avoid yet further anomalies arising.

- Table (i) is to be used only for assimilation purposes. Once the appropriate rate of pay is identified from table (i), members will move from that rate of pay up the scale in table (h) by annual increments on the anniversary of the date of their entry to the rank, adjusted as need be according to the table in paragraph (3). Members with an incremental date of 1 April will move up on table (h) immediately after applying the assimilation table (i).

Table (j)

SERGEANTS' PAY with effect from 1.9.2003

SERGEANTS' PAY

Pay point	Annual salary as at 1 April 2003 £	Annual salary wef 1 September 2003 £
0	29,307 (a)	30,186 (a)
1	30,312 (b)	31,221 (b)
2	31,329	32,268
3	31,998	32,958
4	32,940 (c)	33,927 (c)

(a) Entry point for officers promoted from constables' pay point 11 or less.

(b) Entry point for officers promoted from constables' pay point 12.

(c) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

PART 4

Table (a)

INSPECTORS' PAY with effect from 1.9.96

Pay category	Annual salary with effect from 1 September 1995	Annual salary with effect from 1 September 1996
A	28,470	29,466
B	29,310	30,336
C	30,147	31,203
D	30,984	32,067
E	31,824	32,937

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.
- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (b)

INSPECTORS' PAY with effect from 1.9.97

Pay category	Annual salary with effect from 1 September 1996	Annual salary with effect from 1 September 1997
A	29,466	30,498
B	30,336	31,398
C	31,203	32,295
D	32,067	33,189
E	32,937	34,089

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.

- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (c)

INSPECTORS' PAY with effect from 1.9.98

Pay category	Annual salary with effect from 1 September 1997	Annual salary with effect from 1 September 1998
A	30,498	31,719
B	31,398	32,655
C	32,295	33,588
D	33,189	34,518
E	34,089	35,454

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.
- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (d)**INSPECTORS' PAY with effect from 1.9.99**

Pay category	Annual salary with effect from 1 September 1998	Annual salary with effect from 1 September 1999
A	31,719	32,862
B	32,655	33,831
C	33,588	34,797
D	34,518	35,760
E	35,454	36,729

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.
- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (e)**INSPECTORS' PAY with effect from 1.9.2000**

Pay category	Annual salary with effect from 1 September 1999	Annual salary with effect from 1 September 2000
A	32,862	33,849
B	33,831	34,845
C	34,797	35,841
D	35,760	36,834
E	36,729	37,830

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.

- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (f)

INSPECTORS' PAY with effect from 1.9.2001

Pay category	Annual salary with effect from 1 September 2000	Annual salary with effect from 1 September 2001
A	33,849	35,034
B	34,845	36,066
C	35,841	37,095
D	36,834	38,124
E	37,830	39,153

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.
- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (g)

INSPECTORS' PAY with effect from 1.9.2002

Pay category	Annual salary with effect from 1 September 2001	Annual salary with effect from 1 September 2002
A	35,034	36,084
B	36,066	37,149
C	37,095	38,208
D	38,124	39,267
E	39,153	40,329

- A. Inspector: starting rate and less than one year as an inspector; and had not on 31 August 1994 served 4 or more years as a sergeant before promotion.
- B. Inspector: One complete year in rank or less than one year inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- C. Inspector: two complete years in rank or more than one and less than 2 complete years inspector rank but had on 31 August served 4 or more years as sergeant before promotion.
- D. Inspector: three complete years in rank or more than two and less than three years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.
- E. Inspector: four complete years in rank or more than three and less than four years inspector rank but had on 31 August 1994 served 4 or more years as sergeant before promotion.

Table (h)

INSPECTORS' PAY with effect from 1.4.2003

Pay Point	Annual salary
0	37,551
1	38,610
2	39,669
3	40,731

Table (i)

Assimilation procedure for inspectors in post as at 31 March 2003

Annual salary as at 31 March 2003	Annual salary wef 1 April 2003
36,084	37,551
37,149	37,551
38,208	38,610
39,267	39,669
40,329	40,731

1. With effect from 1 April 2003, members should move sideways from the previous scale in the first column of table (i) to the new scale in the second column of the table.
2. Anomalies will arise with this assimilation method whereby some members will be overtaken in the pay scales by other members with entry dates up to a year later, due to the inter-relationship between individuals' incremental dates and the effective dates of implementation of the new pay scales.
3. To counteract the anomalies, the following exception to the above procedure will apply. The incremental dates of members listed below will, *for pay purposes only*, change where indicated in the following table:

<u>Entry date to rank</u>	<u>Incremental date</u>
Pre-1 October 2001	no change
Between 2 October 2001 and 30 September 2002	change to 1 October from 2003
Post-1 October 2002	no change

The above changes to incremental dates will need to remain in place until members reach the top of the inspectors' pay scale, in order to avoid yet further anomalies arising.

4. Table (i) is to be used only for assimilation purposes. Once the appropriate rate of pay is identified from table (i), members will move from that rate of pay up the scale in table (h) by annual increments on the anniversary of the date of their entry to the rank, adjusted as need be according to the table in paragraph (3). Members with an incremental date of 1 April will move up on table (h) immediately after applying the assimilation table (i).

Table (j)

INSPECTORS' PAY with effect from 1.9.2003

INSPECTORS' PAY

Pay point	Annual salary as at 1 April 2003 £	Annual salary with effect from 1 September 2003 £
0	37,551	38,679
1	38,610	39,768
2	39,669	40,860
3	40,731 (a)	41,952 (a)

(a) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

PART 5

Table (a)

CHIEF INSPECTORS' PAY with effect from 1.9.96

Pay Category	Annual salary with effect from 1 September 1995	Annual salary with effect from 1 September 1996
A	£31,824	£32,937
B	£32,478	£33,615
C	£33,138	£34,299
D	£33,795	£34,977
E	£34,386	£35,589

A. Either

(a) an officer appointed in the rank of chief inspector with less than a year's service in the rank and not assigned to pay category B,

Or:

(b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

(a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,

Or:

(b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.

Or:

(c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,

Or:

(d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

(a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,

Or:

(b) a chief inspector who had completed one year's service in pay category B,

Or:

(c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,

(d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed three years' service in the rank; or
- (b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed four years' service in the rank; or
- (b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (b)

CHIEF INSPECTORS PAY with effect from 1.9.97

Pay Category	Annual salary with effect from 1 September 1996	Annual salary with effect from 1 September 1997
A	£32,937	£34,089
B	£33,615	£34,791
C	£34,299	£35,499
D	£34,977	£36,204
E	£35,589	£36,837

A. Either

- (a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,
- Or:
- (b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

- (a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,
- Or:
- (b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.
- Or:
- (c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,
- Or:
- (d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

- (a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,

Or:

(b) a chief inspector who had completed one year's service in pay category B

Or:

(c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,

Or:

(d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed three years' service in the rank; or

(b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed four years' service in the rank; or

(b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (c)

CHIEF INSPECTORS' PAY with effect from 1.9.98

Pay Category	Annual salary with effect from 1 September 1997	Annual salary with effect from 1 September 1998
A	£34,089	£35,454
B	£34,791	£36,183
C	£35,499	£36,918
D	£36,204	£37,650
E	£36,837	£38,307

A. Either

(a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,

Or

(b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

(a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,

Or:

(b) an officer who was chief inspector on 31 August 1994, had completed one

year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.

Or:

(c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,

Or:

(d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

(a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,

Or:

(b) a chief inspector who had completed one year's service in pay category B

Or:

(c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,

Or:

(d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed three years' service in the rank; or

(b) completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed four years' service in the rank; or

(b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (d)

CHIEF INSPECTORS' PAY with effect from 1.9.99

Pay Category	Annual salary with effect from 1 September 1998	Annual salary with effect from 1 September 1999
A	£35,454	£36,729
B	£36,183	£37,485
C	£36,918	£38,247
D	£37,650	£39,006
E	£38,307	£39,687

A. Either

- (a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,
- Or:
- (b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

- (a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,
- Or:
- (b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.
- Or:
- (c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,
- Or:
- (d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

- (a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,
- Or:
- (b) a chief inspector who had completed one year's service in pay category B,
- Or:
- (c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E
 - (d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed three years' service in the rank; or
- (b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed four years' service in the rank; or
- (b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (e)

CHIEF INSPECTORS' PAY with effect from 1.9.2000

Pay Category	Annual salary with effect from 1 September 1999	Annual salary with effect from 1 September 2000
A	£36,729	£37,830
B	£37,485	£38,610
C	£38,247	£39,393
D	£39,006	£40,176
E	£39,687	£40,878

A. Either

- (a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,
- Or:
- (b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

- (a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,
- Or:
- (b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.
- Or:
- (c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,
- Or:
- (d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

- (a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,
- Or:
- (b) a chief inspector who had completed one year's service in pay category B,
- Or:
- (c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,
- Or:
- (d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed three years' service in the rank; or
- (b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed four years' service in the rank; or
- (b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (f)

CHIEF INSPECTORS' PAY with effect from 1.9.2001

Pay Category	Annual salary with effect from 1 September 2000	Annual salary with effect from 1 September 2001
A	£37,830	39,153
B	£38,610	39,960
C	£39,393	40,773
D	£40,176	41,853
E	£40,878	42,309

A. Either

- (a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,
Or:
- (b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

- (a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,
Or:
- (b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.
Or:
- (c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,
Or:
- (d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

- (a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,
Or:
- (b) a chief inspector who had completed one year's service in pay category B,
Or:
- (c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,
Or:

- (d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed three years' service in the rank; or
 (b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

- (a) had completed four years' service in the rank; or
 (b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (g)

CHIEF INSPECTORS' PAY with effect from 1.9.2002

Pay Category	Annual salary with effect from 1 September 2001	Annual salary with effect from 1 September 2002
A	£39,153	£40,329
B	£39,960	£41,160
C	£40,773	£41,997
D	£41,583	£42,831
E	£42,309	£43,578

A. Either

- (a) an officer appointed in the rank of chief inspector with less than one year's service in the rank and not assigned to pay category B,
 Or:
 (b) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

B. Either

- (a) an officer appointed in the rank of chief inspector who had served for one year as a chief inspector at pay category A,
 Or:
 (b) an officer who was chief inspector on 31 August 1994, had completed one year's service in the rank or had not completed one year's service in the rank but had served four or more years as inspector before promotion.
 Or:
 (c) a chief inspector who had served less than one year in the rank but had been assigned to this pay category by the chief officer,
 Or:
 (d) an officer having completed three years in the rank of inspector, assigned to this pay category and thereby promoted to the rank of chief inspector.

C. Either

(a) a chief inspector who had served one year in the rank and had been assigned to this pay category by the chief officer,

Or:

(b) a chief inspector who had completed one year's service in pay category B,

Or:

(c) a chief inspector who had completed one or more year's service in the rank but did not qualify for pay categories D or E,

Or:

(d) an officer who was a chief inspector on 31 August 1994, had completed two years' service in the rank or had completed one year but not two years' service in the rank but had served 4 or more years as inspector before promotion.

D. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed three years' service in the rank; or

(b) had completed two years but not three years' service in the rank but had served 4 or more years as inspector before promotion.

E. Applied only to an officer who was a chief inspector on 31 August 1994 who

(a) had completed four years' service in the rank; or

(b) had completed three years but not four years' service in the rank but had served 4 or more years as inspector before promotion.

Table (h)

CHIEF INSPECTORS' PAY with effect from 1.4.2003

Pay Point	Annual salary
1	41,562
2	42,399

Table (i)

ASSIMILATION PROCEDURE

Annual salary with effect from 1 September 2002	Annual salary with effect from 1 April 2003
40,329	
41,160	41,562
41,997	42,399

1. With effect from 1 April 2003, members should move sideways from the previous scale in the first column of table (i) to the new scale in the second column of the table.
2. Anomalies will arise with this assimilation method whereby some members will be overtaken in the pay scales by other members with entry dates up to a year later, due to the inter-relationship between individuals' incremental dates and the effective dates of implementation of the new pay scales.
3. To counteract the anomalies, the following exception to the above procedure will apply. The incremental dates of members listed below will, *for pay purposes only*, change where indicated in the following table:

<u>Entry date to rank</u>	<u>Incremental date</u>
Pre-1 October 2001	No change
Between 2 October 2001 and 30 September 2002	change to 1 October from 2003
Post-1 October 2002	no change

The above changes to incremental dates will need to remain in place until members reach the top of the chief inspectors' pay scale, in order to avoid yet further anomalies arising.

4. Table (i) is to be used only for assimilation purposes. Once the appropriate rate of pay is identified from table (i), members will move from that rate of pay up the scale in table (h) by annual increments on the anniversary of the date of their entry to the rank, adjusted as need be according to paragraph 3 above. Members with an incremental date of 1 April will move up on table (h) immediately after applying the assimilation table (i).

CHIEF INSPECTORS IN POST AT 31 AUGUST 1994

Annual salary with effect from 1 April 2003	Annual salary with effect from 1 September 2003
£	£
42,831	
43,578	43,980

Table (j)

CHIEF INSPECTORS' PAY with effect from 1.9.2003

CHIEF INSPECTORS' PAY

Pay point	Annual salary with effect from 1 April 2003 £	Annual salary with effect from 1 September 2003 £
1	41,562 (a)	42,810 (a)
2	42,399 (b)	43,671 (b)

(a) Entry point for an officer appointed to the rank, unless the chief officer of police assigns the officer to the higher point.

(b) Officers who have been on this point for a year will have access to the competence related threshold payment of £1,002 a year.

CHIEF INSPECTORS IN POST AT 31 AUGUST 1994

Annual salary with effect from 1 April 2003 £	Annual salary with effect from 1 September 2003 £
43,980 (a)	45,300 (a)

(a) Officers on this point will have access to the competence related threshold payment of £1,002 a year.

PART 6

Table (a)

PAY FOR SUPERINTENDING RANKS with effect from 1.9.96

1. The new pay ranges and salary rates for Superintendents from 1st September 1996 were as follows:-

RANGE 1

Pay

<u>Point</u>	<u>Salary</u> p.a
--------------	----------------------

1.	£40,080
----	---------

2.	£41,337
----	---------

3.	£42,594
----	---------

4.	£43,851
----	---------

5.	£45,249
----	---------

6.	£46,755
----	---------

RANGE 2

Pay

<u>Point</u>	<u>Salary</u> p.a
--------------	----------------------

6.	£46,755
----	---------

7.	£47,571
----	---------

8.	£48,609
----	---------

9.	£49,755
----	---------

2. The above ranges and salary rates replaced all previous arrangements with effect from midnight on 1 September 1996. Superintendents in post at 1st September 1996 or appointed since that date onto the ranges and rates effective from 1st September 1995 were to be assimilated onto the new ranges and rates in accordance with the assimilation table. Superintendents then on the old basic range and old higher range 1 (as defined in Table (b)) were to assimilate to range 1. Superintendents then on the old higher ranges 2 and 3 (as defined in Table (b)) were to assimilate to range 2.

3. Both ranges were incremental. Superintendents promoted after 1 September 1996 were to start at the bottom of the range for the post to which they had been promoted and progress by annual increments thereafter. The only

exception was to be for officers appointed from a range 1 post to a range 2 post who were already paid on £46,755. Such officers were to start on £47,571.

4. From 1 September 1996 onwards, it was expected that the Chief Constable of each force would allocate a majority of posts to range 1. Other than in exceptional circumstances no newly promoted Superintendent would be placed directly onto range 2. The normal expectation was that Superintendents would gain experience in range 1 posts before being appointed to a range 2 post.

5. The new pay ranges were to continue to apply to posts but, once a Superintendent had been substantively appointed to a range 2 post, he/she was to continue on range 2 even if subsequently appointed to a range 1 post.

6. The detailed provisions for that were to operate the new pay ranges are set out in Tables (a) and (b) Operation of the new pay ranges.

7. (1) Where a member of a police force-

(a) held the rank of superintendent, and

(b) immediately before 1st September 1978 held the rank of chief superintendent with an annual pay greater than £8,703,

his annual pay determined fell to be increased by £147.

(2) Where immediately before 1st September 1978 the annual pay of a superintendent was greater than £7,839, his annual pay fell to be increased by £42.

Table (b)

ASSIMILATION ARRANGEMENTS

1.1 Set out below is a table showing the assimilation arrangements to the new ranges for Superintendents appointed to posts under the old arrangements before 1 September 1996.

1.2 The assimilation arrangements applied from 1st September 1996 if appointed as a Superintendent on or before that date or from the date of appointment to the rank or post.

