
STATUTORY INSTRUMENTS

2008 No. 2862

The Police (Performance) Regulations 2008

PART 5

Third stage

Finding

37.—(1) Following the third stage meeting, the panel shall make a finding whether—

- (a) in a case falling within regulation 26(2), the performance or attendance of the officer concerned during the period specified in accordance with regulation 21(6)(c) has been satisfactory or not;
- (b) in a case falling within regulation 26(4), the performance or attendance of the officer concerned during any part of the validity period of the final written improvement notice remaining after the expiry of the period specified in accordance with regulation 21(6)(c) has been satisfactory or not; or
- (c) in a case falling within regulation 28, the performance of the officer concerned constitutes gross incompetence, unsatisfactory performance or neither.

(2) The panel shall prepare (or shall cause to be prepared) their decision in writing which shall state the finding and, where they have found—

- (a) in a case falling within regulation 26(2) or (4), that the performance or attendance of the officer concerned has been unsatisfactory; or
- (b) in a case falling within regulation 28, that his performance constitutes gross incompetence or unsatisfactory performance,

their reasons as well as any outcome which they order under regulation 38.

(3) As soon as reasonably practicable after the conclusion of the meeting, the panel chair shall give a written copy of the decision to—

- (a) the officer concerned; and
- (b) the line manager,

but in any event, the officer concerned shall be given written notice of the finding before the end of three working days beginning with the first working day after the conclusion of the meeting.

(4) Where the panel have made a finding of unsatisfactory performance or attendance or gross incompetence, the copy of the decision given to the officer concerned shall be accompanied by a notice in writing setting out the circumstances in which and the timeframe within which a police officer may appeal to a police appeals tribunal under the Police Appeals Tribunals Rules 2008(1).

(5) Any finding or decision of the panel under this regulation or regulation 38 shall be based on a simple majority but shall not indicate whether it was taken unanimously or by a majority.

Status: This is the original version (as it was originally made).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