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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 43**

**The Police Service of Scotland  
(Special Constables) Regulations 2013**

**PART 2**

**GOVERNMENT**

**Personal records**

- 7.—(1) The chief constable must maintain a personal record for each special constable.
- (2) The personal record must contain—
- (a) the home address of, and contact telephone number (if any) for, the special constable;
  - (b) a photograph not more than 10 years old of the special constable taken in accordance with the directions of the chief constable and at the expense of the Authority;
  - (c) a personal description of the special constable;
  - (d) particulars of the special constable's place and date of birth;
  - (e) particulars of the special constable's marriage or civil partnership (if any) and children and other dependants (if any) or, where none, particulars of the special constable's next of kin;
  - (f) a record of the special constable's service (if any) in any branch of Her Majesty's naval, military or air forces or in the civil service or as a seaman;
  - (g) a record of the special constable's service (if any) in any other police force including previous service with the Police Service (if any);
  - (h) a record of whether the special constable passed or failed to pass any qualifying examination at which the special constable was a candidate; and
  - (i) a record of the special constable's service in the Police Service, including postings, transfers, removals, injuries received, periods of illness, attendances at training courses, commendations, rewards, punishments, disposals and the date of the special constable ceasing to be a special constable with the reason, cause or manner thereof.
- (3) The chief constable must expunge from the personal record of a special constable—
- (a) any record of any disposal made by the misconduct officer under regulation 17(2)(e) after 3 years from the relevant date; and
  - (b) any record of any other final disposals made under regulation 17 or 18, after 3 consecutive years free, from the relevant date, of any such disposal being imposed on that special constable in relation to another matter.
- (4) Where any such record as is mentioned in paragraph (3) is expunged from a special constable's record, so much of that personal record as relates to any such expunged record must be destroyed and a new part made out so as not to disclose that the expunged record existed.
- (5) A special constable is entitled to inspect his or her personal record.

(6) Where a special constable ceases to be a special constable, that special constable's personal record must be kept for such time as the chief constable thinks fit and must then be destroyed.

(7) In this regulation "relevant date" means—

- (a) if the chief constable was not requested to review the matter in accordance with regulation 18, the date on which the disposal was, or disposals were, imposed on the special constable concerned by the misconduct officer; or
- (b) if the chief constable is requested to review the matter in accordance with regulation 18, the date on which the disposal was, or disposals were, imposed on the special constable concerned by the chief constable.