<u>Existing Structure</u>		<u>Assimilation Point</u>	
Salary p.a		Pay Point	Salary p.a
Basic Range		Range 1	
£38,724	.....	1.	£40,080
£39,678	.....	2.	£41,337
£40,635	.....	3.	£42,594
£41,589	.....	4.	£43,851
£42,543	.....	5.	£45,249
£43,497(a)	.....	5.	£45,249
£43,497(b)	.....	6.	£46,755
Higher Range 1			
£43,497	.....	5.	£45,249
£44,454	.....	6.	£46,755
Higher Range 2		Range 2	
£44,454	.....	6.	£46,755
£45,408(a)	.....	7.	£47,571
£45,408(b)	.....	8.	£48,609
Higher Range 3			
£45,408	.....	7.	£47,571
£46,362(a)	.....	8.	£48,609
£46,362(b)	.....	9.	£49,755

-
- (a) = less than 12 complete months on this point
(b) = 12 or more complete months on this point

1.3 Superintendents on assimilation were to move directly across to the new ranges as shown and were thereafter progress upwards on their current annual incremental date except in the circumstances described below.

1.4 A Superintendent then paid £43,497 p.a who was at the top of the current basic range and had served for less than 12 complete months on this point, or who was on the first point on the current higher range 1, was to be assimilated to pay point 5 on range 1 (£45,249) and was to progress thereafter to point 6 (£46,755), the range maximum, on his/her normal annual incremental date.

1.5 A Superintendent then paid £43,497 p.a because he/she was at the top of the then basic range, and who had served for 12 or more complete months on this point, was to be assimilated to pay point 6 on range 1 (£46,755) which was the range maximum. This was to be effective from 1st September 1996 if he/she had more than 12 months on that point at that date or the actual date when 12 months on the point was achieved if that date fell after 1st September 1996.

1.6 A Superintendent then paid £45,408 p.a. who was either at the top of the then higher range 2 and had served for less than 12 complete months on that point or who was on the first point on the current higher range 3, was to be assimilated to pay point 7 on range 2 (£47,571) and was to progress to point 8 (£48,609) on his/her normal annual incremental date and to point 9 (£49,755) 12 months thereafter.

1.7 A Superintendent then paid £45,408 p.a. because he/she was at the top of the then higher range 2 and who had served for 12 or more complete months on this point, was to be assimilated to pay point 8 on range 2 (£48,609) and was to progress to point 9 (£49,755) 12 months thereafter. This was to be effective from 1st September 1996 if he/she had more than 12 months on the point at that date or the actual date when 12 months on the point was achieved if that date fell after 1st September 1996.

1.8 A Superintendent then paid £46,362 p.a. because he/she was at the top of the then higher range 3, who had served for less than 12 complete months on this point, was to be assimilated to pay point 8 on range 2 (£48,609) and was to progress to point 9 (£49,755), the range maximum, on his/her normal annual incremental date.

1.9 A Superintendent then paid £46,362 p.a. because he/she was at the top of the then higher range 3, and who had served for 12 or more complete months on this point, was to be assimilated to pay point 9 (£49,755), the range 2 maximum. This was to be effective from 1st September 1996 if he/she had 12 or more months on the point at that date or the actual date when 12 months on the point was achieved if that date fell after 1st September 1996.

Operation of the New Pay Ranges

1. Pay Structure

1.1 It was expected that normally Superintendents would gain experience in range 1 posts before being appointed to a range 2 post. Only in exceptional circumstances was a newly promoted Superintendent to be placed directly on range 2 without experience in range 1 posts.

1.2 The entry point to range 1 was point 1 (£40,080) for all promotions to posts in this range. Incremental progression through range 1 was to be by annual increments (subject to any arrangements that may have been agreed in the future to deal with those whose performance was felt to be unsatisfactory).

1.3 The entry point for range 2 was point 6 (£46,755) except for those appointed to range 2 who were already on point 6 by virtue of being at the top of range 1 in which case the entry point was to be point 7 (£47,571). Incremental progression through range 2 was to be by annual increments (subject to any arrangements that may have been agreed in the future to deal with those whose performance was felt to be unsatisfactory).

1.4 The provision of the previous agreement whereby an officer maintained his or her salary range if moved to a post in a lower range (except in instances of temporary holders of posts - see 3 below) continued to apply.

2. Applying the pay ranges to posts

2.1 In each force it was expected that the chief constable would allocate a majority of posts to range 1.

2.2 Prior to appointing officers to posts, chief constables should have determined the role and responsibility of the post and decided the appropriate pay range for that post. When determining pay ranges for posts, chief constables should have taken into account of the criteria set out below. The criteria were not shown in any particular order or priority; their relative importance was to vary according to the nature of the post under consideration:

- level of officers supervised including whether post holder supervises officer of his/her own rank;
- complexity and importance of decision making;
- importance of post in a force and/or national context;
- background, training and experience needed for the post;
- serious crime levels and threat of public disorder;
- number of police officers and/or civilian staff managed;
- range and level of community contacts.

2.3 There should have been discussion and consultation between Chief Constables and local branches of the Superintendents' Associations in the exercise of allocating

posts to ranges. In applying the new ranges chief constables were to have regard to the maintenance of operational efficiency and effective use of resources.

3. Temporary Holders of Posts

3.1 It was expected that there would be occasions when a range 2 post holder was engaged on other duties which prevented him/her carrying out their normal duty and the post needed to be filled temporarily in his/her absence. In such circumstances a Superintendent on range 1 who was required to undertake temporarily the full responsibilities of a post usually allocated to range 2 was, after completing a qualifying continuous period of more than seven days, to be paid the salary applying to range 2 for the days in excess of the continuous seven day period.

4. Central Service Posts

4.1 It was necessary for all posts for Superintendents on central service attachments to be allocated to a pay range. This was to be a matter for the appropriate authorities to determine using the criteria in these guidelines. That determination should have been informed by consultation and discussion with the relevant national Superintendents' Association.

4.2 Those officers of temporary Chief Superintendent rank on central service prior to 1st September 1994, and still on central service after that date should, in common with those appointed onto central service from 1st September 1994, have suffered no worsening in their pay when they return to their parent force.

4.3 Substantive Superintendents in central service range 2 posts were to retain their range 2 entitlement on return to their parent force.

5. Monitoring Arrangements

5.1 The Board was to monitor the application of the new pay ranges.

Table (c)

PAY FOR SUPERINTENDING RANKS with effect from 1.9.97

1. The salary rates for superintendents were increased from 1st September 1997 as follows:-

RANGE 1

Pay

Point Salary
 p.a

1. £ 41,484

2. £42,783

3. £44,085

4. £45,387

5. £46,833

6. £48,390

RANGE 2

Pay

Point Salary
 p.a

6. £48,390

7. £49,236

8. £50,310

9. £51,495

- (1) Where a member of a police force-
- (a) held the rank of superintendent, and
 - (b) immediately before 1st September 1978 held the rank of chief superintendent with an annual pay greater than £8,703,

his annual pay determined fell to be increased by £147.

(2) Where immediately before 1st September 1978 the annual pay of a superintendent was greater than £7,839, his annual pay fell to be increased by £42.

Table (d)

PAY FOR SUPERINTENDING RANKS with effect from 1.9.98

The decision of the Police Arbitration Tribunal to award superintendents a 4% increase in pay from 1 September 1998 resulted in the following agreement in Committee B of the Police Negotiating Board.

1. New pay ranges and salary rates for Superintendents from 1 September 1998 were introduced as follows:-

RANGE 1

Pay

<u>Point</u>	<u>Salary</u> p.a
--------------	----------------------

1.	£43,143
----	---------

2.	£44,493
----	---------

3.	£45,849
----	---------

4.	£47,202
----	---------

5.	£48,705
----	---------

6.	£50,325
----	---------

RANGE 2

Pay

<u>Point</u>	<u>Salary</u> p.a
--------------	----------------------

6.	£50,325
----	---------

7.	£51,204
----	---------

8.	£52,323
----	---------

9.	£53,556
----	---------

(1) Where a member of a police force-

(a) held the rank of superintendent, and

(b) immediately before 1st September 1978 held the rank of chief superintendent with an annual pay greater than £8,703,

his annual pay determined fell to be increased by £147.

(2) Where immediately before 1st September 1978 the annual pay of a superintendent was greater than £7,839, his annual pay fell to be increased by £42.

2. In addition, a mini pay levels check that accords with the terms of reference specified in the arbitration decision was to be undertaken to inform the 1999 pay award.

Table (e)

PAY FOR SUPERINTENDING RANKS with effect from 1.9.99

1. Following a failure to agree in Committee B the annual award to Superintendents was referred to the Police Arbitration Tribunal for decision. The Police Arbitration Tribunal decided to award superintendents a 3.6% increase in pay from 1/9/99. This has resulted in an agreement in Committee B.
2. New pay ranges and salary rates for Superintendents from 1 September 1999 were introduced as follows:-

RANGE 1

Pay

<u>Point</u>	<u>Salary</u> p.a
1.	£44,697
2.	£46,095
3.	£47,499
4.	£48,900
5.	£50,457
6.	£52,137

RANGE 2

Pay	<u>Point</u>	<u>Salary</u> p.a
	6.	£52,137
	7.	£53,046
	8.	£54,207
	9.	£55,485

- (1) Where a member of a police force-
 - (a) held the rank of superintendent, and
 - (b) immediately before 1st September 1978 held the rank of chief superintendent with an annual pay greater than £8,703, his annual pay determined fell to be increased by £147.
- (2) Where immediately before 1st September 1978 the annual pay of a superintendent was greater than £7,839, his annual pay fell to be increased by £42.

Table (f)

PAY FOR SUPERINTENDING RANKS with effect from 1.9.2000

1. New pay ranges and salary rates for Superintendents from 1 September 2000 were introduced as follows:-

RANGE 1

Pay

<u>Point</u>	<u>Salary</u> p.a
1.	£46,038
2.	£47,478
3.	£48,924
4.	£50,367
5.	£51,972
6.	£53,700

RANGE 2

Pay

<u>Point</u>	<u>Salary</u> p.a
6.	£53,700
7.	£54,636
8.	£55,833
9.	£57,150

Table (g)

SUPERINTENDENTS' PAY wef 1.9.2001 to 31.8.2002

RANGE 1

Pay Point	Salary
1	£47,649
2	£49,140
3	£50,637
4	£52,131
5	£53,790

RANGE 2

Pay Point	Salary
6	£55,581
7	£56,547
8	£57,786
9	£59,151

2. Applying the pay ranges to posts

- 2.1 In each force it is expected that the Chief Constable will allocate a majority of posts to range 1.
- 2.2 Prior to appointing officers to posts, Chief Constables shall determine the role and responsibility of the post and decide the appropriate pay range for that post. When determining pay ranges for posts, Chief Constables shall take into account the criteria set out below. The criteria are not shown in any particular order or priority; their relative importance may vary according to the nature of the post under consideration:
- level of officers supervised including whether post holder supervises officer of his/her own rank;
 - complexity and importance of decision making;
 - importance of post in a force and/or national context;
 - background, training and experience needed for the post;
 - serious crime levels and threat of public disorder;
 - number of police officers and/or civilian staff managed;
 - range and level of community contacts.
- 2.3 There shall be discussion and consultation between Chief Constables and local branches of the Superintendents' Associations in the exercise of allocating posts to ranges. In applying the new ranges Chief Constables are to have regard to the maintenance of operational efficiency and effective use of resources.

3. Temporary Holders of Posts

- 3.1 It is expected that there will be occasions when a range 2 post holder is engaged on other duties which prevent him/her carrying out their normal duty and the post needs to be filled temporarily in his/her absence. In such circumstances a Superintendent on range 1 who is required to undertake temporarily the full responsibilities of a post usually allocated to range 2 will, after completing a qualifying continuous period of more than seven days be paid the salary applying to range 2 for the days in excess of the continuous seven day period.

4. Central Service Posts

- 4.1 It is necessary for all posts for Superintendents on central service attachments to be allocated to a pay range. This is to be a matter for the appropriate authorities to determine using the criteria in these guidelines. That

determination should be informed by consultation and discussion with the relevant national Superintendents' Association.

- 4.2 Those officers of temporary Chief Superintendent rank on central service prior to 1st September 1994, and still on central service after that date should, in common with those appointed onto central service from 1st September 1994, suffer no worsening in their pay when they return to their parent force.
- 4.3 Substantive Superintendents in central service range 2 posts will retain their range 2 entitlement on return to their parent force.

5. Monitoring Arrangements

- 5.1 The Board will monitor the application of the pay ranges.

Table (h)

SUPERINTENDENTS' PAY wef 1.9.2002 to 31.8.2003

Range 1		Range 2	
Pay point	Salary	Pay point	Salary
1	£49,077	6	£55,581
2	£50,613	7	£56,547
3	£52,155	8	£57,786
4	£54,552	9	£59,151
5	£57,249		

Table (i)

SUPERINTENDENTS' PAY wef 1.9.2003 to 24.6.2004

Range 1		Range 2	
Pay point	Salary	Pay point	Salary
1	£51,501	6	£58,965
2	£53,625	7	£59,988

3	£55,749	8	£61,305
4	£57, 876	9	£62,751
5	£60,000		

Table (j)

SUPERINTENDENTS PAY wef 25th June 2004

Pay point	Salary
1	£51,501
2	£53,625
3	£55,749
4	£57, 876
5	£60,000

Notes:

1. With the re-introduction of the Chief Superintendent rank the above pay scales replace all previous arrangements with effect from midnight on the date of re-introduction of the rank. Superintendents in post on that date will be assimilated onto the new pay scales in accordance with the assimilation table in **Part 7 Table (b)**.
2. The pay scales are incremental. Officers promoted to Superintendent prior to 25th June 2004 progress by annual increments after having completed each year of reckonable service in the rank of Superintendent. Officers promoted to either Superintendent or Chief Superintendent on or after the date of re-introduction of the Chief Superintendent rank will start at pay point 1 of the appropriate scale and progress by annual increments thereafter.
3. Current Range 2 Superintendents promoted to Chief Superintendent will move to a pay scale in accordance with the assimilation arrangements detailed in **Part 7 Table (b)**.
4. This agreement has been reached on the assumption that, on a UK wide basis and after assimilation, the ratio of Superintendent to Chief Superintendent posts will be approximately 75% Superintendent to 25%

Chief Superintendent. Chief Constables may wish therefore to note this ratio when designating posts.

5. Protected pay arrangements with effect from 25th June 2004 for superintendents appointed to range 2 posts prior to 25th June 2004 and not promoted to Chief Superintendent are set out at Table (j).

Central Service Posts

- 6.1 It is necessary for all posts for Superintendents on central service attachments to be allocated to a pay range. This is to be a matter for the appropriate authorities to determine using the criteria in these guidelines. That determination should be informed by consultation and discussion with the relevant national Superintendents' Association.
- 6.2 Those officers of temporary Chief Superintendent rank on central service prior to 1st September 1994, and still on central service after that date should, in common with those appointed onto central service from 1st September 1994, suffer no worsening in their pay when they return to their parent force.

Table (k)

**SUPERINTENDENTS' PAY wef 25th June 2004
RANGE 2 PROTECTED PAY SCALE* FOR
SUPERINTENDENTS APPOINTED TO RANGE 2 POSTS
PRIOR TO 25th June 2004**

Pay Point	Salary
6	£58,965
7	£59,988
8	£61,305
9	£62,751

***Note:**

Current Range 2 Superintendents who are not given the rank of Chief Superintendent on its re-introduction will receive full protection of their existing Range 2 salary. Officers promoted to Range 2 Superintendent prior to 25th June 2004 progress to point 9 by annual increments on completing each year of reckonable service in the rank of Superintendent. They will remain on the existing Range 2 salary scale as detailed above. The scale will be updated to reflect annual pay awards.

Central Service Posts

Substantive Superintendents in central service range 2 posts will retain their range 2 entitlement on return to their parent force.

Temporary Holders of Posts

It is expected that there will be occasions when a range 2 post holder is engaged on other duties which prevent him/her carrying out their normal duty and the post

needed to be filled temporarily in his/her absence. In such circumstances a Superintendent on range 1 who is required to undertake temporarily the full responsibilities of a post usually allocated to range 2 will, after completing a qualifying continuous period of more than seven days, be paid the salary applying to range 2 for the days in excess of the continuous seven day period.

PART 7

Table (a)

CHIEF SUPERINTENDENTS' PAY wef 25 June 2004

Pay Point	Salary
1	£61,500
2	£63,249
3	£65,001

Notes:

- a) With the re-introduction of the Chief Superintendent rank the above pay scales replace all previous arrangements with effect from midnight on the date of re-introduction of the rank. Superintendents in post on that date will be assimilated onto the new pay scales in accordance with the assimilation table in **Table (b)**.
- b) The pay scales are incremental. Officers promoted to either Superintendent or Chief Superintendent on or after the date of re-introduction of the Chief Superintendent rank will start at pay point 1 of the appropriate scale and progress by annual increments thereafter.
- c) Current Range 2 Superintendents promoted to Chief Superintendent will move to a pay scale in accordance with the assimilation arrangements detailed in Table (b).
- d) This agreement has been reached on the assumption that, on a UK wide basis and after assimilation, the ratio of Superintendent to Chief Superintendent posts will be approximately 75% Superintendent to 25% Chief Superintendent. Chief Constables/ may wish therefore to note this ratio when designating posts.

