

This is Annex 3 referred to in the foregoing determination by the Scottish Ministers under regulation 8 of the Police Service of Scotland Regulations 2013

Annex 3

Regulation 8

PROBATIONARY SERVICE IN THE RANK OF CONSTABLE

- 1) A constable appointed in the rank of constable, and not being a part-time constable, is to be, unless paragraph (4) applies, on probation for the first 2 years of their service as a constable following the constable'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 constable appointed in the rank of constable is to be, unless paragraph (4) applies to that constable's case, on probation for a period calculated in accordance with paragraph (3) following that constable'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 constable appointed in the rank of constable must be required to serve on probation for a period of $(40/A) \times (2 \text{ years, less any period of probation served in the Police Service otherwise than as a part-time constable})$.
b) In sub-paragraph (a) above, "A" = the constable's normal weekly period of duty, (where the constable's normal period of duty is as determined by the Scottish Ministers under regulation 14 of the Regulations and a "week" means the period of 7 days beginning with such day as is fixed by the chief constable).
- 4) A constable to whom paragraph (1) or (2) applies, who served on probation for a period of not less than a year following a previous appointment to the Police Service or any other police force is to be on probation for the first year of the constable's service as a constable following the constable's last appointment or for such longer period as the chief constable determines in the circumstances of a particular case.

Provided that the chief constable may at their discretion-

- a) reduce the period of probation, on the condition that the reduced period, when aggregated with the previous period of probation, must be not less than 2 years except that, in the case of a constable who for any part of their probation is appointed a part-time constable, that reduced period must be 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 constable, following the constable's previous appointment, completed the required period of probation in the Police Service or the police force in question.
- 5) For the purposes of this determination-
- a) in reckoning service, any period of unpaid leave must be disregarded;

- b) in the case of a constable who has been transferred to the Police Service by virtue of schedule 5 to the Police and Fire Reform (Scotland) Act 2012, the constable's previous service is to be treated as if it were service in the Police Service;
- c) in the case of a constable who, immediately before their appointment to the Police Service, was a member of a police force, the constable's previous service with that force is to be treated as if it were service in the Police Service;
- d) in reckoning service in the case of a constable who has taken one or more periods of maternity leave-
 - (i) where that leave has been for 52 weeks or more, the first 52 weeks whilst on maternity leave must be treated as if it were service in the Police Service;
 - (ii) where that leave has been for less than 52 weeks, any period spent on maternity leave must be treated as if it were service in the Police Service;

and where that constable has, at the beginning of the fourteenth week before the expected date of birth of the constable's child, as given in accordance with a determination under regulation 25(7) of the Regulations, served continuously as a constable of the Police Service for a period of not less than 26 weeks, 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 must in addition be treated as if it were service in the Police Service.

- e) in reckoning service in the case of a constable who has taken one or more periods of paternity leave in accordance with a determination under regulation 25(7) of the Regulations any period spent on paternity leave must be treated as if it were service in the Police Service.
- f) in reckoning service in the case of a constable who has taken one or more periods of parental leave under regulation 25(8)(b) of the Regulations and the determination thereunder any period spent on parental leave must be treated as if it were service in the Police Service.
- g) in reckoning service in the case of a constable who has taken one or more periods of maternity support leave under regulation 25(8)(a) of the Regulations and the determination thereunder, any period spent on maternity support leave must be treated as if it were service in the Police Service.
- h) in reckoning service in the case of a constable who has taken one or more periods of adoption support leave under regulation 25(8)(d) of the Regulations and the determination thereunder, any period spent on adoption support leave must be treated as if it were service in the Police Service.
- i) in reckoning service in the case of a constable who has taken one or more periods of adoption leave under regulation 25(8)(c) of the Regulations and the determination

thereunder, any period spent on adoption leave must be treated as if it were service in the Police Service.

and where that constable has, at the end of the week in which they are notified of having been matched with a child for adoption, served continuously as a constable for a period of not less than 26 weeks, any period spent on adoption leave during the period of 26 weeks beginning with the week in which the child is placed with the constable for adoption must in addition be treated as if it were service in the Police Service.

6) In this Annex, “police force” has the same meaning as in regulation 8(4) of the Regulations.