

This is Annex 13 referred to in the foregoing determination by the Scottish Ministers under regulation 25 of the Police Service of Scotland Regulations 2013

Paper Apart 13

Regulation 25

SICK LEAVE

- 1) A constable of the Police Service of Scotland is not entitled to be absent from duty on account of injury or illness unless a registered medical practitioner has certified the constable to be unfit for duty. Provided that:
 - a) with the consent of the Scottish Police Authority, a constable 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 constable were fit to do so, the constable 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 Authority has examined the constable and considers the constable to be fit for duty, the Authority must, 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 constable and to report in writing to the other two practitioners concerned; the third registered practitioner must be acceptable to the practitioner who issued the certificate of unfitness for duty and to the practitioner who has examined the constable on behalf of the Authority, except that in the event of a failure to agree, the Authority may appoint such third medical practitioner as it considers appropriate; and if the third registered medical practitioner certifies the constable 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 constable is no longer entitled to be absent from duty.
- 2) This determination applies to a constable who is in quarantine as it applies to a constable who is ill and any reference to fitness or unfitness for duty is to be construed accordingly.
- 3) **PART-TIME CONSTABLES**

While a part-time constable 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 16(1) (pay) and any determination made thereunder, as a period of duty of the same duration.

- 4) **FOR THIS DETERMINATION**
 - a) In this determination, “day”, in relation to constables of the Police Service of Scotland, means a period of 24 hours commencing at such time or times as are fixed by the chief constable and the chief constable may fix different times in relation to different groups of constables.
 - b) In discharging the functions under sub paragraph (a) above, the chief constable must have regard to the views of the Joint Central Committee.