Central Service Posts

- 6.1 It is necessary for all posts for Superintendents on central service attachments to be allocated to a pay range. This is to be a matter for the appropriate authorities to determine using the criteria in these guidelines. That determination should be informed by consultation and discussion with the relevant national Superintendents' Association.
- 6.2 Those officers of temporary Chief Superintendent rank on central service prior to 1st September 1994, and still on central service after that date should, in common with those appointed onto central service from 1st September 1994, suffer no worsening in their pay when they return to their parent force.

Table (b)

**ASSIMILATION ARRANGEMENTS ON REINTRODUCTION OF THE
RANK OF CHIEF SUPERINTENDENT ON 25th June 2004**

The table below sets out the assimilation arrangements to the new pay scales for existing Superintendents Range 1 and existing Superintendents Range 2 promoted to the new Chief Superintendent rank.

Up to 24 June 2004	Assimilation Point With effect from 25th June 2004
---------------------------	--

Superintendents Range 1	Superintendent
£51,501	£51,501
£53,625	£53,625
£55,749	£55,749
£57, 876	£57, 876
£60,000	£60,000

Superintendents Range 2	(promoted to) Chief Superintendent with effect from 25th June 2004
£58,965	£61,500
£59,988	£61,500
£61,305	£63,249
£62,751	£65,001

Notes:

1. Officers promoted to Superintendent prior to date prior to reintroduction on assimilation to the pay scales effective from 25th June 2004 will move directly across to the new salaries as shown above and thereafter will progress by annual increments after having completed each year of reckonable service in the rank of Superintendent or Chief Superintendent.
2. Protected pay scale with effect from 25th June 2004 for Superintendents appointed to Range 2 posts prior to 25th June 2004 not promoted to Chief Superintendent is set out in **Part 6, (Table j)**.

PART 8

CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY

Summary from 1 September 1976 to 1 September 2000

1. The revised pay arrangements set out in this Part 2, Table (a) and appendices 1 and 2 and Tables (b) to (e) took into account: changes in the duties and responsibilities of ACPOS rank officers following implementation of the Police and Magistrates Courts Act 1994; efficiency improvements and reductions in the number of ACPOS rank officers; and incorporated the results of a review of the appropriateness of ACPOS rank officers' pay levels by reference to pay elsewhere in the public sector and in the private sector.

2. The new arrangements took effect from 1st September 1996. They included a general uprating of 3.5% to the existing basic salaries of all ACPOS rank officers. They also made a number of changes including the **end** of the requirement upon police authorities to make additional payments of up to 7.5% of basic pay related to planned performance. The previous agreement of the PNB on appraisal related pay (set out in PNB Advisory Circulars 95/2 and 96/1) was withdrawn. In return, a supplementary 5% increase to the existing basic salaries of all ACPOS rank officers was awarded.

3. The pay ranges for chief constables were the subject of adjustment and a new range was introduced for the chief constable of Strathclyde in order to set more appropriate differentials within the pay structure for chief constables. Allocation to a pay range for chief constables continued to be determined by the population of the force area but with a revised provision for determining the population. In future, in determining which pay range is appropriate to their force area, police authorities were to take into account only the latest estimate by the Office for National Statistics of the fixed resident population. The previous arrangement (set out in PNB Circular 79/2) was withdrawn.

4. The previous PNB agreement provided that designated deputies should be paid a basic salary "which is not less than 80% of the chief constable". This was replaced by a provision that designated deputies should be paid a basic salary which is exactly 80% of the salary of the chief constable subject only to a minimum specified underpinning payment.

Fixed Term Appointments

5. The arrangement set out in the previous PNB agreement that provided different pay ranges for post-holders appointed before 1 April 1996 who had not subsequently transferred to a fixed term appointment from those appointed or transferred to a fixed term appointment on or after 1 April 1996 continued. For ease of reference, the principal features of the existing regulations concerning fixed term appointments are set out below:

- (a) For chief constables, appointments run for a minimum of four years and a maximum of seven;
 - (b) Assistant chief constable appointments are similarly for a minimum of four years, but may run to a maximum of 10 years or until the officer concerned reaches the minimum pensionable retirement age, whichever is **earlier**;
 - (c) If both parties agree, an appointment can be for less than four years if the approval of the Scottish Ministers is obtained;
 - (d) Serving ACPOS officers appointed to their current post before 1st April 1996 are able to transfer to fixed term appointments with the agreement of their police authorities;
 - (e) At the end of the fixed term, ACPOS posts have to be advertised, but the former post-holder is free to apply for re-appointment. In exceptional circumstances, with the approval of the Scottish Ministers, the maximum term may be extended, but not for more than one year.
6. Police regulations conferred upon police authorities a discretionary power to extend the length of a fixed term appointment so that it did not expire before an officer had obtained 50 years of age and 25 years pensionable service (including any pensionable service transferred from other employment). The PNB urges authorities to make use of this discretion.

Pay Ranges

7. The pay ranges effective from 1 September 1996 are set out in Table (a).
8. In determining which pay range was appropriate to their force area, police authorities were to reckon population for salary purposes using only the latest available figure of the resident fixed population from the Office for National Statistics. No additions were to be made to this figure. For ease of reference the latest figures then available are set out in Table (a).
9. There was no entitlement to service related increments.

Application of Pay Ranges

10. It was for individual authorities to decide what, if any, adjustment they wished to make to the base salary of their chief constable in the light of the adjustments made to the pay ranges of chief constables (other than the general updating of 3.5% and the supplementary increase of 5% which apply to all ACPO rank officers). The placement of officers within the pay ranges remained a matter entirely at the discretion of the policy authority subject to them having regard to the following provisions.

11. In placing its chief constable within the appropriate pay range, the police authority was to have regard to the following factors, among others:

- the force's relative position within the appropriate population range;
- the need for an appropriate pay differential over the rank immediately below in the same force;
- pay relative to other appropriate senior public servants in the area, in particular, local government chief executives and chief officers;
- the social, economic and cultural characteristics of the force area compared with others;
- the relative urbanisation of the population served.

12. In placing assistant chief constables within their pay range, police authorities were to consult with their chief constable and have regard to the following factors:

- the need for an appropriate pay differential over officers managed by the post-holder;
- the need for an appropriate pay differential between the post-holder and his or her manager;
- the level of responsibility of the post.

13. It was for local determination whether different assistant chief constable posts within the same force should be paid the same basic rate of pay or different rates of pay to reflect differences in levels of responsibility. An officer moved within the same force from one post to another which was less responsible was to retain any higher salary.

14. Assistant chief constables designated to deputise for the chief constable [hereafter referred to as Assistant Chief Constable (Designated) - ACC(D)] were to be paid a basic salary which was exactly 80% of that of the chief constable subject to this being not lower than the underpinning figure shown in Table (a). Where an ACC(D) had been appointed on a fixed term basis but his or her chief constable was not, then the ACC(D) was to be paid 80% of what the chief constable would have been paid if the chief had been appointed on a fixed term subject to this being not

lower than the underpinning figure shown in Table (a). Where an ACC(D) had not been appointed on a fixed term basis but his or her chief constable had, then the ACC(D) was to be paid 80% of what the chief constable would have been paid if the chief had not been appointed on a fixed term, subject to this being not lower than the underpinning figure shown in the Appendix.

Future Pay Adjustments

15. Future pay adjustments were to have regard to settlements in Committees B and C, appropriate settlements outside the police service, as well as any other factors agreed by both Sides to be appropriate.

Protection Arrangements

16. Any officer who was appointed to his or her current post before 17 February 1997 and who was placed in a higher population range than that now applicable through the terms contained in paragraphs 3 and 8 above was to continue on a personal basis to have a salary determined by reference to that higher range.

17. Any ACC(D) who was appointed to his or her current post before 17 February 1997 and who is paid more than 80% of his or her chief's basic salary was to continue on a personal basis to be paid that higher percentage.

APPRAISAL RELATED PAY FOR CHIEF CONSTABLES, ASSISTANT CHIEF CONSTABLES AND ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES

18. The arrangements for appraisal related pay, which was the subject of PNB Circular 96/1, are set out in Appendix 2.

Table (a)

PAY RANGES

There are two separate sets of pay ranges applicable to ACPO ranks. The rates shown below were effective from 1 September 1996.

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	57,840 - 66,393	55,083 - 63,231
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £66,393, whichever is higher	80% of the basic salary of their chief or £63,231, whichever is higher
Chief Constables by population band:		
1. - up to 500,000	69,318 - 79,278	66,015 - 75,498
2. - 500,001 - 1,000,000	72,864 - 85,686	69,396 - 81,606
3. - 1,000,001- 2,000,000	79,278 - 92,094	75,498 - 87,711
4. - More than 2,000,000	87,729 - 99,006	83,646 - 94,401
Chief Constable Strathclyde	90,903 -102,591	86,676 - 97,818

Appendix 1

Fixed Resident Population Served by Police Forces Excluding Strathclyde

	Population	Population
Grampian	532,500	
Tayside	395,000	
Fife	352,100	
Northern	278,900	
Central	273,400	
Dumfries + Galloway	147,800	
Lothian and Borders	864,300	

- Note: Population estimates: Scottish Abstract of Statistics.

Appraisal Related Pay

1. Officers on fixed term appointments will be eligible to receive appraisal related payments on top of basic salary. Such payments will not be pensionable.
2. From the 1996/1997 financial year officers on fixed term appointments will be eligible to receive appraisal related payments in accordance with the benchmark guidance set out below. The maximum potential appraisal related payment will be 7.5 per cent of basic pay. Any such payments will be paid as a single lump sum at the end of the year to which the appraisal related.

Appraisal	Payment as percentage of basic pay
Satisfactory - broadly meets the planned performance for the post holder.	0%
Commendable - meets the planned performance for the post and exceeds it in some areas.	2.5%
Highly commendable - exceeds planned performance for the post holder in many areas.	5%
Outstanding - recognises performance of a higher level than "highly commendable".	7.5%

In operating the scheme, account will be taken of the overall performance of the post holder having regard to the policing environment.

3. The appraisals will be conducted as follows:

Rank	Appraisal conducted by:
Chief Constables;	Police Authorities
Assistant Chief Constables	Chief Constables in conjunction with their Police Authority.

4. The principle of this agreement applies to officers seconded to central service positions. It is expected that the detailed arrangements for these officers will be a matter for separate discussion with the Scottish Ministers.

5. Officers who move to another force, to or from a central service post, or retire part way through a year should receive an appraisal for the part year in question. Any appraisal related payments to which they become eligible should be based on their basic pay for that part year. Officers who remain in service should continue to be appraised, and be eligible for appraisal related pay, from the date that they join their new force or central service post. It is appreciated that it may not be practicable to appraise a post-holder for a very short part of the year in question.

Table (b)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.97**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	59,865 - 68,718	57,012 - 65,445
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £68,718, whichever is higher	80% of the basic salary of their chief or £65,445, whichever is higher
Chief Constables by population band:		
- up to 500,000	71,745 - 82,053	68,325 - 78,141
- 500,001 - 1,000,000	75,414 - 88,686	71,826 - 84,462
- 1,000,001 - 2,000,000	82,053 - 95,316	78,141 - 90,780
- More than 2,000,000	90,801 - 102,471	86,574 - 97,704
Chief Constable Strathclyde	94,086 - 106,182	89,709 - 101,241

**Remuneration for assistant chief constables in specific circumstances and for
assistant chief constables nominated as designated deputy**

- (a) An assistant chief constable (designate) who had:
- . covered a chief constable's post for a continuous period of six months, and
 - . in the circumstances where the post has been vacant during the period due to retirement, death, resignation or suspension of the former post holder,

was henceforth to be paid, with effect from the end of the six month period and until the cover ceased, at the rate of the former chief constable.

(b) The provisions of the Police (Scotland) Act 1967, concerning the nomination of designated deputies, and the agreed pay structure for ACPO ranks detailed in PNB Circular 97/10 (Advisory), entitle an assistant chief constable nominated as the designated deputy to receive, with immediate effect, the remuneration appropriate to that rank i.e 80% of the chief constable's basic salary. PNB Circular 99/2.

Table (c)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.98**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	62,259 - 71,466	59,292 - 68,064
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £71,466, whichever is higher	80% of the basic salary of their chief or £68,064, whichever is higher
Chief Constables by population band:		
1. - up to 500,000	74,616 - 85,335	71,058 - 81,267
2. - 500,001 - 1,000,000	78,432 - 92,232	74,700 - 87,840
3. - 1,000,001- 2,000,000	85,335 - 99,129	81,267 - 94,410
4. - More than 2,000,000	94,434 - 106,569	90,036 - 101,613
Chief Constable Strathclyde	97,848 - 110,430	93,297 - 105,291

Table (d)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.99**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	64,500 - 74,040	61,428 - 70,515
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £74,040, whichever is higher	80% of the basic salary of their chief or £70,515, whichever is higher
Chief Constables by population band:		
1. - up to 500,000	77,301 - 88,407	73,617 - 84,192
2. - 500,001 - 1,000,000	81,255 - 95,553	77,388 - 91,002
3. - 1,000,001- 2,000,000	88,407 - 102,699	84,192 - 97,809
4. - More than 2,000,000	97,833 - 110,406	93,276 - 105,270
Chief Constable Strathclyde	101,370 - 114,405	96,657 - 109,080

Table (e)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.2000**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	66,435 - 76,260	63,270 – 72,630
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £76,260, whichever is higher	80% of the basic salary of their chief or £72,630, whichever is higher
Chief Constables by population band:		
1. - up to 500,000	79,620 - 91,059	75,825 - 86,718
2. - 500,001 - 1,000,000	83,694 - 98,421	79,710 - 93,732
3. - 1,000,001- 2,000,000	91,059 - 105,780	86,718 – 100,743
4. - More than 2,000,000	100,767 - 113,718	96,075 – 108,429
Chief Constable Strathclyde	104,412 - 117,837	99,558 - 112,353

CHIEF OFFICER RANKS' PAY ARRANGEMENTS

Summary from 1 September 2001

1. Allocation to a pay range for chief constables continues to be determined by the population of a force area. In determining which pay range is appropriate to their force area, police authorities have to take into account only the latest estimate by the Office for National Statistics of the fixed resident population.
2. Designated deputies should be paid a basic salary which is exactly 80% of the salary of the chief constable subject only to a minimum specified underpinning payment.
3. The arrangements set out in PNB agreements that provide pay ranges for post holders appointed before 1 April 1996 who have not subsequently been transferred to fixed term appointments which differ from the pay ranges for those appointed or transferred to a fixed term appointment on or after 1 April 1996 continue to apply.

Fixed term appointments

4. The following provisions apply to fixed term appointments:

- | |
|--|
| <ul style="list-style-type: none"> • For chief constables, appointments run for a minimum of four years and a |
|--|

maximum of seven;

- Assistant chief constable appointments are similarly for a minimum of four years, but may run to a maximum of 10 years or until the officer concerned reaches the minimum pensionable retirement age, whichever is **earlier**;
- If both parties agree, an appointment can be for less than four years if the approval of the Secretary of State is obtained;
- Serving chief officers appointed to their current post before 1st April 1996 are able to transfer to fixed term appointments with the agreement of their police authorities;
- At the end of the fixed term, chief officer posts have to be advertised, but the former post holder is free to apply for re-appointment. In exceptional circumstances, with the approval of the Secretary of State, the maximum term may be extended, but not for more than one year.

5. Police regulations confer upon police authorities a discretionary power to extend the length of a fixed term appointment so that it does not expire before an officer has obtained 50 years of age and 25 years pensionable service (including any pensionable service transferred from other employment). The PNB urges authorities to make use of this discretion.

Pay Ranges

6. The pay ranges effective from 1 September 2001 are set out in **table (f)**
7. In determining which pay range is appropriate to their force area, police authorities are to reckon population for salary purposes using only the latest available figure of the resident fixed population from the Office for National Statistics. No additions are to be made to this figure.
8. There is no entitlement to service related increments.

Application of Pay Ranges

9. It is for individual authorities to decide what, if any, adjustment they wish to make to the base salary of their chief constable in the light of the adjustments made to the pay ranges of chief constables. The placement of officers within the pay ranges remains a matter entirely at the discretion of the police authority subject to them having regard to the following provisions.
10. In placing its chief constable within the appropriate pay range, the police authority is to have regard to the following factors, among others:
 - the force's relative position within the appropriate population range;
 - the need for an appropriate pay differential over the rank immediately below in the same force;
 - pay relativities with other appropriate senior public servants in the area, in particular, local government chief executives and chief officers;
 - the social, economic and cultural characteristics of the force area compared with others;
 - the relative urbanisation of the population served.

