
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 61

The Police Service of Scotland (Performance) Regulations 2013

PART 5

Appeal to the chief constable

Appeal to the chief constable

20.—(1) Where a determination has been made by the chairing constable that the constable's performance has been unsatisfactory, the constable may appeal to the chief constable against—

- (a) that determination and the disposal ordered; or
- (b) the disposal only.

(2) Where the constable has been required to resign under regulation 19(3)(b)(i), the constable may appeal to the chief constable against that requirement.

(3) An appeal under paragraph (1) or (2) is to be made by the appellant submitting to the chief constable, not later than 28 days after the date on which a determination was sent to the constable in pursuance of regulation 17(4) or, as the case may be, 19(4), a written notice of appeal specifying—

- (a) the name and address of the appellant;
- (b) that the notice is a notice of appeal;
- (c) the date of the determination and disposal or, in the case of an appeal under paragraph (2), the date of the requirement to resign; and
- (d) the grounds upon which the appeal is made.

(4) The appellant must sign the notice of appeal and send with it a copy of the written determination against which the appeal is made.

(5) A notice of appeal may be submitted late and such a notice may include—

- (a) a request for the notice to be accepted late; and
- (b) a statement of the reasons why it was not submitted on time.

(6) The chief constable may accept a late notice of appeal if satisfied that there are special circumstances which justify the appeal being submitted late.