

POLICY NOTE

THE POLICE SERVICE OF SCOTLAND (POLICE CADETS) REGULATIONS 2013

SSI 2013/42

1. The above instrument was made in exercise of the powers conferred by section sections 48 and 125(1) of the Police and Fire Reform (Scotland) Act 2012 (“the 2012 Act”). The instrument is subject to negative procedure.

Policy Objectives

2. The 2012 Act, which received Royal Assent on 7 August 2012, changes the policing landscape in Scotland. It brings together the current eight forces, the Scottish Police Services Authority and the Scottish Crime and Drug Enforcement Agency into a single Police Service of Scotland from 1 April 2013.

3. The main policy objective of these regulations is to ensure that police cadets retain their current terms and conditions on transfer to the Police Service of Scotland.

4. In agreement with the main policing stakeholders, these regulations save the Police Cadets (Scotland) Regulation 1968 (“ the 1968 Regulations”) to ensure that the small number of Cadets who transfer to the Police Service of Scotland on 1 April 2013 will be able to complete their training and development. The Police Service of Scotland does not intend to recruit new police cadets in the near future.

5. The 1968 Regulations set out the government, administration and conditions of service of police cadets and these regulations ensure that these continue to have effect after 1 April 2013. A small number of modifications have been made to the 1968 regulations to ensure that references to the Police Service of Scotland and the Scottish Police Authority are introduced appropriately. Other modifications are set out below.

6. Regulation 5(2) of the 1968 regulations has been deleted as this regulation specified that when a police cadet was assigned to duties with a police officer their weekly period of duty would be 40 hours. The utilisation of cadets has changed greatly since the 1968 Regulations were introduced and we wish to give the chief constable the flexibility to set hours that fit within the cadets training requirements.

7. The pay of cadets and the charge for board and lodging, has been amended to reflect the current rates agreed by the Police Negotiating Board.

Consultation

8. To comply with the requirements of section 54(1) and 54(2) of the 2012 Act, the Scottish Ministers have consulted and shared a draft of the Regulations with the Police Negotiating Board for the United Kingdom and persons mentioned in section 54(2)(a)(i) to (vi) of that Act, and have considered any representations made.

9. A public consultation took place from 14 December 2012 to 11 January 2013 and key stakeholders have been involved in a 'reference group' to discuss any significant policy changes to the regulations.

10. A full list of those consulted and who agreed to the release of this information is attached to the consultation report published on the Scottish Government website, it includes:

- Association of Chief Police Officers in Scotland (ACPOS)
- Association of Scottish Police Superintendents (ASPS)
- British Transport Police
- Her Majesty's Inspector of Constabulary for Scotland (HMICS)
- Police Complaints Commissioner for Scotland (PCCS)
- Police Negotiating Board
- Police Service of Scotland
- Scottish Chief Police Officers' Staff Association (SCPOSA)
- Scottish Police Authorities Conveners Forum (SPACF)
- Scottish Police Authority (SPA)
- Scottish Police Federation
- Scottish Women's Development Forum

Impact Assessment

11. A Business Regulatory Impact Assessment (BRIA) was carried out for the Police and Fire Reform (Scotland) Bill, which became the Act. No BRIA is therefore required for these regulations. An Equality Impact Assessment was carried out for the suite of workforce regulations.

Scottish Government
Safer Communities Directorate
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