11. In placing assistant chief constables within their pay range, police authorities are to consult with their chief constable and have regard to the following factors:
 - the need for an appropriate pay differential over officers managed by the post holder;
 - the need for an appropriate pay differential between the post holder and his or her manager;
 - the level of responsibility of the post.
12. It is for local determination whether different assistant chief constable posts within the same force should be paid the same basic rate of pay or different rates of pay to reflect differences in levels of responsibility. An officer moved within the same force from one post to another post with less responsibility will retain any higher salary.
13. Assistant chief constables designated to deputise for the chief constable [hereafter referred to as Assistant Chief Constable (Designated) - ACC(D)] will be paid a basic salary which is exactly 80% of that of the chief constable subject to this being not lower than the underpinning figure shown in **table (f)**. Where an ACC(D) has been appointed on a fixed term basis but his or her chief constable has not, then the ACC(D) will be paid 80% of what the chief constable would have been paid if the chief constable had been appointed on a fixed term subject to this being not lower than the underpinning figure shown in **table (f)**. Where an ACC(D) had not been appointed on a fixed term basis but his or her chief constable had, then the ACC(D) will be paid 80% of what the chief constable would have been paid if the chief constable had not been appointed on a fixed term, subject to this being not lower than the underpinning figure shown in **table (f)**.

Future Pay Adjustments

14. Future pay adjustments will have regard to settlements in Committees B and C, appropriate settlements outside the police service, as well as any other factors agreed by both Sides to be appropriate.

Protection Arrangements

15. Any officer who was appointed to his or her current post before 17 February 1997 and who was placed in a higher population range than that now applicable through the terms contained in paragraphs 1 and 8 above will continue on a personal basis to have a salary determined by reference to that higher range.
16. Any ACC(D) who was appointed to his or her current post before 17 February 1997 and who is paid more than 80% of his or her chief constable's basic salary will continue on a personal basis to be paid that higher percentage.

Table (f)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.2001**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	68, 760-78,930	65,484-75,171
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £78,930 whichever is higher	80% of the basic salary of their chief or £75,171 whichever is higher
Chief Constables by population band:		
1. - up to 500,000	82,407-94,245	78,480-89,754
2. - 500,001 - 1,000,000	86,662-101,865	82,500-97,014
3. - 1,000,001- 2,000,000	94,245-109,482	89,754-104,268
4. - More than 2,000,000	104,295-117,699	
Chief Constable Strathclyde	108,066-121,962	103,044-116,286

CHIEF OFFICER RANKS' PAY ARRANGEMENTS

Summary from 1 September 2002

1. Allocation to a pay range for chief constables continues to be determined by the population of a force area. In determining which pay range is appropriate to their force area, police authorities are to reckon for salary purposes using only the latest available figure of the resident fixed population from the Office for National Statistics. No additions are to be made to this figure.

2. Designated deputies should be paid a basic salary which is exactly 80% of the salary of the chief constable subject only to a minimum specified underpinning payment.

Fixed term appointments

3. The determination by the Scottish Ministers under Regulation 11 contains provisions for the range within which any fixed term must fall and the circumstances in which any fixed term appointment may be extended.

Pay Ranges

4. The pay ranges effective from 1 September 2002 are set out in **Table (g)**. The pay rates effective from 1 September 2003 are set out in **Table (h)**.
5. There is no entitlement to service related increments.

Application of Pay Ranges

6. It is for individual authorities to decide what, if any, adjustment they wish to make to the base salary of their chief constable in the light of the adjustments made to the pay ranges of chief constables. The placement of officers within the pay ranges remains a matter entirely at the discretion of the police authority subject to them having regard to the following provisions.
7. In placing its chief constable within the appropriate pay range, the police authority is to have regard to the following factors, among others:
 - the force's relative position within the appropriate population range;
 - the need for an appropriate pay differential over the rank immediately below in the same force;
 - pay relativities with other appropriate senior public servants in the area, in particular, local government chief executives and chief officers;
 - the social, economic and cultural characteristics of the force area compared with others;
 - the relative urbanisation of the population served.
8. In placing assistant chief constables within their pay range, police authorities are to consult with their chief constable and have regard to the following factors:

- the need for an appropriate pay differential over officers managed by the post holder;
 - the need for an appropriate pay differential between the post holder and his or her manager;
 - the level of responsibility of the post.
9. It is for local determination whether different assistant chief constable posts within the same force should be paid the same basic rate of pay or different rates of pay to reflect differences in levels of responsibility. An officer moved within the same force from one post to another post with less responsibility will retain any higher salary.
 10. Assistant chief constables designated to deputise for the chief constable [hereafter referred to as Assistant Chief Constable (Designated) - ACC(D)] will be paid a basic salary which is exactly 80% of that of the chief constable subject to this being not lower than the underpinning figure shown in **Tables (g) and (h)**. Where an ACC(D) has been appointed on a fixed term basis but his or her chief constable has not, then the ACC(D) will be paid 80% of what the chief constable would have been paid if the chief constable had been appointed on a fixed term subject to this being not lower than the underpinning figure shown in **Table (g) and (h)**. Where an ACC(D) had not been appointed on a fixed term basis but his or her chief constable had, then the ACC(D) will be paid 80% of what the chief constable would have been paid if the chief constable had not been appointed on a fixed term, subject to this being not lower than the underpinning figure shown in **Table (g)**.

Future Pay Adjustments

11. Future pay adjustments will have regard to settlements in PNB Superintendents' Committee and Chief Officers' Committee, appropriate settlements outside the police service, as well as any other factors agreed by both Sides to be appropriate.

Protection Arrangements

12. Any officer who was appointed to his or her current post before 17 February 1997 and who was placed in a higher population range than that now applicable through the terms contained in paragraphs 1 and 8 above will continue on a personal basis to have a salary determined by reference to that higher range.
13. Any ACC(D) who was appointed to his or her current post before 17 February 1997 and who is paid more than 80% of his or her chief constable's basic salary will continue on a personal basis to be paid that higher percentage.

Table (g)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.2002**

Assistant Chief Constables	70,824-81,297	67,449-77,427
Designated deputies [ACC(D)]	80% of the basic salary of their chief or £81,297 whichever is higher	80% of the basic salary of their chief or £77,427 whichever is higher
Chief Constables by population band: 1. - up to 500,000 2. - 500,001 - 1,000,000 3. - 1,000,001- 2,000,000 4. - More than 2,000,000	84,879-97,071 89,220-104,922 97,071-112,767 107,424-121,230	80,835-92,448 84,975-99,924 92,448-107,397 102,420-115,590
Chief Constable Strathclyde	111,309-125,622	106,134-119,775

Table (h)

**CHIEF CONSTABLES', ASSISTANT CHIEF CONSTABLES' AND
ASSISTANT CHIEF CONSTABLE DESIGNATED DEPUTIES' PAY with
effect from 1.9.2003**

	Officers Appointed for a Fixed Term £pa	Officers Not Appointed for a Fixed Term £pa
Assistant Chief Constables	72,948 – 83,736	69,471 – 79,749
Designated Deputies [ACC(D)]	80% of the basic salary of their chief or £83,736, whichever is higher	80% of the basic salary of their chief or £79,749, whichever is higher
Chief Constables by population band: 1. - up to 500,000 2. - 500,001 - 1,000,000	87,426 – 99,984	83,259 – 95,220

3. - 1,000,001- 2,000,000	91,896 – 108,069	87,525 – 102,921
4. - More than 2,000,000	99,984 – 116,151 110,646 – 124,866	95,220 – 110,619 105,492 – 119,058
Chief Constables of Strathclyde	114,648 – 129,390	109,317 – 123,369

REINTRODUCTION OF AND DEPUTY CHIEF CONSTABLE RANKS

These ranks were formally introduced on 25 June 2004. The following are the pay arrangements from 25 June 2004.

DEPUTY CHIEF CONSTABLE

Officers appointed for a fixed term	80% of the basic salary of the chief constable or £83,736, whichever is the higher
Officers not appointed for a fixed term	80% of the basic salary of their chief or £79,749, whichever is higher

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 Parthe 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 Parthe 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.

PART 10

PART-TIME MEMBERS

- 1) The hourly rate of pay of a part-time member shall be calculated by multiplying by $\frac{6}{12520}$ the appropriate annual rate of pay.
- 2) A part-time member's pay for days of annual leave shall be 8 times the rate of pay as in (1) above, reduced in proportion so that the number of determined hours bears to 40 times the number of weeks in the relevant period.
- 3) In this Part, "determined hours" and "relevant period" have the meaning given in paragraph 6(b) of Annex E of the Scottish Ministers' determination of the normal periods of duty of a member of a police force under regulation 22.

OVERTIME

A) OVERTIME

1) Subject to the provisions of Regulation 25 and this Determination, a member of a police force of the rank of constable or sergeant shall be compensated in respect of time:

a) for which the member remains on duty after their tour of duty (or in the case of a member working in accordance with variable shift arrangements, a rostered shift) ends; or

b) for which the member is recalled between two tours of duty (or in the case of a member working variable shift arrangements, rostered shifts); or

c) which forms part of a tour (or in the case of a member working variable shift arrangements, a rostered shift) which the member is required to begin earlier than the rostered time without due notice and on a day when the member has already completed their normal daily period of duty (or in the case of a member working variable shift arrangements, a rostered shift);

and such time is referred to in this determination as “overtime”.

2) Only a member of a police force of the rank of constable or sergeant may be eligible for compensation for overtime.

3) The member shall not be compensated under this determination for overtime for which an allowance is payable under Regulation 26 and the determination under that regulation.

4) Subject to paragraphs (5) and (7), a full-time member of a police force of the rank of constable or sergeant shall be granted an allowance in respect of each week at the rate of a twenty-fourth of a day’s pay for each completed period of 15 minutes of overtime worked by the member on any occasion during that week, except that on each of the first four occasions on which overtime in respect of which the member was not informed as mentioned in paragraph (7) is worked during a week 30 minutes of the overtime worked is to be disregarded.

5) Where such a member of a police force of the rank of constable or sergeant, before the expiry of any pay period, elects in respect of specified overtime worked by the member during the weeks ending within that period to be granted in lieu of an allowance time off subject to and in accordance with paragraph (6), and in accordance therewith receives time off in respect of any overtime, no allowance in respect thereof shall be payable under paragraph (4).

6) Subject to the exigencies of duty, where by virtue of an election under paragraph (5) time off falls to be granted to a member of a police force of the rank of constable or sergeant in respect of any overtime worked by the member in any week then, within such time (not exceeding 3 months) after that week as the Chief

Constable may fix, the Chief Constable shall grant to the member time off equal, subject to paragraph (7), to the period of that overtime worked by the member during that week and, in addition, for each completed 45 minutes of such overtime, an additional 15 minutes off, except that on each of the first 4 occasions on which overtime in respect of which the constable or sergeant was not informed as mentioned in paragraph (7) is worked during a week 30 minutes of the overtime worked is to be disregarded.

7) For the purposes of paragraphs (4) and (6), no account shall be taken of any period of less than 30 minutes of overtime worked on any occasion other than a period of 15 minutes of overtime in respect of which the member was informed at the commencement of the member's tour of duty that they would be required to remain on duty after their tour of duty ended.

8) In computing any period of overtime for the purpose of this determination:

a) where the member of a police force of the rank of constable or sergeant is engaged in casual escort duty, account shall be taken only of:

i) time during which the member is in charge of the person under escort;

ii) such other time as is necessarily spent in travelling to or from the place where the member is to take charge of, or hand over, the person under escort, as the case may be; and

iii) any other time that may be allowed by the Chief Constable, so however, that, if the member is so engaged overnight and has proper sleeping accommodation, whether in a train or otherwise, the Chief Constable may exclude such period not exceeding eight hours, during which the member is not in charge of the person under escort as the Chief Constable considers appropriate in the circumstances;

b) subject to paragraph (4), where the tour or tours of duty does not or do not amount in the aggregate to more than the normal daily period of duty, no account shall be taken of any overtime except so much as together with the tour or tours of duty exceeds the normal daily period of duty. This paragraph does not apply to members working in accordance with variable shift arrangements;

c) where a member is recalled to duty between two rostered tours of duty (or in the case of a member working variable shift arrangements, shifts) and is entitled to reckon less than 4 hours of overtime in respect of any period for which the member is recalled, disregarding any overtime reckonable under regulation 22(1)(e) and the determination made under that regulation, the member shall be deemed to have worked for such period 4 hours of overtime in addition to any overtime reckonable by virtue of regulation 22(1)(e).

d) where the time at which a member is required to begin a rostered tour of duty (in the case of a member working variable shift arrangements, a rostered shift) is brought forward without due notice so that the member is required to begin that tour of duty (in the case of a member working variable shift arrangements, that shift) on a day on which the member has already completed their normal daily period of

duty (in the case of a member working variable shift arrangements, a rostered shift), the time for which the member is on duty before the rostered commencement time shall be reckonable as overtime and shall be taken into account as part of that tour of duty (in the case of a member working variable shift arrangements, that shift).

B) FOR THE PURPOSES OF THIS DETERMINATION

- 1) A “day’s pay” means the member’s pay for the week in question divided by 5.
- 2) “normal daily period of duty” shall be construed in accordance with a determination under regulation 22(1)(a).
- 3) “Pay period” means the period for which a member is paid.
- 4) “Week” means the period of 7 days beginning with such day as is fixed by the Chief Constable.
- 5) In this determination and determinations made under regulations 22 and 33, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members.
- 6) In discharging the Chief Constable’s functions under paragraph (5) above, the Chief Constable shall have regard to the wishes of the joint branch board.

C) FOR PART-TIME MEMBERS

This section has effect for part-time members of a police force below the rank of inspector.

- 1) A part-time member of the rank of constable or sergeant who has been on duty for more than 40 hours in any period of 7 days beginning with a day fixed for the purposes of this determination by the Chief Constable (a relevant week) is entitled to an allowance at the rate of one twelfth of an hour’s pay for each completed 15 minutes in excess of 8 hours, on any day during that period on which the member was on duty for more than 8 hours, except that on each of the first 4 occasions on which overtime in respect of which the constable or sergeant was not informed, as mentioned in section A, paragraph (7) above, is worked during a relevant week 30 minutes of the overtime worked is to be disregarded;
- 2) In the case of a part-time member of a police force of the rank of constable or sergeant working a variable shift arrangement, the number of hours on duty shall, for the purposes of paragraph (1) above, be determined by adding together;
 - a) The average number of hours the member is contracted to work in a relevant week;
 - b) The number of hours (if any) the member worked on any rest day during that period; and

c) The number of hours (if any) the member worked on any public holiday during that period.

3) A part-time member of a police force of the rank of constable or sergeant may, before the end of a pay period (as determined under regulation 30), elect to receive time off in lieu of an allowance, in respect of any long duty day that occurred during a relevant week ending within the pay period.

A “long duty day” means a day on which more than 8 hours is worked.

4) Subject to the exigencies of duty, where a member of a police force of the rank of constable or sergeant has chosen to receive time off in lieu of an allowance for overtime, the Chief Constable shall, within three months of the end of the relevant week, grant the member time off equal to the total of:

a) the time in excess of 8 hours spent on duty on the day or days in respect of which the choice was made; and

b) 15 minutes in respect of each completed 45 minutes of that time;

except that on each of the first four occasions on which overtime in respect of which the part-time member of a police force of the rank of constable or sergeant was not informed as mentioned in section A paragraph (7) is worked during a week, 30 minutes of the overtime worked is to be disregarded.

5) Any time counting for the purposes of regulation 24(1) (pay) as time spent on duty, except:

a) time for which an allowance is received under paragraph (7) or under regulation 26 and the determination thereunder; and

b) any period of less than 30 minutes during the first 30 minutes after the end of a rostered shift, except a period of 15 minutes which the member was told at the beginning of the shift would be required;

counts as time spent on duty for the purposes of paragraph (3).

6) For the purposes of paragraph (2) a period of duty:

a) which resulted from a member’s being recalled and returning to duty between two rostered shifts, and

b) the length of which, after deducting any travelling time counting as a period of duty by virtue of regulation 22, was less than 4 hours;

counts as a period of duty lasting for the aggregate of 4 hours and any period counting by virtue of regulation 22 (travelling time treated as duty).

7) Where the time at which a member of a police force of the rank of constable or sergeant is required to commence a rostered shift is brought forward:

a) without giving the member notice 8 hours or more before the new commencement time, and

b) so that the member is required to commence that shift on the day on which their previous shift ended;

the member is entitled to an allowance at the rate of one twelfth of an hour's pay for each completed 15 minutes of the time for which the member is on duty before the rostered commencement time.

