
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 42

**The Police (Performance and Attendance)
Regulations (Northern Ireland) 2016**

PART 3

First stage

Appeal against the finding and outcome of a first stage meeting

16.—(1) This regulation applies where, at the first stage meeting, the line manager found that the performance or attendance of the member concerned has been unsatisfactory.

(2) Where this regulation applies, the member concerned may appeal against—

- (a) such finding; or
- (b) any of the matters specified in paragraph (3) and recorded in the written improvement notice (in these Regulations referred to as the relevant terms of the written improvement notice),

or both.

(3) The matters specified in this paragraph are—

- (a) the respect in which the attendance of the member is unsatisfactory or the performance of the member concerned is considered unsatisfactory;
- (b) the improvement that is required in his performance or attendance;
- (c) the length of the period specified by the line manager in accordance with regulation 14(6) (c).

(4) The only grounds of appeal under this regulation are—

- (a) that the finding of unsatisfactory performance or attendance was unreasonable;
- (b) that any of the relevant terms of the written improvement notice are unreasonable;
- (c) that there is evidence that could not reasonably have been considered at the first stage meeting which could have materially affected the finding of unsatisfactory performance or attendance or any of the relevant terms of the written improvement notice;
- (d) that there was a breach of the procedures set out in these Regulations or other unfairness which could have materially affected the finding of unsatisfactory performance or attendance or any of the relevant terms of the written improvement notice.

(5) Any appeal shall be commenced by the member concerned giving written notice of appeal to the second line manager before the end of 7 working days beginning with the first working day after receipt of the documents referred to in regulation 15(5).

(6) Such notification must—

- (a) set out the grounds of appeal of the member concerned; and
- (b) be accompanied by any evidence on which the member concerned relies.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(7) The second line manager may, on the application of the member concerned, extend the period specified in paragraph (5) if he is satisfied that it is appropriate to do so.

(8) Subject to paragraph (9), the meeting at which the appeal will be heard (referred to in these Regulations as the first stage appeal meeting) shall take place before the end of 7 working days beginning with the first working day after the day on which the notification under paragraph (5) is received by the second line manager.

(9) A first stage appeal meeting may take place after the period of 7 working days referred to in paragraph (8) if the second line manager considers it necessary or expedient, in which case he shall notify the member concerned of his reasons in writing.