8) A member who has become entitled to an allowance under paragraph (7) above may, before the end of the pay period during which the day on which the member was required to commence the shift occurred, elect to receive time off instead of the allowance.

9) Subject to the exigencies of duty, where a member has chosen to receive time off in lieu of an allowance as mentioned in paragraph (8) above, the Chief Constable shall, within 3 months after the date of that decision, grant the member time off equal to one and one third times the number of completed quarters of an hour for which the member was on duty before the rostered commencement time.

10) Where:

a) on any day on which the member has a rostered shift, a member has been on duty for a period exceeding the length of that shift, and

b) the member is not entitled in respect of that day to any allowance under paragraph (1) or (7) of this determination;

the member may, not later than 4 days after the end of the relevant week in which the day in question occurred, decide to be granted time off in respect of the excess over the length of shift ("the excess period").

11) For the purposes of paragraphs (1) and (10), a continuous period of duty which began before and ended after the beginning of a day shall:

a) if the day on which it ended was not:

- i) a public holiday,
- ii) a rostered rest day, or
- iii) a free day,

in respect of which the member became entitled to an allowance under regulation 26 (public holidays and rest days) be treated as having fallen wholly within, and

b) in any other case, be treated as having consisted only of so much of the period as fell within, the day on which the period began.

12) Subject to the exigencies of duty, where a member has chosen to receive time off in lieu of an allowance as mentioned in paragraph (10), the Chief Constable

shall, within 3 months of the decision, grant the member time off equal to the excess period.

13) For the purpose of Regulation 24(1) (pay) any extra period of duty in respect of which time off is granted under paragraph (4) or (9) counts as one and one third times the number of completed quarters of an hour comprised in the extra period of duty, and a period falling within paragraph (6)(a) and (b) counts as one of 4 hours.

PUBLIC HOLIDAYS AND REST DAYS

1) ROSTERED REST DAYS and PUBLIC HOLIDAYS

- a) A member of a police force of the rank of constable or sergeant shall, if required to do duty on a day which is a rostered rest day, be granted:
 - i) where the member receives less than 15 days' notice of the requirement, an allowance at the appropriate rest-day rate; or
 - ii) in any other case, another rest day, which shall be notified to the member within 4 days of notification of the requirement.

- b) Subject to paragraph (a) in the next section, the appropriate rest-day rate is, for each completed 15 minutes of duty on a rostered rest day, the fraction of a day's pay specified in paragraph (c).

- c) The fraction is:
 - i) where the member received less than 5 days' notice of the requirement, one sixteenth; and
 - ii) in any other case, three sixty-fourths.

- d) A member of a police force of the rank of constable or sergeant shall, if required to do duty on a day which is a public holiday, be granted:
 - i) where the member receives less than 8 days' notice of the requirement:
 - 1) an allowance at the appropriate rate and, in addition,
 - 2) another day off in lieu thereof, which shall be notified to the member within 4 days of notification of the requirement, and which shall be treated for the purpose of this determination as a public holiday;
 - ii) in any other case, an allowance at the appropriate rate.

- e) A member of a police force of the rank of constable or sergeant who is required to do duty on a day which is a public holiday or a rostered rest day may, within 28 days of the day in question, elect to receive, in lieu of an allowance as mentioned in paragraph (a)(i) or paragraph (d)(i) or (ii) above, time off equal:
 - 1) in the case of a day which is a public holiday, to double, and
 - 2) in the case of a rostered rest day:

- 1) where the member received less than 5 days' notice of the requirement, to double, and
- 2) in any other case to one and a half times,

the period of completed quarters of an hour of duty on the day in question.

- f) Where such a member of a police force who is required to do duty on a day which is a public holiday or a rostered rest day, or for a part-time member, a free day has elected to receive time off as mentioned in paragraph (e) above or paragraph (h) in section 2 below, the Chief Constable shall, subject to the exigencies of duty, grant such time off within such time (not exceeding 3 months) as the Chief Constable may fix, and subject to such time off being taken, no allowance in respect of the day in question shall be payable under paragraph (d)(i) or, as the case may be, sub-paragraph (d)(i) or (ii)' or, for a part-time member paragraph (e) or (f) of section B below.

- g) Where the exigencies of duty have precluded:

- 1) the allowance of a day's leave on a public holiday, or
- 2) the grant in any week of two rest days,

to a member of a police force of the rank of inspector or chief inspector, the member shall, during the next following twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

- h) Where the exigencies of duty have precluded:

- 1) the allowance of a day's leave on a public holiday, or
- 2) the grant in any month of eight monthly leave days,

to a member of a police force of the rank of superintendent or chief superintendent, the member shall, during the next twelve months and so far as the exigencies of duty permit, be allowed or (as the case may be) granted a day's leave in lieu of any such day not allowed or granted.

- i) Where the exigencies of duty have precluded the allowance of a day's leave on a public holiday to any such member other than a member of a police force above the rank of chief superintendent, the member shall, during the next three months and so far as the exigencies of duty permit, be allowed a day's leave in lieu of any such day not allowed.
- j) For the purpose of this paragraph "month" means that period of 28 days beginning with such day as is fixed by the Chief Constable.

2) PART-TIME CONSTABLES AND SERGEANTS

- a) The appropriate rest-day rate for a part-time member of a police force of the rank of constable or sergeant is, for each completed 15 minutes of duty on a rostered rest day, the fraction of the member's hourly rate of pay calculated in accordance with the determination under regulation 24(1) specified in paragraph (b) below.
- b) The fraction is:
 - i) where the member received less than 5 days' notice of the requirement, one quarter; and
 - ii) in any other case, one eighth.
- c) A part-time member of a police force of the rank of constable or sergeant who:
 - i) is required to do duty on a free day, and
 - ii) receives not less than 15 days' notice of the requirement,

shall be granted another free day in lieu, which shall be notified to the member within 4 days of notification of the requirement.

- d) This sub-paragraph applies where:
 - i) a part-time member of a police force of the rank of constable or sergeant is required to do duty on a free day, and
 - ii) the member receives less than 15 days' notice of the requirement, and
 - iii) the duty is of such a nature that it would not in the circumstances have been reasonably practicable for it to be done by any other member.
- e) Where paragraph (d) applies:
 - i) if the member was on duty for more than 8 hours on the free day and for more than 40 hours (in addition to any hours on a rostered rest day or public holiday for which an allowance fell to be granted under this determination) during the week in which the free day occurred, the member is entitled to an allowance at the rate of one twelfth of an hour's pay for each completed period of 15 minutes of duty done on the free day, and
 - ii) in any other case, the member is entitled to time off equal to the total length of those periods.
- f) Where:
 - i) a member is required to do duty on a free day; and
 - ii) the member receives less than 15 days' notice of the requirement;

but sub-paragraph (d)(iii) does not apply, the member is entitled to an allowance at the appropriate rest-day rate.

- g) In the case of a part-time member of a police force of the rank of constable or sergeant working in accordance with variable shift arrangements, the number of hours on duty shall for the purposes of paragraph (e)(i) be determined by adding together:
 - i) the average number of hours the member is contracted to work in the week in which the free day occurred;
 - ii) the number of hours, if any, the member worked on any rest day in that week; and
 - iii) the number of hours (if any) the member worked on any public holiday within that period.
- h) A member who is required to do duty on a free day may within 28 days of that day elect to receive:
 - i) in lieu of an allowance under paragraph (e)(i), time off equal to one and one third times, and
 - ii) in lieu of an allowance under paragraph (f), time off equal to one and a half times,

the period of completed quarters of an hour of duty done on the free day.

- i) Any entitlement of a member to an allowance for rest day, public holiday or free day working in respect of any day is in addition to any payments due to that member for that day in accordance with regulation 24 (pay) and the determination thereunder.
- j) For the purposes of regulation 24(1)(pay) and the determination thereunder:
 - i) a day's leave allowed under paragraph (4)(a)(i) of the determination under regulation 22 and a day off granted under paragraph (1)(d) above or under paragraph (3)(j) below in respect of a public holiday each count as a period of duty of 8 hours multiplied by the appropriate factor, and
 - ii) so much of any time off granted under sub-paragraph (h) or paragraph (1)(f) above as exceeds the time spent on duty on the public holiday, rest day or free day counts as time spent on duty.

3) FOR THE PURPOSES OF THIS DETERMINATION

- a) A member of a police force who is paid a dog handler's allowance shall not be treated as required to do duty by reason only of the member being required to care for the dog;

- b) “a day’s pay” means a week’s pay at the rate at which the member was paid on the day in question divided by five;
- c) “the appropriate rate” for a full-time constable or sergeant means a sixteenth of a day’s pay for each completed 15 minutes of duty done on a public holiday;
- d) “the appropriate rate” for a part-time constable or sergeant is, for each completed 15 minutes of duty done on a public holiday, one half of the member’s hourly rate of pay calculated in accordance with regulation 24 and the determination thereunder;
- e) In this paragraph, “day” in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members;
- f) a reference to a day which is a public holiday is to be construed, in relation to the member concerned as a reference to a day commencing at any time on the calendar date of the public holiday in question;
- g) “week” means a period of 7 days beginning with such day as is fixed by the Chief Constable;
- h) where a member is required to do duty, or is recalled to duty, for a period of less than 4 hours on a public holiday or a rostered rest day or, for a part-time member, a free day, such period or each such period, shall be treated as though it were a period of 4 completed hours. The only exception to this is where a period of not more than one hour of duty on a rostered rest day or, for a part-time member, a free day immediately follows a normal daily period of duty (or, in the case of a part-time member or a member working in accordance with variable shift arrangements, a rostered shift). In this instance the period of not more than one hour of duty counts as the number of period of 15 minutes actually completed;
- i) where a member is required to do duty on a public holiday or on a rostered rest day or, for a part-time member, a free day, the member’s period of duty shall include (except for the purposes of sub-paragraph (h) above) the time occupied by the member in going to and returning from their place of duty, not exceeding such reasonable limit as may be fixed by the Chief Constable, save that, for the purposes of this sub-paragraph, there shall be disregarded any period of time so occupied:
 - i) which together with the member’s period of duty exceeds 6 hours, or
 - ii) which is treated as a period of duty under regulation 22 (travelling time treated as duty).
- j) where it is at the member’s own request that a member works on a day which is a public holiday, rostered rest day or, for a part-time member, a free day, the member shall not be treated for the purposes of this

determination as having been required to do duty on that day but shall be granted another day off in lieu thereof, which shall be treated as a public holiday, rostered rest day or free day as the case may be;

- k) in relation to a part-time member of a police force:
- i) the determined hours are the number of hours which the Chief Constable has determined as the member's normal period of duty in a relevant period (as provided for in Annex E paragraph (6)(ii) or paragraph (6)(v) as applicable),
 - ii) a relevant period is a period for which a duty roster relating to the member has effect for the time being under paragraph 3 of Annex E, and the appropriate factor is A/B,

where

A is the number of determined hours, and

B is 40 times the number of weeks in the relevant period.

TEMPORARY SALARY

1) A member of a police force of the rank of superintendent or chief superintendent who is required for a continuous period exceeding 7 days (or, in the case of a part-time member, a continuous period of shifts amounting to at least 56 hours) to perform the duties normally performed by a member of the force of a higher rank than the member's own, otherwise (subject to paragraph (3)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 26 and any determination thereunder, shall be paid in respect of that period, other than the first 7 days (or first continuous 56 hours of shifts in the case of a part-time member) thereof, at a rate equal to the rate of pay of the member in that higher rank.

2) A member of a police force of the rank of superintendent or chief superintendent who is required for a continuous period exceeding 7 days (or continuous 56 hour period of shifts in the case of a part-time member) to perform the duties normally performed by such a member whose pay category under regulation 24 (1) and any determination thereunder is higher than the member's own, otherwise (subject to paragraph (3)) than as the direct or indirect result of the absence of any member of the force on a monthly or other leave day granted under regulation 26 and any determination thereunder, shall be paid in respect of that period, other than the first 7 days (or continuous 56 hour period of shifts in the case of a part-time member) thereof, at a rate equal to the rate of pay of the member in that higher pay category (for a part-time member at the hourly rate arrived at by dividing by 8 a day's pay at the rate of pay of the member in that higher pay category).

3) Where any member of the force is absent for a continuous period comprising both:

- a) Monthly or other leave days granted under regulation 26 and any determination thereunder, and
- b) One or more annual leave days granted under regulation 33 and any determination thereunder,

paragraph (1) or (2) shall have effect as if the entire continuous period of absence were a period of annual leave.

4) Subject to paragraphs (6) and (7) and the provisions of this paragraph, a member of a police force below the rank of superintendent who, in any year, has been required to perform the duties normally performed by a member of the force of a higher rank than their own for 14 complete days or, for a part-time member, for at least 112 hours of complete shifts throughout which the member performed the duties normally performed by a member of the force of a higher rank than their own shall be paid in respect of each further complete day (or complete shift in the case of a part-time member) in that year on which the member is required to perform such duties at a rate equal to the lowest rate of pay to which the member would be entitled on promotion to the higher rank, or for a part-time member, equal to the lowest rate of pay to which the member would be entitled on promotion to the higher rank as a

full-time member. A member of a police force working in accordance with variable shift arrangements who has had qualifying shifts amounting in total to 112 hours shall be paid in respect of each further qualifying shift in that year at the hourly rate arrived at by dividing by 8 a day's pay at the lowest rate of pay to which the member would be entitled on promotion to the higher rank.

- 5) Where:
- a) a member of a police force below the rank of inspector is entitled to be paid under paragraph (4),
 - b) the higher rank is that of inspector or above, and
 - c) the day on which the member is required to perform the duties referred to in paragraph (4) is not a public holiday or rostered rest day,

there shall be no entitlement to an allowance or time off under regulation 25 and any determination thereunder in respect of such duties.

- 6) Paragraph (4) shall not apply where:
- a) a member of a police force below the rank of inspector is required to perform the duties normally performed by a member of the force of the rank of inspector or above, and
 - b) the day on which the member is so required to perform such duties is a public holiday or rostered rest day.

7) A member of the police force of the rank of chief inspector who, in any year, has been required to perform the duties normally performed by a member of the rank of superintendent for 14 complete days (or, for a part-time member, for at least 112 hours of complete shifts) shall be paid in respect of any further complete day (or complete shift, in the case of a part-time member) in that year on which the member is required to perform such duties at a rate equal to the lowest rate of pay to which they would be entitled on promotion to superintendent.

- 8) Where a member of a police force:
- a) on the member's last scheduled working day in any year is required to perform the duties normally performed by a member of the force of a higher rank than their own, and
 - b) is paid in respect of that day a temporary salary under paragraph (4), and
 - c) on the member's first scheduled working day of the next following year continues for the complete day to perform such duties,

the member shall be paid, in respect of the day mentioned in sub-paragraph(c) and any following complete day which together therewith forms a continuous period

when the member is required to perform such duties, as if that day or days had formed part of the year mentioned in sub-paragraph (a):

provided that the said day or days shall be disregarded for the purposes of the application of paragraph (4) to that member in the year mentioned in sub-paragraph (c).

9) Where a member of a police force working in accordance with variable shift arrangements:

- a) has a qualifying shift as the member's last rostered shift in any year, and
- b) is paid in respect of that shift a temporary salary under paragraph (4), and
- c) has a qualifying shift as the member's first rostered shift in the next following year,

the member shall be paid in respect of the shift mentioned in sub-paragraph (c) and any qualifying shifts beginning on days that follow consecutively the day on which that shift began as if that shift or shifts had occurred in the year mentioned in sub-paragraph (a):

provided that the said shift or shifts shall be disregarded for the purposes of the application of paragraph (4) to that member in the year mentioned in sub-paragraph (c).

10) For the purposes of paragraph (9) the expression "qualifying shift" means, in relation to a member of a police force, a rostered shift throughout which the member is required to perform duties normally performed by a member of the force of a higher rank than their own.

11) For the purposes of this determination "year" means a period of 12 months beginning on 1 April.

12) For the purposes of this determination "day" means in relation to a full-time member of a police force below the rank of inspector, the member's normal daily period of duty.

13) For the purposes of this determination "day" means in relation to a part-time member of a police force the period that would constitute their normal daily period of duty if the member were a full-time member.

14) "Full-time member" means a member of the force appointed otherwise than under regulation 6 and any determination thereunder.

TEMPORARY PROMOTION

- 1) A chief inspector who, for a period of 2 months or more, has performed the duties of superintendent shall be temporarily promoted to the rank of superintendent.
- 2) A member shall, while temporarily promoted to the rank of superintendent, be paid at the point on the superintendents' pay scale which would have applied if the promotion had not been temporary.
- 3) A member temporarily promoted in this way shall revert to the rank of chief inspector when that member is no longer required to perform these duties.

SICK PAY

1) Subject to paragraph (2), a member of a police force who is absent on sick leave, in accordance with Regulation 33(5), shall be entitled to full pay for six months in any one year period. Thereafter, the member becomes entitled to half pay for six months in any one year period.

2) The period during which sick pay shall be paid and the rate of sick pay in respect of any period of sick leave shall be calculated by deducting from the member's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

3) The Chief Constable may, in a particular case determine that for a specified period:

- a) a member who is entitled to half pay while on sick leave is to receive full pay, or
- b) a member who is not entitled to any pay while on sick leave is to receive either full pay or half pay,

and may from time to time determine to extend the period.

4) For the purposes of this determination:

- a) references to a member's being on sick leave are references to the member being absent from duty while entitled to be so, under Regulation 33(5),
- b) references to full pay are references to pay at the rate set out in the Scottish Ministers' determination of pay, made under Regulation 24(1), and
- c) references to half pay are references to pay at half the rate of the member's full pay.

MATERNITY PAY, MATERNITY SUPPORT PAY, ADOPTION LEAVE PAY AND ADOPTION SUPPORT LEAVE PAY

MATERNITY PAY

1. Subject to the following provisions of this determination, a female member of a police force who satisfies the conditions in paragraph (2) is entitled to be paid as respects the first three months of any period or periods of maternity leave in any one maternity period (as defined in the determination on maternity leave made under regulation 33) taken in accordance with the determination on maternity leave made under regulation 33, but is not entitled to be paid thereafter.
2. The conditions referred to in paragraph (1) are that:
 - a) at the beginning of the week in which the expected date of birth (as defined by the determination on maternity leave made under regulation 33) occurs, the female member of a police force will have served continuously for a period of not less than sixty three weeks in that or any other police force; and
 - b) on the date (“the relevant date”) fifteen weeks before the expected date of birth (as so defined) she either:
 - i) remains pregnant, or
 - ii) has given birth prematurely to a baby who is alive on the relevant date.

MATERNITY SUPPORT LEAVE PAY

3. With effect from 8 February 2001 to 5th April 2003, a member of a police force is entitled to be paid as respects any period of maternity support leave.
4. With effect from 6th April 2003, a member of a police force is entitled:
 - a) to be paid as respects the first week of any period of maternity support leave; and
 - b) to be paid at the statutory paternity rate where a member has served continuously for a period of 26 weeks at the fourteenth week before the expected date of birth (as defined by the determination on maternity support pay under regulation 33) as respects the second week.

ADOPTION LEAVE PAY

5. With effect from 8th February 2001 a member of a police force is entitled to be paid as respects the first week of adoption leave taken in accordance with paragraph 3(a) of the determination on adoption leave under regulation 33.

6. With effect from 6th April 2003, a member of a police force who satisfies the conditions in paragraph 3(b) of the determination on adoption leave under regulation 33 is entitled to be paid at statutory adoption rate as respects the first 25 weeks of adoption leave taken in accordance with the determination.

ADOPTION SUPPORT LEAVE PAY

7. With effect from 6th April 2003, a member of a police force is entitled to be paid as respects the first week of adoption support leave.

8. With effect from 6th April 2003, a member of a police force who will have served continuously for a period of 26 weeks by the end of the notification week as defined in paragraph 3(c) of the determination under regulation 33 is entitled to be paid at statutory paternity rate as respects the second week of adoption support leave.

9. FOR PART-TIME MEMBERS

- a) A part-time member who satisfies the conditions in this determination is to be treated for the purposes of regulation 24 (1) and any determination thereunder as having been on duty for the number of hours determined by multiplying the number of that member's determined hours by the length in days of the paid leave period and dividing the result by the length in days of the relevant period.
- b) For the purposes of paragraph (4)(a) the "determined hours" are the number determination under regulation 22(1)(a) (Annex E) as the member's normal period of duty in a relevant period.

FIXING OF PAY DAY AND CALCULATION OF MONTHLY, WEEKLY AND DAILY PAY

1) PAY DAY

- a) In fixing the intervals at which members of a police force shall be paid the police authority may fix different intervals for different classes of members.
- b) In fixing the interval for any class the police authority shall have regard to the wishes of the members of that class.
- c) The police authority may, if they think fit, pay to a member such part of their pay as they may determine in advance of the day on which it would otherwise be due to be paid in accordance with this determination.

2) MONTHLY PAY

- a) Subject to sub-paragraph (b), a month's pay shall be calculated, for all purposes, at a monthly rate of pay determined by dividing by 12 the annual rate.
- b) For the purposes of regulation 13(2), a month's pay for a part-time member is to be calculated by multiplying one twelfth of the annual rate ascertained from the determination under regulation 24(1) by the appropriate factor.

3) WEEKLY PAY

A week's pay shall be calculated, for all purposes, at a weekly rate of pay determined by dividing by $52 \frac{1}{6}$ the annual rate.

4) DAILY PAY

A day's pay shall be calculated, except for the purposes of regulations 25 and 26 and any determinations thereunder, at a daily rate determined by dividing by 7 the weekly rate, determined as aforesaid.

UNIVERSITY SCHOLARS

- 1) Regulations 22, 25 and 26 and the determinations made thereunder (Annexes E, G and H) shall not apply to a university scholar for the duration of the scholar's course except for such period or periods, if any, as the scholar is engaged otherwise than in study.

- 2) A full-time university scholar, , who has undertaken a course of study given wholly or mainly at an institution within the City of London or the metropolitan police district, and has taken up residence within the City of London or the metropolitan police district shall be entitled to supplementary pay each year of -
 - (a) from 1 July 1995 to 31 June 1996 - £1,440;
 - (b) from 1 July 1996 to 31 June 1997 - £1,491;
 - (c) from 1 July 1997 to 31 June 1998 - £1,542;
 - (d) from 1 July 1998 to 31 June 1999 - £1,605;
 - (e) from 1 July 1999 to 31 March 2003 - £1,662;
 - (f) from 1 April 2003 - £1,827

if taking up that residence is, in the opinion of the police authority, due to the scholar having undertaken the course. Such supplementary pay shall be for the duration of the course, whether or not the scholar is resident throughout that period.

- 3) A part-time university scholar, who has undertaken a course of study given wholly or mainly at an institution within the City of London or the metropolitan police district shall be entitled to supplementary pay at the rate obtained by multiplying by the appropriate factor the supplementary pay for the relevant period, if taking up residence is, in the opinion of the police authority, due to the scholar having undertaken the course. Such supplementary pay shall be for the duration of the course, whether or not the scholar is resident throughout that period.

ANNUAL LEAVE

- 1)
- a) Every member of a police force of or above the rank of superintendent shall be granted in each leave year the following period of annual leave namely-
- i) in the case of a member of the rank of superintendent or chief superintendent, 31 days;
 - ii) in the case of a member of a rank higher than that of chief superintendent who has not completed 10 years' relevant service, not less than 42 days; and
 - iii) in any other case, not less than 48 days.
- b) Subject to sub-paragraph (c) below every member of a police force holding a rank below that of superintendent shall be granted in each leave year commencing after 31 December 2002 the period of leave set out opposite the member's relevant service as a member of a police force in the Table below:-

Table

<i>Relevant service</i>	<i>Annual Leave</i>
Under 5 years' relevant service	21 days
5 or more years' relevant service	23 days
10 or more years' relevant service	26 days
15 or more years' relevant service	27 days
20 or more years' relevant service	29 days

- c) Where the annual leave entitlement of a member of a police force immediately before the coming into effect of this paragraph, in respect of the first leave year commencing after 31st December 2002, exceeded the period prescribed in the member's case in respect of that year by the foregoing provisions of this paragraph the member shall continue to be entitled to be granted such greater period of leave until such time as the member shall have completed such number of years' relevant service as, by virtue of the said provisions, entitle the member to an increased period of leave.
- 2) In the leave year in which a member of a police force is appointed to, is promoted in, or retires from the force or completes such number of years' relevant service as will entitle the member to an increased period of annual leave, the member's annual leave shall be calculated at the rate of a twelfth of the period of annual leave appropriate, under paragraph (1), to the rank held by the member for each complete month of service in that rank in the leave year in question, a fraction of a day being reckoned as a day:

Provided that where a member of a police force is promoted or completes the said number of years' relevant service while completing a month's service in the leave year in question, the member shall be treated for the purposes of this paragraph as if the member had been promoted or, as the case may be, completed the said number of years' relevant service at the beginning of that month's service.

3) In the case of a member of a police force of a rank not higher than that of chief superintendent, the Chief Constable may, in his discretion and subject to the exigencies of duty-

- a) notwithstanding anything in paragraphs (1) and (2), where the Chief Constable is satisfied that, in any leave year, the member has not taken the full period of annual leave specified in those paragraphs, grant the member, during the following leave year, additional days of annual leave not exceeding the number of days not taken, so however that the Chief Constable shall not exercise this discretion so as to grant more than 5 additional days of annual leave to a member unless the Chief Constable is satisfied that there are exceptional circumstances and that it is in the interests of efficiency to do so;
- b) grant the member not more than 5 additional days of annual leave, to be taken in the last month of the leave year, subject to a corresponding reduction being effected in the member's period of annual leave under paragraph (1) for the following year.

4)

- a) Subject to sub-paragraph (b), days of annual leave granted under this determination may be taken, in the discretion of the Chief Constable and subject to the exigencies of duty, as a single period, or as single days, or in periods of more than one day or as half days.
- b) In the case of a member below the rank of superintendent, not more than 3 days of annual leave shall be taken as half days, and where annual leave is so taken, the member-
 - i) shall do duty on that day for 4 hours, and
 - ii) shall not be entitled to be allowed an interval for refreshment such as may be determined under regulation 22(b).

5)

- a) Where a member of a police force has been recalled to duty from a period of absence from duty to which this paragraph applies, the member shall be granted, in compensation for being recalled to duty on any day during that period which is a day of annual leave or a day taken off in lieu of overtime-
 - i) if the member was so recalled to duty for 1 or 2 days (whether or not in the latter case those days formed a single period), an additional 2 days' annual leave (or, if the member so choose, 1 day's annual leave

and 1 day's pay at double time) in lieu of each such day for which the member was so recalled; or

- ii) if the member was so recalled to duty for 3 or more days (whether or not forming a single period), 2 days' annual leave (or, if the member so choose, 1 day's annual leave and 1 day's pay at double time) in lieu of each of the first 2 such days for which the member was so recalled, and 1 ½ days' annual leave (or, if the member so choose, 1 day's annual leave and ½ day's pay at double time) in lieu of each such day for which the member was so recalled thereafter.

- b) This paragraph applies to a period of absence from duty of 3 or more days, where at least one of those days is a day of annual leave and the other days, if not days of annual leave, are rostered rest days, day taken off in lieu of overtime, public holidays (or days taken off in lieu thereof) or monthly leave days, or any combination thereof. The compensation agreed applies not only to officers actually recalled from annual leave, but also to pre-booked, scheduled annual leave.

6)

- a) For the purposes of this determination-“relevant service” means any service which the member concerned is entitled to reckon for the purposes of pay together with any service which the member was previously so entitled to reckon-

- i) in the case of a member below the rank of superintendent, in any lower rank;
- ii) in any other case, in the rank of superintendent or any higher rank,

except that relevant service shall not include any such service as is mentioned in regulation 44.

- b) Where a member of an aerodrome constabulary has been transferred to a police force by an order under section 30 of the Aviation Security Act 1982 then, for the purposes of this paragraph, the member's service in any rank in that constabulary shall be treated as if it were service in the corresponding rank in a police force.

7)

- a) In this determination and determinations made under regulations 22 and 25, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members.

- b) In discharging his functions under sub paragraph (a) above, the Chief Constable shall have regard to the wishes of the joint branch board.

SICK LEAVE

1) A member of a police force shall not be entitled to be absent from duty on account of injury or illness unless a registered medical practitioner has certified the member to be unfit for duty. Provided that:

a) with the consent of the police authority, a member may be so absent without such certificate of unfitness where the period of unfitness for duty does not exceed 7 days, including any day on which, even if the member were fit to do so, the member would not have been required to perform police duty;

b) if, notwithstanding such certificate of unfitness for duty, a registered medical practitioner appointed or approved by the police authority has examined the member and considers the member to be fit for duty, the police authority shall, if the medical practitioner who issued the certificate of unfitness for duty agrees, within 28 days of the difference of opinion coming to their attention arrange for a third registered medical practitioner to examine the member and to report in writing to the other two practitioners concerned; the third registered practitioner shall be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the member on behalf of the police authority, except that in the event of a failure to agree, the police authority may appoint such third medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the member to be fit for duty, or if the medical practitioner who issued the certificate of unfitness for duty does not agree to such further examination, the member shall no longer be entitled to be absent from duty.

2) This determination applies to a member who is in quarantine as it applies to a member who is ill and any reference to fitness or unfitness for duty shall be construed accordingly.

3) **PART-TIME MEMBERS**

While a part-time member of the rank of constable or sergeant is entitled under this determination to be absent from duty, any rostered shift counts, for the purposes of Regulation 24(1) (pay) and any determination made thereunder, as a period of duty of the same duration.

4) **FOR THIS DETERMINATION**

a) In this determination and determinations made under regulations 22 and 25, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members.

b) In discharging their functions under sub paragraph (a) above, the Chief Constable shall have regard to the wishes of the joint branch board.

LEAVE FOR THE PURPOSES OF ANTE-NATAL CARE

- 1) A female member who is pregnant and who, on the advice of a registered medical practitioner, registered midwife or registered health visitor, has made an appointment to attend at any place for the purpose of receiving ante-natal care shall, subject to the following provisions of this determination, have the right not to be unreasonably refused special leave from duty to enable her to keep the appointment.
- 2) Subject to paragraph (3), the chief constable shall not be required by virtue of this determination to permit a female member to take special leave from duty to keep an appointment unless, if the chief constable requests her to do so, she produces for his inspection-
 - a) midwife or registered health visitor stating that she is pregnant, and
 - b) an appointment card or other document showing that the appointment has been made.
- 3) Paragraph (2) shall not apply where the female member's appointment is the first appointment during her pregnancy for which she seeks permission to take special leave from duty in accordance with paragraph (1).
- 4) A period of special leave from duty taken in accordance with paragraph (1) shall be treated as a period of duty.

MATERNITY LEAVE

1. In this determination:
 - a) “expected date of birth” means, subject to paragraph (4), the date given in accordance with paragraph (2)(b);
 - b) “maternity leave” means leave up to a maximum of 15 months (“the 15 month period”) taken in accordance with the provisions of this determination by a qualified member of a police force during the maternity period;
 - c) “maternity period”, in relation to such a member, means the period beginning six months before the expected date of birth of the member’s child as given under paragraph (2)(b) or, as the case may be, paragraph (4), and ending twelve months after the date so given; and
 - d) “qualified member” means a member of a police force who qualifies under paragraph (2).
2. Subject to the following provisions of this determination, a female member of a police force qualifies for maternity leave when she has given to the Chief Constable notice stating:
 - a) that she is pregnant;
 - b) the expected date of birth of her child; and
 - c) the date on which she intends to commence maternity leave or, where she proposes to take more than one period of maternity leave, the proposed dates of those periods.
3. A female member of a police force does not qualify for maternity leave where the Chief Constable has requested the production of a certificate from a registered medical practitioner, registered midwife or registered health visitor setting out the matters referred to in paragraph (2)(a) and (b) and she fails to produce such a certificate.
4. Where a certificate produced under paragraph (3) sets out a different week as the expected date of the birth of the child of the female member of a police force from the date given in accordance with paragraph (2)(b), the date given in the certificate shall have effect in place of the date given in the notice.
5. A female member of a police force who is pregnant shall give the notice required by paragraph (2) as soon as reasonably practicable after she becomes aware of the expected date of birth of her child.

6. The date or dates given in accordance with paragraph (2)(c) may be amended by a subsequent notice to the Chief Constable, provided that not less than 21 days' notice is given of the qualified member's intention to return to duty.

7. A qualified member shall commence maternity leave no later than the date given in accordance with paragraph (2)(b) and, subject to paragraphs (8) and (9), the leave shall continue until the last day of the maternity leave.

8. Where a qualified member intends to return to duty before the end of the 15 month period, she shall give to the Chief Constable not less than 21 days' notice of her intention.

9. A notice under paragraph (8) may be subsequently revoked; and any such revocation shall be without prejudice to the giving of another notice under that paragraph of an intention to return to duty before the end of the 15 month period.

10. During any period of maternity leave, a qualified member shall not be entitled to any sick leave under regulation 33(5) and the determination on sick leave thereunder.

11. In paragraph (10) "period of maternity leave" means the period:

a) beginning on:

i) the date given in accordance with paragraph (2)(c) as the date on which the qualified member intends to commence maternity leave or, where she proposes to take more than one period of such leave, the first of those dates, or

ii) where that date or, as the case may be, the first of those dates has been amended by a subsequent notice under paragraph (6), that date; and

b) ending on:

i) where a notice has been given under paragraph (8) and has not been subsequently revoked, the date so given; or

ii) where no such notice has been given or remains in force, the last day of the 15 month period.

12.

(a) In this determination and determinations made under regulations 22 and 25, "day", in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members.

(b) In discharging their functions under sub paragraph (a) above, the Chief Constable shall have regard to the wishes of the joint branch board.

13. This determination has effect from 6th April 2003.

14. This determination has effect from 1st December 1999 to 5th April 2003 with the following modifications:-

(a) in paragraph 1(b) for the definition of maternity leave substitute:-

“maternity leave” means leave taken in accordance with the provisions of this determination by a qualified member of a police force during the maternity period”;

(b) in paragraph 1(c) for “twelve” substitute “nine”;

(c) in paragraph 9 and 11(b)(ii) for “15 month period” substitute “maternity period”;

MATERNITY SUPPORT LEAVE

1) MATERNITY SUPPORT LEAVE

- (a) So far as the exigencies of duty permit, a member of a police force who is the child's father or the partner or the nominated carer of an expectant mother shall be granted:-
 - (i) 5 days maternity support leave with effect from 8 February 2001 and 5th April 2003;
 - (ii) two weeks maternity support leave with effect from 6th April 2003,

at or around the time of the birth.

- (b) For the purposes of this determination, a nominated carer is the person nominated by the mother to assist in the care of the child and to provide support to the mother at or around the time of the birth.
- (c) In the case of a part-time member, each day of maternity support leave granted counts for the purposes of regulation 24(1) and the determination thereunder as a period of duty of 8 hours multiplied by the appropriate factor.

2) PARENTAL LEAVE

- a) With effect from 15 December 1999 a member of a police force who:
 - (i) has served continuously for a period of not less than a year; and
 - (ii) has, or expects to have, responsibility for a child,

is entitled, in accordance with this determination, to be absent from work on parental leave for the purpose of caring for that child.

- b) A member has responsibility for a child, for the purposes of subparagraph (a), if:
 - (i) the member has parental responsibility for the child; or
 - (ii) the member has been registered as the child's father under any provision of 14 or 18 of the Registration of Births, Deaths and Marriages (Scotland) Act 1965.
- c) A member is entitled to thirteen weeks' leave in respect of any individual child.

- d) With effect from 16 April 2003, a member is entitled to eighteen weeks' leave in respect of any individual child where that child is entitled to disability living allowance, subject to sub-paragraph (j) of this determination.
- e) Where the period for which a member is normally required to do duty in the course of a week does not vary, a week's leave for the member is a period of absence from duty which is equal in duration to the period for which the member is normally required to do duty.
- f) Where the period for which a member is normally required to do duty in the course of a week varies from week to week or over a longer period, or where the member is normally required to work in some weeks but not in others, a weeks' leave for the member is a period of absence from duty which is equal in duration to the period calculated by dividing the total of the periods for which the member is normally required to do duty in a year by 52.
- g) Where a member takes leave in periods shorter than the period which constitutes for the member, a weeks' leave under whichever of sub-paragraphs (e) and (f) is applicable in the member's case, the member completes a weeks' leave when the aggregate of the periods of leave the member has taken equals the period constituting a weeks' leave for the member under the applicable sub-paragraph.
- h) Except in the cases referred to in sub-paragraphs (i) and (j), a member may not exercise any entitlement to parental leave in respect of a child after the date of the child's 5th birthday or, in the case of a child placed with the member for adoption by the member, on or after:
 - (i) the 5th anniversary of the date on which the placement began, or
 - (ii) the date of the child's 18th birthday,

whichever is the earlier.

i) In the case of a child:

- (i) born before 15th December 1999, whose 5th birthday was or is on or after that date, or
- (ii) placed with the member for adoption by the member before 15th December 1999, the 5th anniversary of whose placement was or is on or after that date,

not being a case to which sub-paragraph (j) applies, any entitlement to parental leave may not be exercised after 31st March 2005.

- j) In the case of a child who is entitled to a disability living allowance, any entitlement to parental leave may not be exercised on or after the date of the child's 18th birthday.
- k) A member of a police force shall give notice to the Chief Constable of their intention to take any part of the parental leave to which the member is entitled. For the purposes of this sub-paragraph, the notice required is notice which:
 - (i) specifies the dates on which the period of leave is to begin and end; and
 - (ii) is given to the Chief Constable at least 21 days before the date on which that period is to begin.
- l) As far as the exigencies of duty permit, the Chief Constable shall grant the member parental leave where notice has been given in accordance with sub-paragraph (k) above.

3) ADOPTION LEAVE

- a) So far as the exigencies of duty permit, a member of a police force who is the child's adoptive parent shall be granted-
 - (i) 5 days adoption leave, with effect from 8 February 2001 to 5th April 2003 at or around the time of the adoption;
 - (ii) One week adoption leave with effect from 6th April 2003.
- b) With effect from 6 April 2003 and so far as the exigencies of duty permit, a member of a police force who is the child's adoptive parent and who either;
 - (i) has been notified that he has been matched with a child on or after 6 April 2003; or
 - (ii) has had a child placed with him on or after 6 April 2003;

shall be granted 51 weeks' adoption leave provided that the member concerned has served continuously for a period of 26 weeks by the end of the notification week.

- c) In paragraph (b) above, the "notification week" is the week in which the member is notified of being matched with a child for adoption.
- d) A member of a police force may take adoption leave on the day on which a child is placed with them or on such other date that the member notifies to the chief constable.
- (e) The date that may be notified under paragraph (d) shall be no more than 14 days before the day on which the child is expected to be placed with the member and no later than that date.

- f) In the case of a part-time member each day of adoption leave granted counts for the purposes of regulation 24(1) and the determination thereunder as a period of duty of 8 hours multiplied by the appropriate factor.

4) ADOPTION SUPPORT LEAVE

- a) With effect from 6 April 2003 and so far as the exigencies of duty permit, a member of a police force who is the spouse or partner of an adoptive parent shall be granted 2 weeks adoption support leave at or around the time of adoption.
- b) In the case of a part-time member, each day of adoption support leave granted counts for the purposes of regulation 24(1) and the determination thereunder as a period of duty of 8 hours multiplied by the appropriate factor.

5)

- a) In this determination and determinations made under regulations 22 and 25, “day”, in relation to members of a police force, means a period of 24 hours commencing at such time or times as the Chief Constable shall fix and the Chief Constable may fix different times in relation to different groups of members.
- b) In discharging their functions under sub paragraph (a) above, the Chief Constable shall have regard to the wishes of the joint branch board.

TIME OFF FOR DEPENDANTS

- 1) With effect from 15 December 1999, a member of a police force is entitled to be permitted by that member's chief constable to take a reasonable amount of time off during the member's normal duty periods in order to take action which is necessary:
 - a) to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted,
 - b) to make arrangements for the provision of care for a dependant who is ill or injured,
 - c) in consequence of the death of a dependant,
 - d) because of the unexpected disruption or termination of arrangements for the care of a dependant, or
 - e) to deal with an incident which involves a child of the member and which occurs unexpectedly in a period during which an educational establishment which the child attends is responsible for the child.
- 2) Paragraph (1) does not apply unless the member:
 - a) tells the chief constable the reason for the member's absence as soon as reasonably practicable, and
 - b) except where paragraph (a) cannot be complied with until after the member has returned to duty, tells the chief constable for how long the member expects to be absent.
- 3) Subject to paragraphs (4) and (5), for the purposes of this section "dependant" means, in relation to a member of a police force:
 - a) a spouse,
 - b) a child,
 - c) a parent,
 - d) a person who lives in the same household as the member, otherwise than by reason of being his employee, tenant, lodger or boarder.
- 4) For the purposes of paragraphs (1)(a) or (b) "dependant" includes, in addition to the persons mentioned in paragraph (3), any person who reasonably relies on the member:
 - a) for assistance on an occasion when the person falls ill or is injured or assaulted, or
 - b) to make arrangements for the provision of care in the event of illness or injury.
- 5) For the purposes of paragraph (1)(d) "dependant" includes, in addition to the persons mentioned in paragraph (3), any person who reasonably relies on the member to make arrangements for the provision of care.

- 6) A reference in this determination to illness or injury includes a reference to mental illness or injury.
- 7) Leave taken as time off for dependants shall be treated as duty.

ALLOWANCES

1) MOTOR VEHICLE ALLOWANCES

- a) Where the chief constable is of opinion that the duties normally performed by a member of a police force are of such a nature that it is-
 - i) essential, or
 - ii) desirable,

that the member in question should, at all material times, have a motor vehicle at the member's disposal, the chief constable may authorise that member to use (subject to the chief constable's directions) a motor vehicle owned by the member for the purposes of duties performed by the member and, subject to the following provisions of this determination, in respect of such use the member shall be paid a motor vehicle allowance. Use of a motor vehicle during travelling time which is treated as duty in accordance with a determination under regulation 22(1)(e) shall be treated as use for the purposes of duties performed by the member.

- b) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor vehicle unless there was in force in relation thereto a policy of insurance in terms approved by the police authority, in relation to the use in question, for the purposes thereof.
- c) A motor vehicle allowance shall not be payable in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. unless the member concerned was willing to carry passengers for the purposes of the duties performed by the member or, in the case of passengers being members of a police force, by those members.
- d) A motor vehicle allowance in respect of the authorised use of a motor car of a cylinder capacity exceeding 500 c.c. shall, subject as aforesaid, be payable-
 - i) where the chief constable is of the opinion mentioned in sub-paragraph (a)(i), at the essential user's rate;
 - ii) where the chief constable is of the opinion mentioned in sub-paragraph (a)(ii), at the casual user's rate,

as provided in sub-paragraphs (e) and (f) .

provided that where the member concerned holds a rank above that of chief superintendent the member may instead be paid a flat-rate motor vehicle allowance at such annual rate as is determined by the police authority on such basis as is approved by the Scottish Ministers.

- e)

- i) Subject to the following provisions of this determination, the amount of a motor vehicle allowance payable at the essential user's rate shall in any year comprise a fixed element and a mileage element calculated as provided in sub-paragraphs (ii) and (iii).
- ii) The fixed element shall be calculated by reference to the number of completed months comprised in the period of authorised use for the year in question at the annual rate specified in sub-paragraph (g) and (h) by reference to the cylinder capacity of the motor car in question.
- iii) The mileage element shall be calculated in relation to authorised use at the rate specified in sub-paragraph (g) and (h) by reference to the cylinder capacity of the motor car in question, and for that purpose sub-paragraph (g) and (h) so specifies:
 - (1) a basic rate, in relation to authorised use not exceeding the mileage specified in sub-paragraph (g) and (h) (“the basic mileage”), and
 - (2) a reduced rate in relation to authorised use in excess of the basic mileage.

(f) A motor vehicle allowance in respect of the authorised use of-

- i) a motor car of a cylinder capacity not exceeding 500 c.c., or
- ii) a motor bicycle,

shall, subject as aforesaid, be payable on such conditions and at such rate as is approved by the Scottish Ministers.

g) Rates, with effect from 1 April 2002

	451-999cc	1000cc-1199cc	1200-1450cc
Essential users			
Lump sum per annum	£657	£735	£945
Per mile - first 8,500 miles	28.1p	31.2p	38.3p
Per mile - after 8,500 miles	10.1p	11.1p	12.4p
Petrol element per mile	6.631p	7.073p	7.763p
Amount of VAT per mile in petrol element	0.988p	1.053p	1.156p
Casual users			
Per mile - first 8,500 miles	35.8p	39.9p	49.4p
Per mile - after 8,500 miles	10.1p	11.1p	12.4p
Petrol element per mile	6.631p	7.073p	7.763p
Amount of VAT per mile in petrol element	0.988p	1.053p	1.156p

h) Rates, with effect from 1 April 2003

	451-999cc	1000cc-1199cc	1200-1450cc
Essential users			
Lump sum per annum	£657	£735	£945
Per mile - first 8,500 miles	28.6p	31.5p	38.7p
Per mile - after 8,500 miles	10.6p	11.3p	12.8p
Petrol element per mile	7.065p	7.363p	8.064p
Amount of VAT per mile in petrol element	1.051p	1.097p	1.201p
Casual users			
Per mile - first 8,500 miles	36.4p	40.2p	49.9p
Per mile - after 8,500 miles	10.6p	11.30p	12.8p
Petrol element per mile	7.056p	7.363p	12.01p
Amount of VAT per mile in petrol element	1.051p	1.097p	1.201p

- i) Where in any year a motor vehicle allowance is payable at the essential user's rate it shall be payable in such instalments, in advance or in arrears, as the police authority may determine; but when the amount of the allowance for that year is finally calculated, any over-payment shall be recoverable.
- j) Where in any year a motor vehicle allowance is payable at the essential user's rate to a member of a police force and the member is on sick leave, or maternity leave, or the motor car in question is out of order, for a continuous period of four or more weeks in that year the allowance shall be reduced by such amount as the police authority, with the approval of the Scottish Ministers, determines as being appropriate in all the circumstances.
- k) Where in any year a motor vehicle allowance is payable at the essential user's rate but the period of authorised use is a fraction only of that year, sub-paragraph (e)(iii) shall have effect as if for the reference to the basic mileage there were substituted a reference to the corresponding fraction of that mileage; and for the purposes of this paragraph the monthly rate of the fixed element of such an allowance so payable shall be taken to be a twelfth of the annual rate.
- l) The amount of a motor vehicle allowance payable at the casual user's rate shall in any year be an amount calculated in relation to the mileage of authorised use in that year at the rate specified in sub-paragraphs (g)

and (h) by reference to that mileage and the cylinder capacity of the motor car in question, except that where the amount of the allowance would be less if it were calculated at the essential user's rate, it shall be of an amount calculated in accordance with sub-paragraph (e).

- m) The amount of a motor vehicle allowance payable to a member of a police force shall not exceed that which would be payable if the vehicle in question were of such a cylinder capacity, not being less than 1,000 c.c., as the chief constable of police, with the approval of the police authority, has determined appropriate for use for the purposes of the duties normally performed by the member concerned.
- n) In its application to a chief constable this determination shall have effect as if any reference therein to that officer were a reference to the police authority.
- o) For the purposes of this determination-

“authorised use” means the use, authorised under sub-paragraph (a), of a motor vehicle owned by the member of a police force concerned for the purposes of the member’s duties as a member of that force or, where the member has been statutorily transferred from one force to another force, as a member of either of those forces, and “period of authorised use” means the period during which such use is authorised;

“cylinder capacity” means the cylinder capacity of the engine of a vehicle calculated in accordance with regulations under paragraph 2(4) of Schedule 1 to the Vehicle Excise and Registration Act 1994;

“motor bicycle” means a mechanically propelled bicycle (including a motor scooter, a bicycle with an attachment for propelling it by mechanical power and a mechanically propelled bicycle used for drawing a sidecar);

“motor car” means a mechanically propelled vehicle other than a motor bicycle and, accordingly, includes a mechanically propelled tricycle;

“year” means a period of twelve months beginning on such date as may be determined by the police authority;

and a reference to a motor vehicle owned by a member of a police force is a reference to such a vehicle kept and used by the member.

2) DOG HANDLER'S ALLOWANCE

- a) Where a dog owned by the police authority is kept and cared for by a

member of a police force at that member's home, the member shall be paid a dog handler's allowance in respect of the care accorded to the dog on the member's rest days and on public holidays.

- b) For this purpose the member shall be treated as keeping and caring for a dog at his home if the member would be doing so but for being on annual leave.
- c) The annual rate of this allowance
 - i) in the case of a member of a police force of the rank of constable is £987 from 1 September 1996 and £1059 from 1 September 1997;
 - ii) in the case of a constable of any other rank is £1,395 from 1 September 1996 and £1,443 from 1 September 1997;
 - iii) with effect from 1 July 2000 is £1,554;
 - iv) with effect from 1 September 2000 is £1,602;
 - v) with effect from 1 September 2002 is £1,710;
 - vi) with effect from 1 September 2003 is £1,761.
- d) Up to and including 24th June 2004 where a member of a police force keeps and cares for at home more than one dog owned by the police authority, the annual rate of the allowance shall be multiplied by the number of such dogs to kept and cared for.

From 25th June 2004.

- e) Where the member keeps and cares for at his home more than one dog owned by the police authority, there shall be added to the allowance an amount equal to 25 per cent of the sum specified in sub-paragraph (c) for each such dog.

3) SPECIAL PRIORITY PAYMENTS

With effect from 1st April 2003

- a) A member in a qualifying post in the force's special priority payment scheme who meets the personal criteria in sub-paragraph (f) below shall be paid an allowance (special priority payment).
- b) The annual amount for each qualifying post shall be determined by the chief constable and the police authority. The amount shall normally be no less than £500 and no more than £3,000, although exceptionally, annual amounts of up to £5,000 may be determined.
- c) The payment will be made as a single non-pensionable lump sum in

December of each year commencing in 2003.

- d) In December 2003, a member who is entitled to a special priority payment shall be paid an amount -
- i) equal to three quarters of the annual amount for the qualifying post when the member has been in the post from 1 April to 31 December 2003, or,
 - ii) in other cases, a fraction of the amount in sub-paragraph (i) corresponding to the fraction of the period from 1 April to 31 December 2003 during which the member has been in the post.
- e) In December 2004 and in subsequent years, a member who is entitled to a special priority payment shall be paid an amount -
- (i) equal to the annual amount for the qualifying post when the member has been in post from 1 January to 31 December in that year, or
 - (ii) in other cases, a fraction of the amount in sub-paragraph (i) corresponding to the fraction of the period from 1 January to 31 December during which the member has been in the post.
- f) In agreeing the qualifying posts for the force's special priority payment scheme, the chief constable and police authority shall have regard to the following criteria in respect of any post, that it:
- Carries a significantly higher responsibility level than the norm for the rank; or
 - Presents particular difficulties in recruitment and retention; or
 - Has specially demanding working conditions or working environments.
- g) The personal criteria are that the member has demonstrated that the member is fully competent in and highly committed to that member's duties and responsibilities.

4) BONUS PAYMENTS

With effect from 1st April 2003 a chief constable may award a payment of between £50 and £500 to a member of the chief constable's force where the chief constable is satisfied that the member concerned has performed a piece of work of an outstandingly demanding, unpleasant or important nature.

5) REMOVAL ALLOWANCE – this paragraph applies from 1 April 1996 to 31 March 2003

- (a) Where a member of a police force moves home in circumstances to which this paragraph applies, the police authority –
- i) shall either reimburse the reasonably incurred cost of removal or carry out the removal;

ii) shall, where the member of a police force was the owner of the former home, reimburse expenses reasonably incurred by the member in connection with the disposal thereof;

iii) shall, where the member of a police force is the owner of the new home, reimburse expenses reasonably incurred by the member in connection with the acquisition thereof if –

- (1) the member was the owner of the former home, or
- (2) the police authority, after consulting the chief constable, are satisfied that the member could neither have been provided with a suitable house or quarters nor have been reasonably expected to find suitable rented accommodation within a reasonable distance of the member's normal place of duty,

so, however, that where the police authority are of opinion that the member could have acquired a suitable home for a consideration less than that actually paid, they may restrict the reimbursement of expenses directly related to the consideration paid by him to expenses which would have been reasonably incurred had he paid that lesser consideration;

iv) shall reimburse the member payments made by the member to meet relevant liabilities in respect of the first 26 weeks following the move and may, if they think fit, reimburse the member such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member has not taken all reasonable steps to reduce or terminate the member's liability to make such payments as aforesaid they may restrict the reimbursement to payments which the members would have been liable to make and had the member taken all such steps.

(b) Sub-paragraph (a) applies where the member moves home –

i) on joining the force in the rank of assistant chief constable or a higher rank; or

ii) except as a consequence of joining the force otherwise than on being statutorily transferred thereto, and the removal is, in the opinion of the chief constable, due to the exigencies of police duty or is made at the request of the chief constable and is, in his opinion, in the interests of the efficiency of the force.

(c) Where a member moves home in consequence of voluntarily transferring from one force to another, otherwise than in circumstances to which sub-paragraph (b) applies, the police authority of the force to which he transfers –

i) may either reimburse the reasonable cost of removal or carry out the removal;

- ii) may, in the circumstances mentioned in sub-paragraph (a)(i), reimburse the expenses there mentioned;
 - iii) in the circumstances and subject to the conditions mentioned in sub-paragraph (a)(iii) reimburse the expenses there mentioned;
 - iv) may, subject to the conditions mentioned in sub-paragraph (a)(iv), reimburse the expenses there mentioned.
- (d) For the purposes of sub-paragraph (a)(iv) relevant liabilities are –
- i) liabilities in respect of mortgage interest or rent payable in connection with the former home; and
 - ii) in respect of any days in respect of which the member is liable to pay council tax in respect of the member's former home, the amount by which that tax and any council tax the member is liable to pay in respect of the member's new home exceeds the council tax that the member would have been liable to pay in respect of the member's former home if the member had not moved from it.
- (e) Where the cost of removal is reimbursed or the removal is carried out by the police authority under sub-paragraph (a) or (c), then, subject to sub-paragraph (g) in respect of expenditure incidental to the move the police authority shall pay the constable an allowance of the amount hereinafter provided.
- (f) Every sum of money specified in sub-paragraphs (h) to (j) is to be multiplied by the appropriate factor.
- (g) An allowance under sub-paragraph (e) –
- i) shall not be payable, where a member who has never been married moves from furnished accommodation;
 - ii) shall only be payable if the chief constable so decides, where a member moves from unfurnished into furnished accommodation.
- (h) In the case of a member who –
- i) moves into furnished accommodation; or
 - ii) moves into unfurnished accommodation but has not previously, while a member, lived in such accommodation,
- the amount of the allowance under sub-paragraph (e) shall be £20.
- (i) In the case of any other member the amount of the allowance under sub-paragraph (e) shall not exceed

- (1) from 1 April 1996 - £1,396;
- (2) from 1 April 1997 - £1,431;
- (3) from 1 April 1998 - £1,482;
- (4) from 1 April 1999 - £1,524;
- (5) from 1 April 2001 - £1,596
- (6) from 1 April 2002 - £1,608

nor be less than the minimum amount mentioned in sub-paragraph (j) but, subject as aforesaid, shall equal the aggregate of the following amounts –

- (1) the amount of the expenditure incidental to the move reasonably incurred by the member, and
 - (2) where the member satisfies the police authority that, in consequence of the move, the member has failed to benefit, in whole or in part, from expenditure reasonably incurred by the member prior to the move (other than such payments as are referred to in paragraph (a)(iv)), the whole or the proportionate part of that expenditure so far as it is not recoverable by the member.
- (j) The minimum amount referred to in sub-paragraph (i) shall be –
- (1) where the member holds, or is transferring to be appointed in, a rank higher than that of superintendent, such amount as may be determined by the police authority;
 - (2) where the member holds, or is transferring to be appointed in, the rank of superintendent, £129;
 - (3) where the member holds, or is transferring to be appointed in, the rank of inspector, £102;
 - (4) where the member holds, or is transferring to be appointed in, any rank lower than inspector, £82.
- (k) Where a member of a police force has been requested by the chief constable, in the interests of the efficiency of the force, to move home, and –
- i) the member has, in consequence, in connection with the contemplated disposal of the member's home and acquisition of a new home, incurred any expenses; and

- ii) the member would, if the member had moved home, have been reimbursed those expenses by the police authority in pursuance of sub-paragraph (a)(ii) or (iii),

but, in consequence of a subsequent decision of the chief constable, the member does not in fact move home, the member shall be entitled, notwithstanding that the member has not moved home, to be reimbursed those expenses by the police authority.

(l) In this determination –

- (i) any reference to an owner, being an owner of property mentioned in this regulation, is a reference to an occupier thereof whose interest therein is either (i) that of proprietor of the dominium utile or, in the case of property not held on feudal tenure, that of proprietor thereof, or (ii) a leasehold interest which is neither an interest under a lease (which term includes sublease) from year to year or for a lesser period, or any other lease the unexpired period of which does not exceed a year, not a furnished tenancy:

Provided that, in the case of property subject to a standard security as provided for by the Conveyancing and Feudal Reform (Scotland) Act 1970 or a heritable security constituted by ex facie absolute disposition or assignation, the person who, if the debt were discharged, would be entitled to be vested in that property shall, for the purposes of this determination, be treated as the proprietor or, as the case may be, as the tenant;

- ii) any reference to expenses incurred in connection with the disposal or acquisition of any property shall be construed as including, in particular, estate agent's, auctioneer's and solicitor's fees, stamp duty and expenses in connection with the discharge, redemption, transfer or taking out of a heritable security;

and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

- (m) Where a university scholar moves home and the removal is, in the opinion of the police authority, due to the scholar having undertaken or completed the scholar's course of study and is, in their opinion, reasonable in all the circumstances, this determination should have effect in the scholar's case as if the removal were such as mentioned in sub-paragraph (a).

EXPENSES

1) REIMBURSEMENT OF MEDICAL CHARGES

- a) A member of a police force, if the charges are incurred by reason of an injury received without that member's default in the execution of that member's duty as a constable, shall be reimbursed by the police authority any charges incurred in that member case under sections 69, 70, 71 or 71A of the National Health (Scotland) Act 1978 (which sections relate to charges for certain drugs, medicines and appliances and for dental treatment).
- b) For the purposes of sub-paragraph (a), "injury" and "injury received in the execution of duty" have the same meanings as they have in the Police Pensions Regulations.

2) REMOVAL EXPENSES - WITH EFFECT FROM 1 APRIL 2003

- a) Where a member of the police force moves home in circumstances to which this sub-paragraph applies, the police authority-
 - i) shall either reimburse the reasonably incurred cost of removal or carry out the removal;
 - ii) shall, where the member was the owner of the former home, reimburse expenses reasonably incurred by the member in connection with the disposal thereof;
 - iii) shall, where the member is the owner of the new home, reimburse expenses reasonably incurred by the member in connection with the acquisition thereof if-
 - (1) the member was the owner of the former home, or
 - (2) the police authority, after consulting the chief constable, are satisfied that the member could neither have been provided with a suitable house or quarters nor have been reasonably expected to find suitable rented accommodation within a reasonable distance of the member's normal place of duty,

so, however, that where the police authority are of opinion that the member could have acquired a suitable home for a consideration less than that actually paid, they may restrict the reimbursement of expenses directly related to the consideration paid by the member to expenses which would have been reasonably incurred had the member paid that lesser consideration;
 - iv) shall reimburse the member payments made by the member to meet relevant liabilities in respect of the first 26 weeks following the move

and may, if they think fit, reimburse such payments in respect of such further period as they may determine so, however, that where the police authority are of opinion that the member has not taken all reasonable steps to reduce or terminate the member's liability to make such payments as aforesaid they may restrict the reimbursement to payments which the member would have been liable to make had the member taken all such steps.

- b) Sub-paragraph (a) applies where the member moves home-
 - i) on joining the force in the rank of assistant chief constable or a higher rank; or
 - ii) except as a consequence of joining the force otherwise than on being statutorily transferred thereto, and the removal is, in the opinion of the chief constable, due to the exigencies of police duty or is made at the request of the chief constable and is, in the chief constable's opinion, in the interests of the efficiency of the force.
- c) For the purposes of sub-paragraph (a)(iv) relevant liabilities are-
 - i) liabilities in respect of mortgage interest or rent payable in connection with the former home; and
 - ii) in respect of any days in respect of which the member is liable to pay council tax in respect of the former home, the amount by which that tax and any council tax the member is liable to pay in respect of the new home exceeds the council tax that that member would have been liable to pay in respect of the member's former home if the member had not moved from it.
- d) voluntarily transferring from one force to another, otherwise than in circumstances to which sub-paragraph (b) applies, the police authority of the force to which the member transfers-
 - i) out the removal;
 - ii) may, in the circumstances mentioned in sub-paragraph (a)(ii), reimburse the expenses there mentioned;
 - iii) may, in the circumstances and subject to the conditions mentioned in sub-paragraph (a)(iii), reimburse the expenses there mentioned;
 - iv) may, subject to the conditions mentioned in sub-paragraph (a)(iv), reimburse the expenses there mentioned.
- e) Where the cost of removal is reimbursed or the removal is carried out by the police authority under sub-paragraph (a) or (d) the police authority shall reimburse -

- i) an item of expenditure incidental to the move and not otherwise covered in this determination if the member can satisfy the police authority of the necessity of the expenditure;
 - ii) where the member satisfies the police authority that, in consequence of the move, the member has failed to benefit, in whole or in part, from expenditure reasonably incurred by the member prior to the move (other than such payments as are referred to in sub paragraph (a)(iv)), the whole or the proportionate part of that expenditure so far as it is not recoverable by the member.
- f) Where a member of a police force has been requested by the chief constable, in the interests of the efficiency of the force, to move the member's home, and-
- i) the member has, in consequence, in connection with the contemplated disposal of the member's home and acquisition of a new home, incurred any expenses; and
 - ii) the member would, if that member had moved home, have been reimbursed those expenses by the police authority in pursuance of sub-paragraph (a)(i) or (iii); but
 - iii) in consequence of a subsequent decision of the chief constable, the member does not in fact move home,

the member shall be entitled, notwithstanding that the member has not moved home, to be reimbursed those expenses by the police authority.

g) To qualify for reimbursement, an item of removal expenditure must be necessary, reasonable and backed by a receipt.

h) In this determination

- i) any reference to an owner, being an owner of property mentioned in this determination, is a reference to an occupier thereof whose interest therein is either (i) that of proprietor of the dominium utile or, in the case of property not held on feudal tenure, that of proprietor thereof, or (ii) a leasehold interest which is neither an interest under a lease (which term includes sublease) from year to year or for a lesser period, or any other lease the unexpired period of which does not exceed a year, nor a furnished tenancy.

Provided that, in the case of property subject to a standard security as provided for by the Conveyancing and Feudal Reform (Scotland) Act 1970 or a heritable security constituted by ex facie absolute disposition or assignation, the person who, if the debt were discharged, would be entitled to be vested in that property shall, for the purposes of this determination, be treated as the proprietor or, as the case may be, as the tenant;

- ii) any reference to expenses incurred in connection with the disposal or acquisition of any property shall be construed as including, in particular, estate agent's, auctioneer's and solicitor's fees, stamp duty

and expenses in connection with the discharge, redemption, transfer or taking out of a heritable security;

and any reference to expenses incurred in connection with the acquisition of any property shall be construed as also including expenses in connection with the contemplated acquisition of a property other than that acquired.

3) FOOD AND ACCOMMODATION EXPENSES

- a) When a member of a police force is necessarily prevented in the course of a tour of duty from obtaining a meal in the usual way, that member shall be reimbursed the difference between the meal the member then obtains and the meal the member usually takes in the course of that tour of duty, provided that the additional expenditure is reasonable and backed by a receipt.
- b) When a member of a police force is retained on duty beyond the member's normal daily period of duty, the member shall be reimbursed the cost of any meal the member then necessarily obtains provided that expenditure is reasonable and backed by a receipt.
- c) A member of a police force shall be reimbursed accommodation expenses necessarily incurred in connection with duty away from the member's usual place of duty, or necessary because the member has been retained on duty beyond the member's normal daily period of duty provided that the expenditure is reasonable and backed by a receipt.
- d) The usual place of duty for this purpose is the police establishment in which the member is stationed. The chief constable shall determine the date at which a member on duty away from the member's usual establishment becomes for the time being stationed at the place where the member is temporarily on duty.
- e) A member of a police force shall, if the member requests, be given an advance to cover, as far as practicable, probable expenses of duty away from the member's usual place of duty.
- f) In the case of a part-time member and in the case of a member working in accordance with variable shift arrangements, in sub-paragraph (a) for the words "tour of duty" and in sub-paragraph (b) for the words "normal daily period of duty", substitute "rostered shift".

4) TRAIN TRAVEL EXPENSES FOR CERTAIN RANKS

A member of a police force of the rank of superintendent or above who is required to travel by train in the execution of that member's duty shall be entitled to travel in first-class accommodation and to be reimbursed those expenses accordingly.

5) RELEVANT TRAVELLING EXPENSES

- a) This paragraph applies where a member of a police force is-
 - i) required to perform that member's normal daily period of duty in more than one tour of duty, or
 - ii) recalled to duty between two tours of duty,

and travels to and from home between tours, or, as the case may be, in consequence of the member's recall (in this paragraph referred to as "relevant travelling").

- b) Relevant travelling expenses shall be treated as expenses incurred in the execution of duty and, unless they are expenses in respect of which an allowance is payable under the determinations made under Part 6 of the Police (Scotland) Regulations 2004, the member concerned shall be reimbursed those expenses to the extent that they do not exceed such reasonable limit as the police authority may fix.

6) UNIVERSITY SCHOLARS

- a) This Annex shall have effect in relation to a university scholar subject to the provision contained in (b).
- b) Where a university scholar moves home and the removal is, in the opinion of the police authority, due to the member having undertaken or completed the scholar's course of study and is, in their opinion, reasonable in all the circumstances, paragraph (2) shall have effect in the scholar's case as if the removal were such as is mentioned in sub-paragraph (a) thereof.